

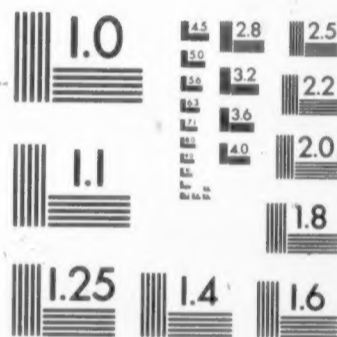
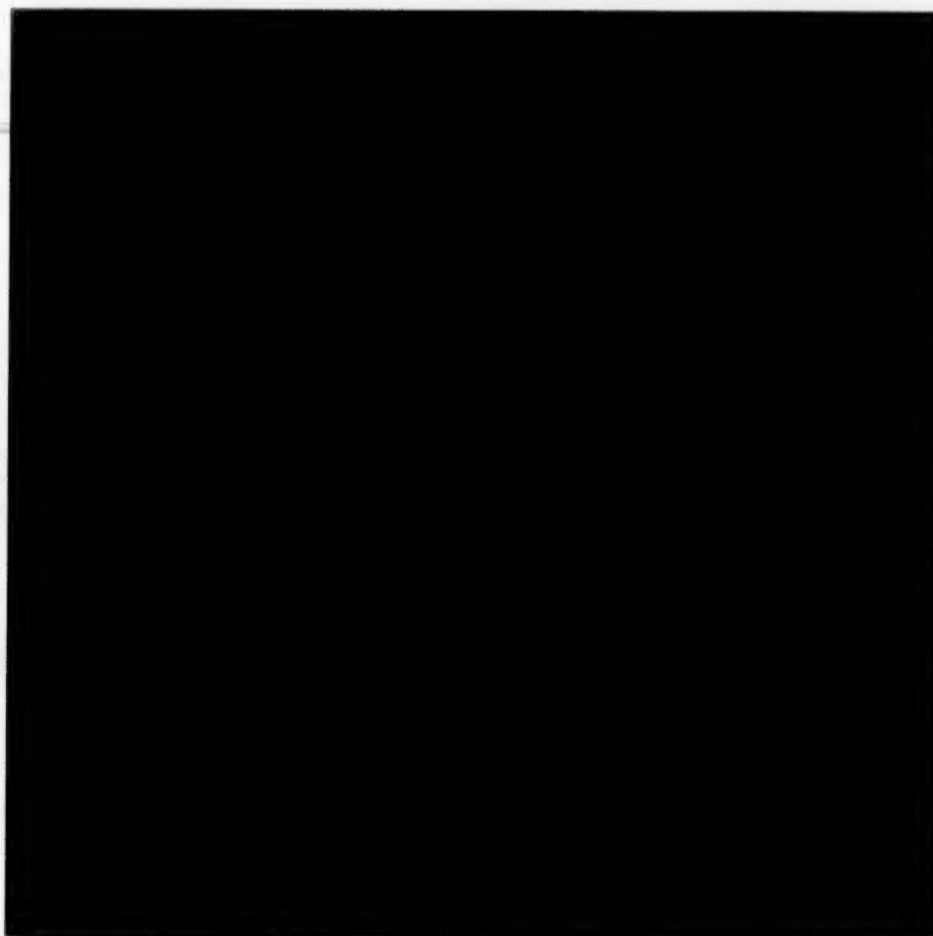
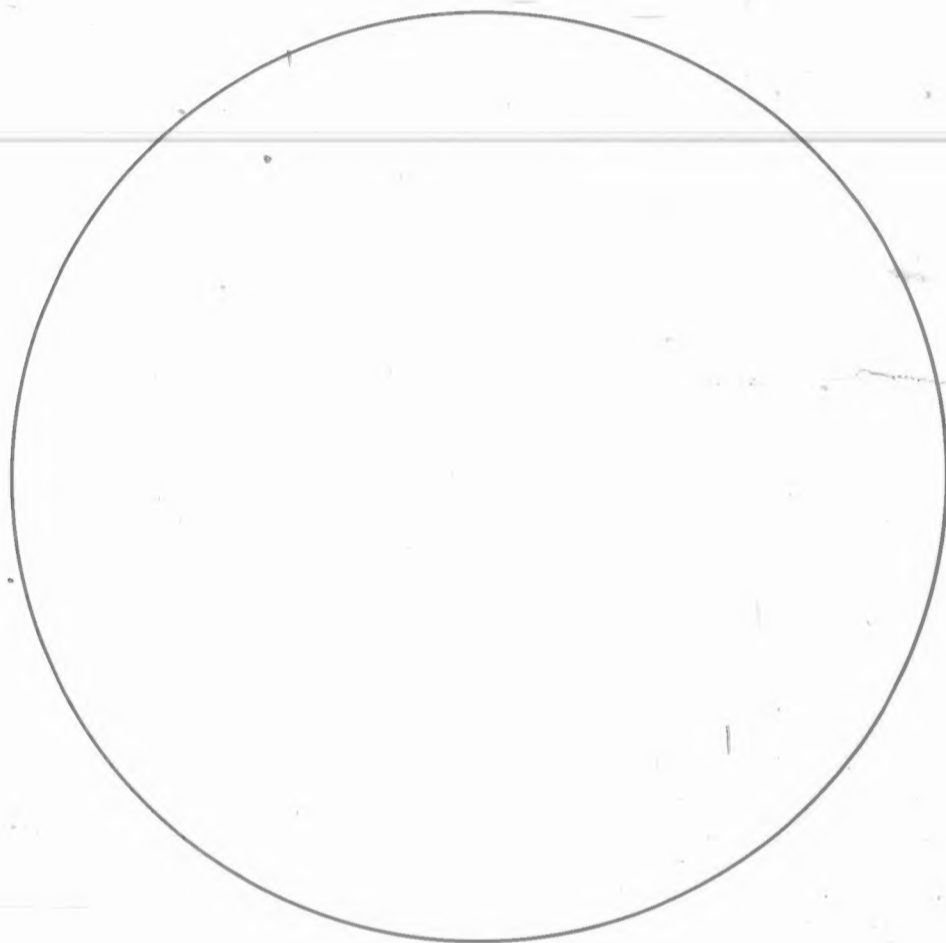
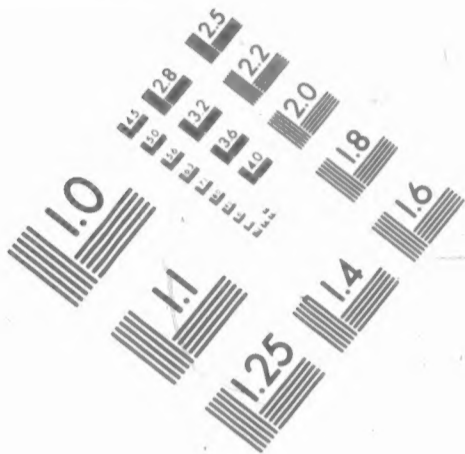
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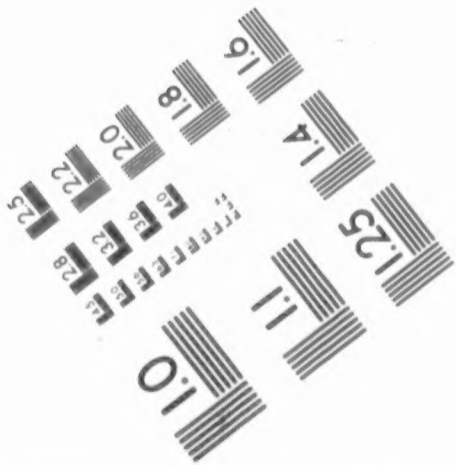
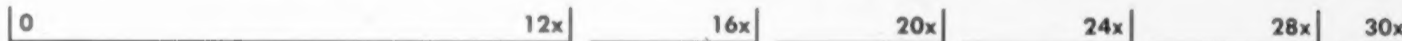


THE GENEALOGICAL SOCIETY  
OF UTAH

50 East North Temple • Salt Lake City, Utah 84150 U.S.A.



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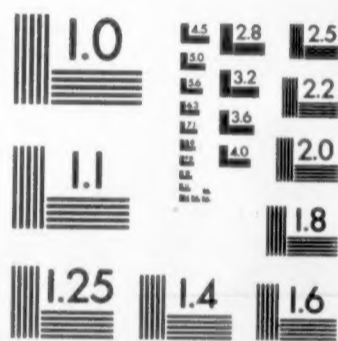
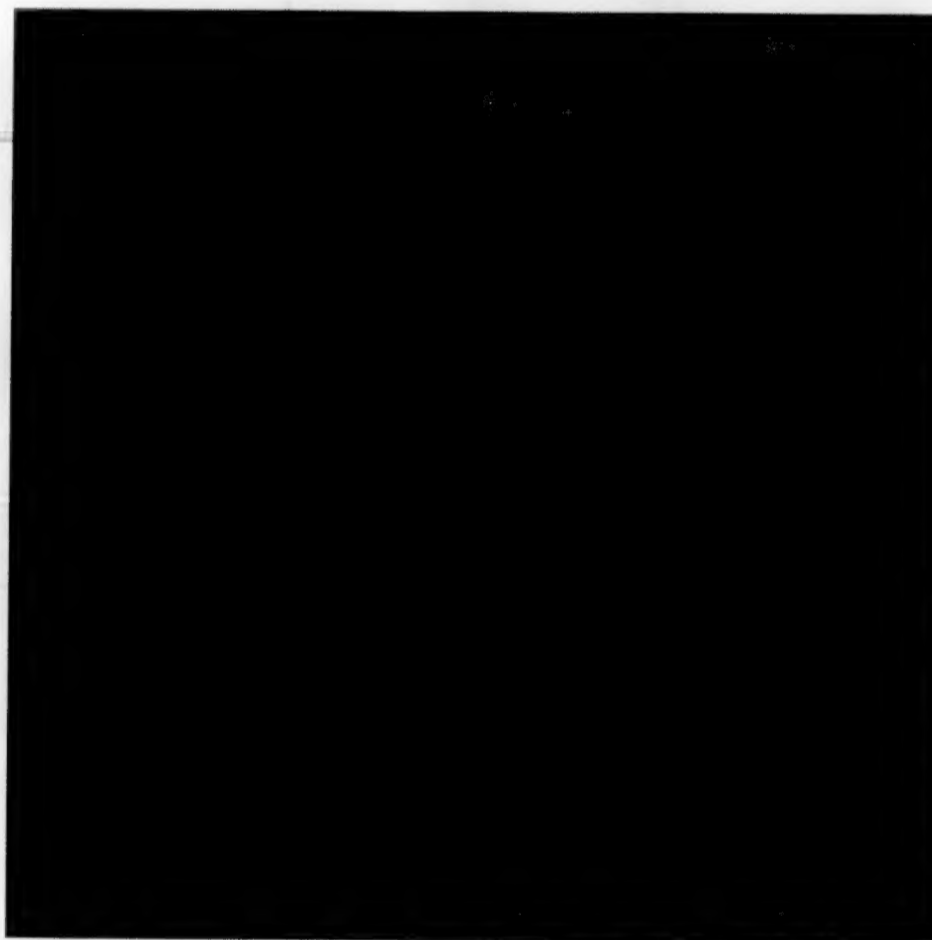
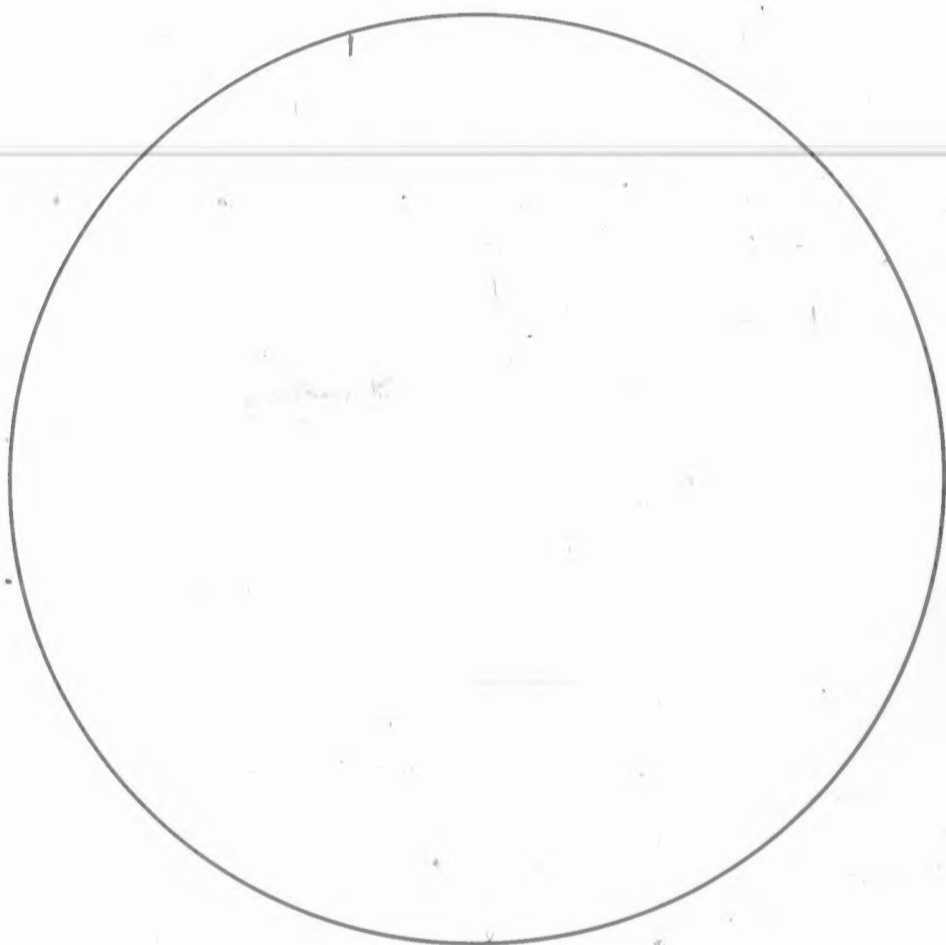
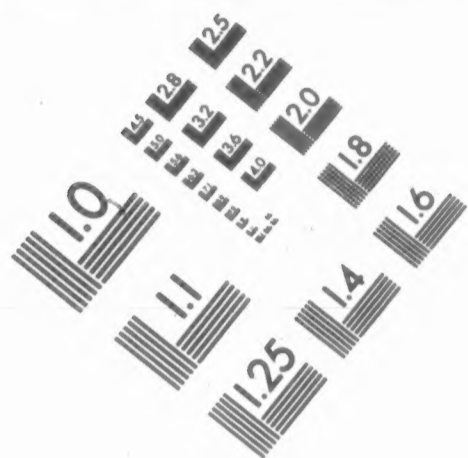


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P.O. BOX 338  
WEBSTER, NEW YORK, 14580

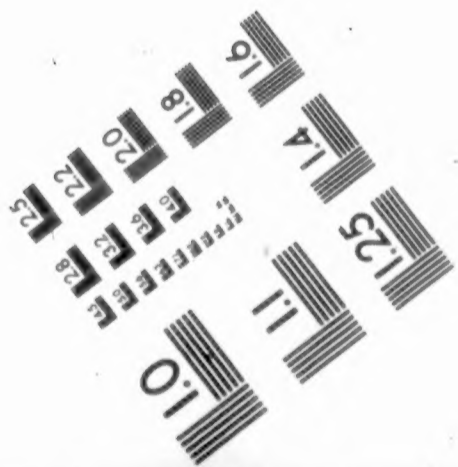
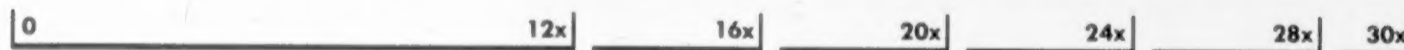


THE GENEALOGICAL SOCIETY  
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50 East North Temple • Salt Lake City, Utah 84150 U.S.A.



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**NATIONAL ARCHIVES MICROFILM PUBLICATIONS**  
Microfilm Publication M1301

APPLICATIONS FOR ENROLLMENT OF THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES  
1898 - 1914

Roll 21

Choctaws by Blood 3657-3806

**THE NATIONAL ARCHIVES  
NATIONAL ARCHIVES AND RECORDS SERVICE  
GENERAL SERVICES ADMINISTRATION**

WASHINGTON: 1983

Choc 3657 Annie B. Duncan  
now whitten

3657

To be filed with Choctaw # 3657 as  
authority for change of the name of Annie  
B. Duncan to Annie B. Whittow. her  
maiden name was ~~Whittow~~ and she was  
after married to G. D. Duncan in 7-5-343.  
but separated from him by divorce and is  
now married to Whittow but she and Whittow  
are separated

E. J. Fannin Clerk of the United States Court  
for the District of the Indian Territory do  
certify that the within is a true and correct copy  
of the record now in my office at Aulton Ind.  
Tery.

E. J. Fannin  
Clerk  
By Jas. P. Street  
J.P.

7-3657

DEPARTMENT OF THE INTERIOR,  
COMMISSIONER OF THE BUREAU OF CIVILIZED TRIBLES.

FILED

Certificate of Record of

Marriage of ~~John~~ ~~William~~ ~~and~~ ~~Anna~~ ~~Pauline~~  
ACTING CHAIRMAN

UNITED STATES OF AMERICA,  
OF THE INDIAN TERRITORY,  
DISTRICT.

I, E. J. Fannin, Clerk

of the United States Court in the Indian Territory  
and District aforesaid, do hereby CERTIFY that  
the License for and Certificate of the Marriage of

Mr. John William and

Miss Anna Pauline was

filed in my office in said Territory and District the

22nd day of Aug A. D. 1902

and duly recorded in Book 1 of Marriage

Record, Page 230

WITNESS my hand and seal of said Court,  
at Aulton this 22nd

day of Aug A. D. 1902

E. J. Fannin  
Clerk

By Jas P Street  
Deputy

No. 470

FORM NO. 593.

# MARRIAGE LICENSE.

UNITED STATES OF AMERICA,  
THE INDIAN TERRITORY,  
Central DISTRICT. } SS:

To any Person Authorized by Law to Solemnize Marriage—Greeting:

You are hereby commanded to solemnize the Rite and publish the Banns of Matrimony between Mr. John Whitten of Mayhew in the Indian Territory, aged 28 years, and Miss Annie Battese of Mayhew in the Indian Territory, aged \_\_\_\_\_ years, according to law, and do you officially sign and return this License to the parties therein named.

WITNESS my hand and official seal, this 13th day of Aug, A. D. 1902

Joseph Steetz  
Deputy.

E. J. Fannin  
Clerk of the United States Court.

## CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA,  
THE INDIAN TERRITORY,  
Central DISTRICT. } SS:

Thos. P. Nathan  
a U.S. Commissioner Court Sect. Ind. Terr.

do hereby CERTIFY, that on the 13th day of Aug, A. D. 1902, I did duly and according to law, as commanded in the foregoing License, solemnize the Rite and publish the BANNES OF MATRIMONY between the parties therein named.

Witness my hand this 13th day of Aug, A. D. 1902

My credentials are recorded in the office of the Clerk of the United States Court in the Indian Territory, Central District, Book \_\_\_\_\_, Page \_\_\_\_\_

Thos. P. Nathan

U.S. Commissioner Court Sect. Ind. Terr.

NOTE.—This License and Certificate of Marriage must be returned to the Office of the Clerk of the United States Court of the Indian Territory, from whence it was issued, within sixty days from the date thereof, or the party to whom the License was issued will be liable in the amount of One Hundred Dollars (\$100.00).



Choctaw 3657

Muskogee, Indian Territory, October 24, 1902.

Annie B. Whitten,  
Mayhew, Indian Territory.

Dear Madam,

Receipt is hereby acknowledged of your letter of the 20th instant, in which you state that you are divorced from G. D. Duncan and married to a man named Whitten, that G. D. Duncan has taken your farms and relative to your right to land in the Choctaw-Chickasaw country.

In reply to your letter you are advised that it appears from our records that on August 21, 1899, Annie B. Duncan, 21 years of age of Mayhew, Indian Territory, and her children, Henry and Charlie Duncan were listed for enrollment by this Commission as citizens by blood of the Choctaw Nation, having been identified from the 1896 census roll of the citizens of the Choctaw Nation, as residents of Jackson County.

The Commission is now preparing a roll of the citizens of the Choctaw Nation for submission to the Secretary of the Interior for approval, and if your name appears upon such roll you would then be entitled to allotment as provided by the following provision of the Choctaw-Chickasaw agreement, ratified September 25, 1902:

# CORRECTION

THESE DOCUMENTS

HAVE BEEN

REPHOTOGRAPHED

TO ASSURE

LEGIBILITY

Choc 3657

Annie B. Duncan  
now Whitten

3657

... .. # 3657 as  
... ..

... ..  
after ... ..  
are separated ... ..  
are separated

J. E. L. Fannin Clerk of the United States Court  
for the District of the Indian Territory do  
Certify that the within is a true and correct copy  
of the record now in my office at Custer S.D.  
S.D.

E. J. Fannin  
By J. W. Freely  
J. W.

7-26-11

V

DEPARTMENT OF THE INTERIOR,  
COMMISSIONER OF THE BUREAU OF CIVILIZED TRAILS

FILED

Certificate of 1902 Record of

Marriage  
ACTING CHAIRMAN

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
DISTRICT,

SCT:

E. J. Fannin Clerk

of the United States Court in the Indian Territory  
and District aforesaid, do hereby CERTIFY that  
the License for and Certificate of the Marriage of  
Mr. John Miller and  
Miss Alice Miller was  
filed in my office in said Territory and District the  
22nd day of Aug A. D. 1902  
and duly recorded in Book 1 of Marriage  
Record, Page 231

WITNESS my hand and seal of said Court,  
at Custer this 22nd

day of Aug A. D. 1902

E. J. Fannin  
Clerk

By J. W. Freely  
Deputy

7-680

No. 470

FORM NO. 503.

# MARRIAGE LICENSE.

UNITED STATES OF AMERICA,  
THE INDIAN TERRITORY,  
Central DISTRICT. } SS:

To any Person Authorized by Law to Solemnize Marriage—Greeting:

You are hereby commanded to solemnize the Rite and publish the Banns of Matrimony between Mr. John Whitten of Mayhew in the Indian Territory, aged 28 years, and Miss Annie Patters of Mayhew in the Indian Territory, aged \_\_\_\_\_ years, according to law, and do you officially sign and return this License to the parties therein named.

WITNESS my hand and official seal, this 13th day of Aug, A. D. 1902

Jos. P. Boetz  
Deputy.

E. J. Fannin  
Clerk of the United States Court.

## CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA,  
THE INDIAN TERRITORY,  
Central DISTRICT. } SS:

Thos. P. Hathorn  
a U.S. Commissioner Court Dist. Ind. Terr.

do hereby CERTIFY, that on the 13th day of Aug, A. D. 1902, I did duly and according to law, as commanded in the foregoing License, solemnize the Rite and publish the BANNES OF MATRIMONY between the parties therein named.

Witness my hand this 13th day of Aug, A. D. 1902

My credentials are recorded in the office of the Clerk of the United States Court in the Indian Territory, Central District, Book \_\_\_\_\_, Page \_\_\_\_\_

Thos. P. Hathorn

U.S. Commissioner Court Dist. Ind. Terr.

NOTE.—This License and Certificate of Marriage must be returned to the Office of the Clerk of the United States Court of the Indian Territory, from whence it was issued, within sixty days from the date thereof, or the party to whom the License was issued will be liable in the amount of One Hundred Dollars (\$100.00)

Choctaw 3657

Muskogee, Indian Territory, October 24, 1902.

Annie B. Whitten,  
Mayhew, Indian Territory.

Dear Madam.

Receipt is hereby acknowledged of your letter of the 20th instant, in which you state that you are divorced from G. D. Duncan and married to a man named Whitten, that G. D. Duncan has taken your farms and relative to your right to land in the Choctaw-Chickasaw country.

In reply to your letter you are advised that it appears from our records that on August 21, 1899, Annie B. Duncan, 21 years of age of Mayhew, Indian Territory, and her children, Henry and Charlie Duncan were listed for enrollment by this Commission as citizens by blood of the Choctaw Nation, having been identified from the 1896 census roll of the citizens of the Choctaw Nation, as residents of Jackson County.

The Commission is now preparing a roll of the citizens of the Choctaw Nation for submission to the Secretary of the Interior for approval, and if your name appears upon such roll you would then be entitled to allotment as provided by the following provision of the Choctaw-Chickasaw agreement, ratified September 28, 1902:

A B W 2

"There shall be allotted to each member of the Choctaw and Chickasaw tribes, as soon as practicable after the approval by the Secretary of the Interior of his enrollment as herein provided, land equal in value to three hundred and twenty acres of the average allottable land of the Choctaw and Chickasaw nations."

Respectfully,

Acting Chairman.



MEMORANDA.

*Calder*

(Date) *Aug 21* 1899.

*mc*  
*29*

Name *L. B. Duncan*  
 Choctaw? *yes* County *Jackson* Year *96* No. *14114*  
 Chickasaw? County Year Page  
 Citizen by blood? *yes* Mother's citizenship *yes*  
 Intermarried citizen? *yes*  
 Married under what law? *Choc*  
 License filed this day, *yes*

*21*

X Wife's name, *Minnie B. Duncan*  
 Choctaw? *yes* County *Jackson* Year *10* No. *1411*  
 Chickasaw? County Year Page *84*  
 Citizen by blood? *yes* Mother's citizenship *yes*  
 Intermarried citizen? *yes*  
 Married under what law? *Choc*  
 License filed this day

Names of children:

*5* *L. B. Duncan* County *Jackson* Year *96* Page *141* No. *12*  
*3* *Charlie* County Year Page No. *3493*  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.

*On roll Annie Duncan*

*2134'3*  
*1315'7*

Choc 3658 Jane Dunn.

3658

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-----:0:-----

The record in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of--

JAMES P. DUNN ----- 7 D-671.

Department of the Interior,  
Commission to the Five Civilized Tribes,  
Muskogee, Indian Territory, October 29, 1901.

In the matter of the application for enrollment as a citizen by intermarriage of the Choctaw Nation of James P. Dunn. James P. Dunn being first duly sworn by Acting Chairman Bixby, testified as follows:

Examination by the Commission.

- Q What is your name? A James P. Dunn.  
Q What is your age? A My age is thirty-five.  
Q What is your post-office address? A Durant, Indian Territory.  
Q What Nation is Durant in? A Choctaw Nation.  
Q How long have you been a resident of the Choctaw Nation, Indian Territory? A Eleven years.  
Q Have you maintained a continuous residence in the Choctaw Nation for that length of time? A Yes sir.  
Q What is your father's name? A Absolom Dunn. My father is dead.  
Q What is your mother's name? A Sarah C. Dunn.  
Q Is your mother living? A Yes sir.  
Q Your mother and father both white persons? A Yes sir.  
Q And citizens of the United States? A Yes sir.  
Q Did either of them ever make any claim to any rights to citizenship in any of the tribes of the Indian Territory as citizens by blood? A Not to my knowledge, no sir.  
Q You are a white man? A Yes sir.  
Q Have you ever made any claim to citizenship by blood in any of the tribes of the Indian Territory? A No sir.  
Q Have you ever prior to this time made application to this Commission for enrollment as a citizen of any of the five tribes in the Indian Territory? A No sir.  
Q The application you are now making is for enrollment as a citizen by intermarriage of the Choctaw Nation? A Yes sir.  
Q What is the name of the Choctaw woman to whom you are married? A Jane Brown.  
Q How old is she? A Twenty-one.  
Q Where does she live? A Durant now.  
Q Where did she live before she lived in Durant? A She did live east of Durant about eight miles.  
Q What is her father's name? A I could not tell you.  
Q Do you know her mother's name? A No sir, her father and mother are both dead. She has told me her mother's name but I have forgotten it.  
Q Is she a citizen by blood of the Choctaw Nation? A Yes sir.  
Q How much Choctaw is she? A I presume she is three quarters  
Q Has she been enrolled by this Commission as a citizen of the Choctaw Nation? A Yes sir, as she told me.

The records of the Commission examined and the name of Jane Brown, 18 years of age, a full blood Choctaw Indian and the daughter of Albert Brown, deceased and Nelsie Brown, found upon Choctaw roll card, ~~1888~~ 3889, having been listed for enrollment

James P. Dunn 2--

- Q When were you married to Jane Brown? A I was married last Monday was a week ago. On the 21st of October, 1901.
- Q Had you ever been married before your marriage to her on the 21st of October, 1901? A Yes sir, I had been married.
- Q To whom? A I was married to Martha E. Bumpass.
- Q Was she a white woman? A Well, she was supposed to have been a Choctaw. I don't know.
- Q When did you marry her? A I married her in '86 the 21st day of October. But we always claimed her to be a white woman.
- Q Was she ever recognized by the tribal authorities as a citizen of the Choctaw Nation? A No sir.
- Q How long did you live with her? A Seven years.
- Q Is she dead? A Yes sir.
- Q Did you live with her up until she died? A Yes sir.
- Q Have you ever been married since then? A Not until now.
- Q Was Jane Brown ever married before she was married to you on the 21st day of October, 1901? A Yes sir, she was married to a man by the name of Gilbert Nelson.
- Q Is he a white man or a Choctaw? A He is a full blood Choctaw.
- Q When was she married to him? A I could not tell the date.
- Q Is he dead? A No sir, they are divorced.
- Q When were they divorced? A At the last term of court - Choctaw court.
- Q Have you a copy of the divorce proceedings? A No sir.
- Q Has your wife? A I don't know whether she has or not. I personally know it because I were there.
- Q It will be necessary that the Commission be supplied with evidence of the legal separation of this woman and her Choctaw husband. Were you and Jane Brown ever married prior to this license that you were married under October 21, 1901? A No sir.

The applicant here offers in evidence and there is marked Exhibit "A#", filed and made a part of the records, license issued by F. E. Folsom, County and Probate Clerk of Blue County, Choctaw Nation, to J. P. Dunn to marry Jane Brown. Attached thereto is the certificate of J. H. Goforth, County and Probate Judge of Blue County, Choctaw Nation, as to the marriage on October 21, 1901, of J. P. Dunn and Jane Brown, the same being recorded in the records of Blue County, Choctaw Nation, volume A page 478.

- Q Mr. Dunn, how much did you pay for this license? A I paid one hundred dollars.
- Q At the time you married Jane Brown you were both residents of the Choctaw Nation? A Yes sir.
- Q How long before you obtained this license had you been a resident of the Choctaw Nation? A Eleven years.
- Q How long had your wife been a resident of the Choctaw Nation? A All of her life.
- Q Are you and your wife living together now? A Yes sir.
- Q Have not separated since this marriage? A No sir.

Myra Young, having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 29th day of October, 1901, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Subscribed and sworn to before me this 29th day of October, 1901.

*Myra Young*  
*Thos. P. Hopkins*  
Notary Public.

Department of the Interior.  
Commission to the Five Civilized Tribes.  
Atoka, Indian Territory, November 18th., 1902.

Choctaw D-671.  
Intermarried.

In the matter of the application of James P. Dunn for enrollment as an intermarried citizen of the Choctaw Nation.

James P. Dunn, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission:

- Q What is your name? A James P. Dunn.  
Q How old are you? A Thirty six.  
Q What is your post office address? A Durant, Indian Territory.  
Q How long have you lived in the Choctaw Nation? A I have been here fifteen years.  
Q Have you lived here continuously for the past fifteen years?  
A Yes sir.  
Q Do you claim intermarried rights in the Choctaw Nation? A Yes sir.  
Q What is the name of your Indian wife? A Jane Brown/  
Q Is she a recognized citizen of the Choctaw Nation? A Yes sir.  
Q Have her rights ever been disputed? A No sir.  
Q When were you married to Jane Brown? A October 21, 1901.  
Q Where was this marriage ceremony performed? A At Caddo.  
Q Were both you and your wife Jane Brown bona fide residents of the Choctaw Nation at that time? A Yes sir.  
Q Under what law were you married to her? A Under the Choctaw law  
Q Did you obtain a license? A Yes sir.  
Q From whom did you procure that license? A From the county clerk of Blue County.  
Q Who performed the marriage ceremony? A Joe Goforth, county judge.  
Q How much did you pay for the license? A One hundred dollars.  
Q Were you ever married before your marriage to Jane Brown? A Yes sir.  
Q How many times? A Once.  
Q What was the name of your former wife? A Martha Bumpass.  
Q She was a white woman? A Yes sir.  
Q How long did you live with her? A A little more than seven years  
Q Did she die? A Yes sir.  
Q How long before your second marriage was her death? A About six years.  
Q Was Jane Brown married before her marriage to you? A Yes sir.  
Q How many times? A Once.  
Q What was the name of her former husband? A Gilbert Nelson.  
Q How long did they live together? A I think something near a year.  
Q Did he die or were they separated? A They separated.  
Q Were they divorced? A Yes sir, I got the decree and sent it to the Commission.  
Q Since your marriage to Jane Brown have you lived together continuously as husband and wife up to the present time? A Yes sir.  
Q There has been no separation, abandonment or divorce? A No sir.  
Q Are you at present living together as bona fide residents of the Choctaw Nation? A Yes sir.

James P. Dunn-----2.

Harry C Risteen, being first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 18th day of November, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

*Harry C Risteen*


Subscribed and sworn to before me this 5 day of January, 1903.

*Charles H. Sawyer*

Notary Public.

*Next*

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
**FILED**  
NOV 14 1901

 ACTING CHAIRMAN.



Copy-

# BILL OF DIVORCE.

**The Choctaw Nation,**

In Circuit Court of the Third Judicial District, Regular August term  
1901, a petition of Gilbert Nelson

being presented by his Attorney in said Court, for a Bill of Divorce, setting forth the facts, etc.,  
and after the Court hearing the Testimony in regard to the petition do order and decree that a Bill of  
Divorce be issued to the applicant. Gilbert Nelson

THEREFORE, I do issue a Bill of Divorce to said applicant Gilbert Nelson

forever releasing him from the Banns of Matrimony heretofore existing  
between Gilbert Nelson and Jane Nelson

Given under my hand and seal of office, this the 15th day of August A.D. 1901

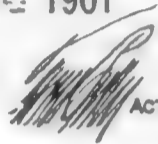
This is to certify that the above is Att. Bridg-  
a true & correct copy Now on file in my Circuit Clerk, 3d District, C. N.  
office this the 8th day of November 1901.

Att. Bridg- By Deputy.  
Clerk 3rd Dist. C.N.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

**FILED**

NOV 14 1901



ACTING CHAIRMAN.

DUNCAN BROS.

GENERAL MERCHANDISE  
AND DRUGS.

MADE IN U.S.A.

Mayhew, I. T., ..... 190

Copy of "Minutes"  
November 15" 1901.

A petition of Gilbert Nelson vs  
Jane Nelson being presented by  
Atty. Byington affidavits taken &  
the Decree of Divorce Granted  
This 15th day of August 1901.

Attest  
Moses Johnson  
Clerk  
E. M. Loring  
Clerk Judge 3rd Dist CN

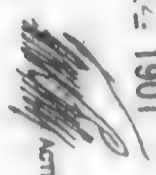
This is to certify that the above is  
a true correct Copy of the minutes  
of the Circuit Court of the 3rd Dist CN  
Case Gilbert Nelson vs Jane Nelson  
This the 8th day of November 1901.

E. M. Loring  
Clerk 3rd Dist  
CN

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

NOV 14 1901

**FILED**

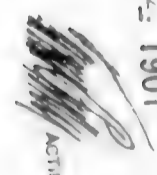


ACTING CHAIRMAN.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

NOV 14 1901

**FILED**



ACTING CHAIRMAN.

United States of America,  
Central District, Ind. Ter.

On this the 11th day of November 1901, personally appeared before me, W. T. Sprowls, a notary public in and for the above named Dist. and Territory, Mrs. Jane Dunn who being by me duly sworn says: My name is Mrs. Jane Dunn. I am the wife now of James P. Dunn to whom I was married on the 21 day of Oct. 1901. I am 20 years old. My maiden name was Jane Brown and I was lawfully married to Gilbert Nelson on the 16 day of June 1900, I am a Choctaw Indian by blood and am the Jane Nelson named in the certified copy of Divorce hereto attach

*Jane Dunn*

Subscribed and sworn to before me this the 11th day of November 1901.

*W. T. Sprowls*  
Notary Public.

Marriage License

FOR

*J. P. Danner*

AND

*Miss Jane Brown*

Issued *Oct. 21* 1901

*F. E. Tolson*

County and Probate Clerk.

This license shall be placed in the hands of the Circuit Clerk for record within thirty days by the parties in whose favor it was issued.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

OCT 29 1901

ACTING CHAIRMAN

INDIAN TERRITORY.

Blue County, Choctaw Nation.

} SS.

I, *F. E. Tolson* Clerk of the County court of said county, do hereby certify that the foregoing instrument of writing, dated the *21* day of *Oct* ~~1901~~, with its Certificate of Authentication, was filed for record in my office the *21* day of *Oct* ~~1901~~ at *12* o'clock *P.* M. and duly recorded this *21* day of *Oct* ~~1901~~ at *12* o'clock *P.* M., in the records of said County, in Volume *4* on Pages *478*. WITNESS my hand and seal of the county court of said county, at office in Caddo, the day and year last above mentioned.

*F. E. Tolson*

Clerk. County Court, Blue County.

Subscribed and sworn to at my office in Caddo, this *21* day of *Oct* A. D. ~~1901~~

*F. E. Tolson*

County and Probate Clerk, Blue Co.

I, *J. W. Goforth* hereby certify that on the *21* day of *Oct* A. D. ~~1901~~ I united in marriage Mr. *J. P. Dumas* and Miss *Jane Brown* the parties above named.

Witness my hand this *21* day of *Oct* A. D. ~~1901~~.

*J. W. Goforth*  
County Probate Judge  
of Blue Co., Ok.

**THE CHOCTAW NATION,**  
County of Blue,

TO ANY JUDGE OF THE COUNTY OR DISTRICT COURT, REGULAR LICENSED OR ORDAINED MINISTER OF THE  
GOSPEL OF THE CHOCTAW NATION, Greeting:

You are hereby authorized to solemnize the rites of matrimony between Mr. *J. P. Dumas*  
and Miss *Jane Brown*..... Certifying your actions under this license.

Witness my official signature and seal of office at my office in Caddo, this *21* day of *Oct.* A. D. *1901*

*H. E. Polson*

County and Probate Clerk, Blue Co.

I, *J. W. Goforth*... hereby certify that on the *21* day of *Oct.* A. D. *1901* I united in  
marriage Mr. *J. P. Dumas*... and Miss *Jane Brown*... the parties above  
named.

Witness my hand this *21* day of *Oct.* A. D. *1901*.

*J. W. Goforth*,  
County and Probate Judge  
of Blue Co., Ok.



10210

7 D-671.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-----:0:-----

In the matter of the application for the enrollment of  
James P. Dunn as a citizen by intermarriage of the Choctaw Nation.

- D E C I S I O N -


It appears from the record herein that James P. Dunn, on October 21, 1901, was married in accordance with the laws, customs and usages of the Choctaw Nation, to Jane Dunn (formerly Nelson), a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 10346 upon the lists prepared by this Commission, under the provisions of the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation and approved by the Secretary of the Interior on February 4, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation and that they have lived together continuously in Indian Territory as husband and wife from the date of their said marriage up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that James P. Dunn should be enrolled as a citizen by intermarriage of the Choctaw Nation, under the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495) and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

  
-----  
Chairman.

  
-----  
Commissioner.

  
-----  
Commissioner.

  
-----  
Commissioner.

Muskogee, Indian Territory,

JAN 4 1904

CCFY.

Choctaw R-671/

Muskogee, Indian Territory, January 4, 1904.

James P. Dunn,

P. O. Box 215

Durant, Indian Territory.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission, rendered January 4, 1904, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of the decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

*James Binby.*

Chairman.

Registered.  
Ino: 7-D-671.

COPY:

Choctaw 7-D-671.

Muskegee, Indian Territory, January, 4, 1904.

Mansfield, McMurray & Cornish,  
Attorneys for Choctaw and Chickasaw Nations,  
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered January 4, 1904, granting the application of James P. Dunn, for enrollment as a citizen by inter-marriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed, the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

*Tamc Bixby.*  
Chairman.

Registered.

Ino: 7-D-671.

MEMORANDA.

Caddo

(Date)

Aug 21 1899.

Name .....

Choctaw ? ..... County ..... Year ..... No. ....

Chickasaw ? ..... County ..... Year ..... Page .....

Citizen by blood ? ..... Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day, .....

<sup>18</sup> Wife's name, Jane Brown

Choctaw ? yes County Blue Year 96 No. 1637

Chickasaw ? ..... County ..... Year ..... Page 40

Citizen by blood ? no Mother's citizenship Cho

Intermarried citizen ? .....

Married under what law ? .....

License filed this day .....

Names of children :

County	Year	Page	No.
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
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.....	.....	.....	.....

M 658

*IN RE*

Application for Enrollment of

INFANT CHILD

*Lavinia May Duan*  
as a citizen of

*Choctaw* Nation.

DEC 23 1901

Approved \_\_\_\_\_ 1901

*T. R. Buchanan*  
Commissioner.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

**FILED**

DEC 23 1901

*[Signature]*  
ACTING CHAIRMAN

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,  
of Lavenia May Dunn, born on the 10 day of Dec., 1901  
(Here insert name of child)  
Name of Father: James P. Dunn a citizen of the Choctaw Nation.  
Name of Mother: Jane Dunn a citizen of the Choctaw Nation.  
Post-office Durant Okla.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }  
INDIAN TERRITORY }  
Central District. }

I, Jane Dunn, on oath state that I am 20  
years of age and a citizen, by blood, of the Choctaw Nation;  
that I am the lawful wife of James P. Dunn, who is a citizen, by  
marriage, of the Choctaw Nation; that a female child was  
(male or female.)  
born to me on 10 day of Dec., 1901; that said child has been  
named Lavenia May Dunn, and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses)

Jane Dunn

Subscribed and sworn to before me this 19 day of Dec., 1901.

W. J. Sprouls  
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }  
INDIAN TERRITORY }  
Central District. }

I, M. D. Hatts, a midwife, on oath state that I  
attended on Mrs. Jane Dunn, wife of James P. Dunn  
on the 10 day of Dec., 1901; that there was born to her on  
said date a female child; that said child is now living and is said to have been  
(male or female.)  
named Lavenia May Dunn

WITNESSES TO MARK:

(Must be Two Witnesses)

M. D. Hatts

Subscribed and sworn to before me this 19 day of Dec., 1901.

W. J. Sprouls  
NOTARY PUBLIC

7-3658-INDEXED

32

IN RE  
THE DEATH OF

*Lavinia H. Dunn*  
a citizen of the

*Choctaw* Nation.

Approved NOV 22 1902 190

Commissioner.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED  
NOV 22 1902

*[Signature]*  
ACTING CHAIRMAN.

# 3658

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Lavinia May Dunn  
(Here insert name of deceased.)

a citizen of the Choctaw Nation, who formerly resided at or near  
Blue, Ind. Ter., and died on the 22 day of  
May, 1902  
(Here insert name of postoffice.)

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Central District.

I, James P. Dunn, on oath state that I am 36  
years of age and a citizen, by marriage of the Choctaw Nation;  
that my post office address is Durant, Ind. Ter.; that I am  
father of Lavinia May Dunn,  
(State relationship as the father, an uncle, a cousin, etc.) (Here insert name of deceased.)  
who was a citizen, by Hood, of the Choctaw Nation;  
and that said Lavinia May Dunn died on the 22 day of  
May, 1902  
(Here insert name of deceased.)

WITNESSES TO MARK:

James P. Dunn

(Must be Two Witnesses.)

Subscribed and sworn to before me this 18 day of Nov., 1902

R. H. Mebaugh  
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Central District.

I, Frank Anderson, on oath state that I am 21  
years of age, and a citizen, by Hood, of the Choctaw Nation;  
that my post office address is Blue, Ind. Ter.;  
(Here insert name of post office.)  
that I was personally acquainted with Lavinia May Dunn,  
(Here insert name of deceased.)  
who was a citizen, by Hood, of the Choctaw Nation;  
and that said Lavinia May Dunn died on the 22 day of  
May, 1902  
(Here insert name of deceased.)

WITNESSES TO MARK

Frank Anderson

(Must be Two Witnesses.)

Subscribed and sworn to before me this 18 day of Nov., 1902

R. H. Mebaugh  
Notary Public.



Muskogee, Indian Territory, November 14, 1901.

James P. Dunn,

Durant, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of the 13th instant, enclosing a copy of divorce proceedings between Gilbert Nelson and Jane Nelson, and the same has been duly filed with the records of the Commission.

Yours truly,

Acting Chairman.

7-D-671.

Muskogee, Indian Territory, December 23, 1901.

James P. Dunn,

Durant, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Lavenia May Dunn, the infant daughter of James P. and Jane Dunn, born December 10, 1901, and the same being in proper form has been duly filed and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Commissioner in Charge.

7-3658

1-3658

Tishomingo, Indian Territory, January 23, 1901.

Commissioner in Charge,

Chickasaw Land Office,

Tishomingo, Indian Territory.

Dear Sir:

Enclosed herewith you will find a copy of the name, information and notations placed this day upon original Choctaw enrollment card No. 3658: and you are requested to make like entry upon the duplicate card in your possession.

Respectfully,

Commissioner in Charge.

Enc. MT. 4 - 178-1/2

7-2733

Washington, Indian Territory, January 3, 1904.

Commissioner in Charge,  
Choctaw Land Office,

Atoka, Indian Territory.

Dear Sir:

Enclosed herewith you will find a copy of the name,  
initials and notations placed this day upon original Choctaw  
enrollment card No. 3658; and you are requested to make like entry  
upon the duplicate card in your possession.

Respectfully,

Commissioner in Charge.

Enc. MT. 4 - 178

Choctaw 3658

Muskogee, Indian Territory, March 17, 1904.

J. P. Dunn,

Durant, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of March 12, asking if you can now file on your allotment, and in reply you are advised that you have been enrolled by the Commission and your name placed upon a schedule of intermarried citizens of the Choctaw Nation which has been forwarded to the secretary of the Interior, but pending the approval of your enrollment by him you would not be permitted to make selection of allotment.

Respectfully,

Commissioner in charge.

Choc 3659 Cyrus Byington

3659

MEMORANDA.

*Callis*

(Date) *Aug 21* 1899.

24 Name *Cyrus* *Byington*  
 Choctaw? *yes* County *Blaine* Year *96* No. *1633*  
 Chickasaw? County Year Page *40*  
 Citizen by blood? *yes* Mother's citizenship *Choc*  
 Intermarried citizen?  
 Married under what law?

28 License filed this day,  
 Wife's name, *Sophia Byington*  
 Choctaw? *yes* County *Blaine* Year *10* No. *1634*  
 Chickasaw? County Year Page *40*  
 Citizen by blood? *yes* Mother's citizenship *Choc*  
 Intermarried citizen?  
 Married under what law?

License filed this day

Names of children:

5 *Albert Byington* County *Blaine* Year *96* Page *40* No. *1635*  
 3 *Zoe* County Year Page No. *1636*  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.

13657

Choc 3660

Alfred King  
Creva Houston

3660



**MEMORANDA.**

*Quads*

(Date) Aug 24 1899.

40

Name Alfred King  
 Choctaw? yes County Blaine Year 40 No. 1530  
 Chickasaw? County Year Page 159  
 Citizen by blood? yes Mother's citizenship Choc  
 Intermarried citizen?  
 Married under what law?

License filed this day,  
 381 Wife's name, Crema King  
 Choctaw? yes County Blaine Year 10 No. 163  
 Chickasaw? County Year Page 159  
 Citizen by blood? yes Mother's citizenship Choc  
 Intermarried citizen?  
 Married under what law?

License filed this day  
 Names of children:  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.

*See all ...*

2,660

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DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE PUBLIC LANDS.

In the matter of the death of Alfred King

and of the Albion Yates, who formerly resided at or near

Blaine Idaho, and died on the 3 day of December 1900

STATEMENT OF RELATIVES

UNITED STATES OF AMERICA.

I, Alfred King, of the County of Blaine, State of Idaho, do hereby certify that Alfred King was born on the 3 day of December 1900 at Blaine, Idaho.

Alfred King was the son of Alfred King and Alfred King.

Alfred King

STATEMENT OF NEAREST RELATIVES

UNITED STATES OF AMERICA.

I, Alfred King, of the County of Blaine, State of Idaho, do hereby certify that Alfred King was the son of Alfred King and Alfred King.

Alfred King

Alfred King

7-3660

Muskogee, Indian Territory, November 22, 1902.

Cress Houston,

Elmo, Indian Territory.

Dear Madam:

It appears from the death certificate of Alfred King, your former husband, that your present name is Cress Houston. The Commission desires to be informed whether you have, since the death of Alfred King, married a man by the name of Houston. If so, you should immediately forward to the Commission evidence of such marriage, either in the form of the original marriage certificate or a certified copy thereof, or the affidavits of two eye witnesses to the marriage.

This matter should receive your immediate attention as nothing further can be done in the matter of your enrollment as a citizen of the United States until the information requested is received.

Respectfully,

Walter H. H. H.

Choc 3661

Cornelius Barnes

Emma ward

3661

MEMORANDA.

*Caddo*

(Date) *Aug 21* 1899.

189 ✓ Name *Cornelius Banness*  
 Choctaw? *yes* County *Blaine* Year *96* No. *1725*  
 Chickasaw? County Year Page *42*  
 Citizen by blood? *yes* Mother's citizenship *Choc*  
 Intermarried citizen?  
 Married under what law?

License filed this day,

188 ✓ Wife's name, *Emma Banness*  
 Choctaw? *yes* County *Jackson* Year *1876* No. *5932*  
 Chickasaw? County Year Page *142*  
 Citizen by blood? *yes* Mother's citizenship *Choc*  
 Intermarried citizen?  
 Married under what law?

License filed this day

Names of children:

	County	Year	Page	No.
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
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.....	.....	.....	.....	.....

✓ *Ann - all Emma Banness*  
 ✓ *Cornelius Banness*

13661

Cord 7-3661  
Row 7  
32

IN RE  
THE DEATH OF

*Cornelius Barnes*

a citizen of the

*Choctaw* Nation.

Approved ..... 190.....

Commissioner.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

JUL 17 1903



CHAIRMAN.

7-3661

DEPARTMENT OF THE INTERIOR

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Cornelius Barnes
(Here insert name of deceased)
a citizen of the Choctaw Nation, who formerly resided at or near
Jackson, Ind. Ter., and died on the 24 day of
December, 1901

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District.

I,
on oath state that I am
years of age and a citizen, by
of the
Nation;
that my post office address is
Ind. Ter.; that I am
of
(Here insert name of deceased)
(Here insert name of post office)
(Here insert name of deceased)
who was a citizen, by
of the
Nation;
and that said
died on the
day of
1901

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this
day of
1901

Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District.

I, Joel Ward, on oath state that I am 27
years of age, and a citizen, by blood, of the Choctaw Nation;
that my post office address is Jackson, Ind. Ter.;
that I was personally acquainted with Cornelius Barnes
who was a citizen by blood, of the Choctaw Nation;
and that said Cornelius Barnes died on the 24 day of
December, 1901

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 14 day of July 1903

Notary Public.



IN RE  
THE DEATH OF

*Cornelius Barnes*

a citizen of the

*Choctaw*


Nation.

It appearing from the within affidavits that Cornelius Barnes died prior to September 25, 1902, it is hereby ordered that the application for his enrollment as a citizen of the Choctaw Nation be dismissed.

Approved

190

Commissioner.




Commissioner.

FEB 28 1907

Muskogee, Indian Territory.

DEPARTMENT OF THE INTERIOR  
COMMISSIONER TO THE FIVE CIVILIZED TRIBES

JAN 14 1907



2551-

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Cornelius Barnes  
(Here insert name of deceased.)  
a citizen of the Choctaw Nation, who formerly resided at or near  
Birmingham, Ind. Ter., and died on the 23<sup>rd</sup> or 24<sup>th</sup> day of  
December, 1901.  
(Here insert name of postoffice.)

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,  
DISTRICT.

I, \_\_\_\_\_, on oath state that I am \_\_\_\_\_  
years of age and a citizen, by \_\_\_\_\_, of the \_\_\_\_\_ Nation;  
that my postoffice address is \_\_\_\_\_, Ind. Ter.; that I am  
(Here insert name of postoffice.)  
of \_\_\_\_\_  
(State relationship: as the father; an uncle; a cousin, etc.) (Here insert name of deceased.)  
who was a citizen, by \_\_\_\_\_, of the \_\_\_\_\_ Nation  
and that said \_\_\_\_\_ died on the \_\_\_\_\_ day of  
(Here insert name of deceased.)

WITNESSES TO MARK:  
(Must Be Two Witnesses.) { \_\_\_\_\_  
\_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 190\_\_\_\_\_  
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,  
Central DISTRICT.

I, Edwin Dwight, on oath state that I am 34  
years of age, and a citizen by Blood of the Choctaw Nation;  
that my postoffice address is Boswell, Ind. Ter.;  
(Here insert name of postoffice.)  
that I was personally acquainted with Cornelius Barnes  
(Here insert name of deceased.)  
who was a citizen, by Blood, of the Choctaw Nation;  
and that said Cornelius Barnes died on the 23<sup>rd</sup> or 24<sup>th</sup> day of  
December, 1901.  
(Here insert name of deceased.)

WITNESSES TO MARK:  
(Must Be Two Witnesses.) { \_\_\_\_\_  
\_\_\_\_\_

Subscribed and sworn to before me this 2<sup>nd</sup> day of January, 1907.  
Henry P. Bobb  
Notary Public.

E

20

INDEXED

IN RE

Application for Enrollment of  
INFANT CHILD

*Mitchell Ward*

as a citizen of

*Choctaw*

Nation.

Approved, DEC 11 1902 190



Commissioner.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED  
DEC 11 1902



ACTING COMMISSIONER

ENC Y 13

*Choctaw # 3661*

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,  
of Mitchell Ward, born on the 25th day of January, 1901.  
(Here insert name of child)  
Name of Father Joel M. Ward, a citizen of the Choctaw Nation.  
Name of Mother: Emma Ward, a citizen of the Choctaw Nation.  
Post-office, Jackson I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
Central District.

I, Emma Ward, on oath state that I am 22  
years of age and a citizen, by Blood, of the Choctaw Nation;  
that I am the lawful wife of Joel M. Ward, who is a citizen, by  
Blood, of the Choctaw Nation, that a Male child was  
(male or female.)  
born to me on the 25th day of January, 1901; that said child has been  
named Mitchell Ward, and is now living.

WITNESSES TO MARK

Emma Ward.

(Must be Two Witnesses)

Subscribed and sworn to before me this 9th day of July, 1902.

H.W. Allaway

NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,  
Central District.

I, Mary Ramsey, a Midwife, on oath state that I  
attended on Mrs. Emma Ward, wife of Joel M. Ward,  
on the 25th day of January, 1901; that there was born to her on  
said date a Male child; that said child is now living and is said to have been  
named Mitchell Ward.  
(male or female)

WITNESSES TO MARK:

Mary X Ramsey

(Must be Two Witnesses)

Tom Frit  
Jessie Wilson

Subscribed and sworn to before me this 9th day of July, 1902.

H.W. Allaway

NOTARY PUBLIC.

File--7-3661  
7-3931

C O P Y.

JACKSON, I.T. SEPT. 26, 1902.

Hon. Dawes Commission:

Well I am gone answert which you want to know  
that is this mother Mitchell Ward she is enroll at Caddo, I.T.  
Name was Emma Barnes. We dont know what day that was. I guess  
you fixed it alright, and after enroll we is married.

Well that is all.

(Signed) Joel M. Ward,

Jackson, I.T.

7-3251  
7-3681

Muskogee, Indian Territory, September 30, 1902.

Joel M. Ward,

Jackson, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 26th inst., enclosing the application for enrollment as a citizen of the Choctaw Nation of Mitchell Ward, infant son of Joel M. and Emma Ward, born January 25, 1901; and the same is returned to you herewith for further information relative to the mother of the child.

It is stated in your letter that the mother of the child was listed for enrollment as Emma Barnes, and that she is now your wife. You are informed that it appears from our records that Cornelius Barnes, of Jackson, Indian Territory, 19 years of age, and his wife Emma Barnes, 18 years of age, were listed for enrollment as citizens by blood of the Choctaw Nation by this Commission August 21, 1899.

If the Emma Barnes so listed is now your wife, you are requested to state whether her former husband, Cornelius Barnes,

J M W 2

is living or dead. If living, and he and Emma Barnes have been divorced, legal evidence of such divorce should be furnished the Commission. If Cornelius Barnes is dead, state the date of his death.

You are also requested to furnish the Commission with either the original certificate of marriage between yourself and Emma Barnes, or a certified copy thereof, as authority for the change of her name upon our records from her former name to her present married name.

Upon receipt of the information requested herein, together with legal evidence of marriage and return of the application for the enrollment of your child, the matter will receive further consideration.

Respectfully,

Acting Chairman.

Enc B I 6.

7-3661  
7-3931

Muskogee, Indian Territory, November 22, 1902.

Joel M. Ward,

Jackson, Indian Territory.

Dear Sir:

On September 30, 1902, the Commission returned to you the application for enrollment as a citizen of the Choctaw Nation of Mitchell Ward, infant son of yourself and Emma Ward, for further information relative to the mother of the child, which information you have not sent in.

You are requested to immediately inform the Commission as to whether or not your wife was formally the wife of Cornelius Barnes of Jackson, and if so whether her former husband, Cornelius Barnes, is living or dead, and if he is living you should forward evidence of the divorce between him and Emma Barnes. You should also forward to the Commission either your original marriage certificate or a certified copy thereof, or the affidavits of two eye witnesses to the marriage. On receipt of the information requested, together with the return of the application for the enrollment of your child, this matter will receive further attention.



J M W 2

7-3661  
7-3931

This information should be furnished promptly as until  
it is received your wife and child will not be enrolled as citizens  
of the Choctaw Nation.

Respectfully,

Acting Chairman.

7-3861

7-3931

Muskogee, Indian Territory, December 12, 1908.

Emma Ward,

Jackson, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 1st inst., enclosing the application for enrollment as a citizen of the Choctaw Nation of Mitchell Ward, infant son of Joel M. and Emma Ward, born January 25, 1901; and the same being in proper form has been duly filed with the records of the Commission, and the child listed for enrollment as a citizen of the Choctaw Nation.

You state in your letter that you are formerly the wife of Cornelius Barnes, from whom you were divorced August 23, 1899, but that the said Cornelius Barnes is now dead.

For the purpose of making his death a matter of record, there is enclosed you herewith a blank for proof of death which you are requested to have properly executed and return at your earliest convenience in the enclosed envelope.

You will note there is an affidavit for a relative and an acquaintance. In having same executed, be careful to see that all blanks are properly filled, all names written in full, and in

E W 2

event either of the persons whose names are to be affixed to the affidavits are unable to write, and their signatures are by mark, that such signatures are attested by two disinterested parties, witnesses thereto.

The notary public before whom the same are acknowledged must affix his notarial jurat and seal to each separate affidavit.

You are also requested to forward the marriage license and certificate between yourself and Joel M. Ward, or a certified copy thereof, as authority for the change of your name upon our records from your former name to your present married name.

Respectfully,

Acting Chairman.

Env.

D.C.

7-3661

Muskogee, Indian Territory, August 13, 1903.

Commissioner in Charge,  
Choctaw Land Office,  
Atoka, Indian Territory.

Dear Sir:

You are hereby advised that the following notation has  
this day been made upon original Choctaw enrollment card, No. 3661:

"No. 3 died Dec. 24, 1901. Proof of death  
filed July 17, 1903."

You are therefore, requested to make like notation upon  
the duplicate card in your possession in accordance with the above  
information.

Respectfully,

Commissioner in Charge.

7-3661

Muskogee, Indian Territory, August 19, 1903.

Commissioner in Charge,  
Choctaw Land Office,  
Atoka, Indian Territory.

Dear Sir:

On August 13, 1903, this office requested you to place the following notation upon duplicate Choctaw enrollment card in your possession; No. 3661:

"No. 3 died December 24, 1901. Proof of death  
filed July 17, 1903."

You are advised that a clerical error occurred in the transmission of said notation, and that the same should read as follows:

"No. 1 died December 24, 1901. Proof of death  
filed July 17, 1903."

Respectfully,

Commissioner in Charge.

7 -3661

Muskogee, Indian Territory, May 26, 1905.

Joel Ward,  
Jackson, Indian Territory.

Dear Sir:

It appears from the records of the Commission that Cornelius Barnes, formerly husband of Emma Ward, died since he was listed for enrollment as a citizen by blood of the Choctaw Nation. For the purpose of making his death a matter of record, there are enclosed herewith blank affidavits, one to be sworn to by Emma Ward, formerly the wife of Cornelius Barnes, and the other by someone who was personally acquainted with the deceased in his lifetime and personally knows of his death.

Will you kindly have these affidavits properly executed and returned to the Commission in the enclosed envelope. Please be careful to see that the Notary before whom the affidavits are sworn to affixes his signature and notarial seal, that all blanks are properly filled in, and if any of the affiants sign by mark, please have two witnesses who can write sign as witnesses to such signature by mark.

Your early attention to this matter will be appreciated by the Commission.

Respectfully,

Enc.-L-5  
Env. 6

Chairman.

7-3661.

Muskogee, Indian Territory, August 10, 1905.

Joel Ward,

Jackson, Indian Territory.

Dear Sir:

In the matter of the death of Cornelius Barnes, who was the former husband of your wife Emma Ward, there is enclosed herewith blank form of proof of death to be signed and sworn to by Mrs. Ward.

Will you please have this properly executed and returned to this office as early as possible. We have previously requested that this proof of death be furnished, but presume that the matter has escaped your attention.

Your courtesy in furnishing it at this time will be appreciated.

Respectfully,

Acting Commissioner.

Enc. 1-7.  
Env.

7-3661.

Muskogee, Indian Territory, October 17, 1905.

Joel M. Ward,  
Jackson, Indian Territory.

Dear Sir:

In the matter of the death of Cornelius Barnes, who was the former husband of your wife, Emma Ward, there is enclosed herewith a blank proof of death to be signed and sworn to by Mrs. Ward.

Kindly have this matter attended to as early as possible, returning the affidavit in the enclosed envelope, which requires no postage.

Respectfully,

Commissioner.

Enc. D.C.  
Env.



DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
WASHINGTON.

C.F.H.

Land  
45536-1908  
50705-1908  
53775-1908  
E B H

August 15, 1908.

Subject:  
Proceedings to cancel  
certain Choctaw patents.

The Commissioner

to the Five Civilized Tribes,  
Muskogee, Oklahoma.

Sir:

The Office has received letter of August 5, 1908, from the Department of Justice, saying that the United States Attorney on that day had been instructed to institute suit to cancel Choctaw-Chickasaw homestead patent No. 19684 and Choctaw-Chickasaw allotment patent No. 18566, executed in favor of Cornelius Barnes, deceased, enrolled as a citizen of the Choctaw Nation.

Please extend to the United States Attorney all the assistance possible in connection with the litigation.

Very respectfully,

(Signed) F. M. Conser

Chief Clerk.

EH.

Choc 3662 Charles A. Bilbo

3662

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

---

The record in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of -

EILA BILBO, - - Choctaw-3662

---

Department of the Interior.  
Commission to the Five Civilized Tribes.  
Atoka, I. T., November 21st, 1902.

Choctaw 3662  
Intermarried

-----oOo-----

In the matter of the application of Ella Bilbo for enrollment as an intermarried citizen of the Choctaw Nation.

Ella Bilbo being first duly sworn testified as follows:

Examination by the Commission:

- Q Your name is Ella Bilbo? A Yes sir.  
Q How old are you? A Thirty-two.  
Q What is your post office address? A Caddo.  
Q How long have you been a resident of the Choctaw Nation?  
A Ever since I was six months old - - thirty-two years.  
Q Lived here all your life? A No, I lived in the Chickasaw Nation some.  
Q Do you claim intermarried rights in the Choctaw Nation? A Yes sir.  
Q What is the name of your Choctaw husband through whom you claim?  
A Charles A. Bilbo.  
Q Is he a recognized and enrolled citizen of the Choctaw Nation?  
A Yes sir.  
Q Have his rights ever been disputed? A No sir.  
Q When were you married to Charles Bilbo? A 11th of September, 1889.  
Q Where was this marriage ceremony performed? A Caddo.  
Q Since your marriage to Charles Bilbo have you lived together continuously as husband and wife up to the present time? A Yes sir.  
Q There has been no separation, abandonment or divorce? A No sir.  
Q Are you at present living together as bona fide residents of the Choctaw Nation? A Yes sir.  
Q Were you an applicant before this Commission in 1896 for admission to citizenship in the Choctaw Nation? A I don't remember the year.  
Q What action was taken upon your application at that time?  
A I was accepted by the Dawes Commission and the Choctaws.  
Q Was your case ever appealed to the United States Court? A No sir

Albert G. McMillan being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 21st day of November, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

Subscribed and sworn to before me this 14 day of January, 1903.

*Albert G. McMillan*  
*Charles N. Hawyer*

Notary Public.

JP 127 - 3662

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of  
Ella Bilbo as a citizen by intermarriage of the Choctaw Nation.

D E C I S I O N .

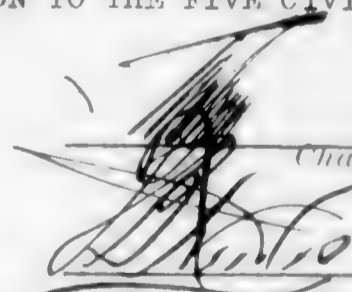
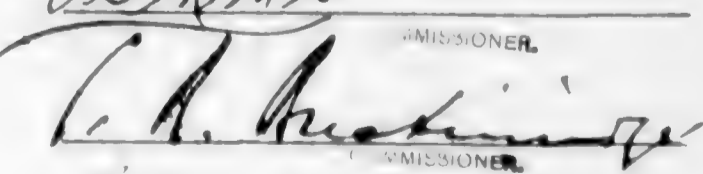
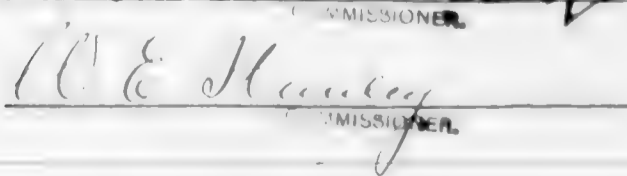
It appears from the census card record in this case that Ella Bilbo appeared before the Commission at Caddo, Indian Territory, on August 22, 1899, and made personal application for enrollment as a citizen by intermarriage of the Choctaw Nation. Further proceedings were had in the matter of this application on November 21, 1902, at Atoka, Indian Territory.

It further appears from the records of the Commission that on September 8, 1896, in a case entitled "Mrs. Ella Bilbo vs. Choctaw Nation", (1896 Choctaw Citizenship Docket, Case No. 927), the applicant herein made original application to this Commission under the provisions of the act of Congress approved June 10, 1896 (29 Stats., 321) for admission to citizenship in the Choctaw Nation, claiming her right thereto by virtue of her marriage with Charles A. Bilbo, a recognized and enrolled citizen by blood of the Choctaw Nation, and on December 5, 1896, the said Ella Bilbo was by this Commission admitted to citizenship in the Choctaw Nation as a citizen by intermarriage, from which decision of the Commission no appeal has been taken.

It further appears from the evidence in this case that the applicant herein was a resident in good faith of Indian Territory on June 28, 1898, and that her status as an intermarried citizen has remained unchanged from the date of her said admission up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Ella Bilbo should be enrolled as a citizen by intermarriage of the Choctaw Nation in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stats., 495 ) and July 1, 1902 (32 Stats., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

  
Chairman.  
  
COMMISSIONER.  
  
COMMISSIONER.

Muskogee, Indian Territory,

JUL 20 1903

Choctaw 3662

COPY

Muskogee, Indian Territory, July 20, 1903.

Mrs. Bilbo,  
Cade, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 20, 1903, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

*I. B. Needles.*  
Commissioner in Charge.

Registered.

Enc. 1/20

Choctaw 3 62

COPY.

Muskogee, Indian Territory, July 20, 1903.

Mansfield, McMurray & Cornish,  
Attorneys for the Choctaw and Chickasaw Nations,  
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 20, 1903, granting the application of Ella Bilbo for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

*I. B. Needles.*  
Commissioner in Charge.

Registered.

Enc. NYC 8/20

Muskogee, Indian Territory, February 5, 1902.

Charles A. Bilbo,  
Caddo, Indian Territory.

Dear Sir:

It does not appear from the records of the Commission that any proof of the birth of your child, Czerna Bilbo, has been furnished in the matter of her enrollment as a citizen of the Choctaw Nation. It is necessary that the same be supplied.

In order to assist you in this matter a blank for that purpose is inclosed you herewith. In having the same executed be careful to see that all blanks are properly filled, all names written in full, and in the event either of the persons whose names are to be affixed to the affidavits are unable to write, and their signatures are by mark, that such signatures be attested by two disinterested parties witnesses thereto.

The notary public before whom the affidavits are acknowledged must affix his notarial jurat and seal to each separate affidavit.

This matter should receive prompt attention as the affidavits are essential in the matter of the enrollment of your child.

Yours truly,

Env.  
B. C  
7-3862

Acting Chairman.



Muskogee, Indian Territory, February 11, 1902.

Mrs. Ella Bilbo,  
Caddo, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 8th instant, relative to the submission of evidence of the birth of your child, Czerna Bilbo, wherein you state that your child died a few days after the Commission left Caddo in 1899.

For the purpose of making the death of your child, Czerna Bilbo, a matter of record, there is enclosed you herewith a blank proof of death, which please execute and return to the Commission.

In having the same executed be careful to see that all blanks are properly filled, all names written in full and in event either of the persons whose names are to be affixed to the affidavits are unable to write and their signatures are by mark, that such signatures be attested by two disinterested persons, witnesses thereto. The notary public before whom the acknowledgments of the acquaintance and relative are made, must affix his notarial jurat and seal to each separate affidavit.

Yours truly,

7-3662.

Mustagee, Indian Territory, August 10, 1906.

Charles J. Bilbo,  
Caddo, Indian Territory.

Dear Sir:

From the records of this office it appears that your daughter ~~Caerna Bilbo~~ died sometime prior to September 25, 1902.

For the purpose of making her death a matter of record you will find herewith enclosed blank form of proof of death which you are requested to have executed by yourself or the mother of the child, and also, by an acquaintance, and return to this office as early as possible.

Please see that all blanks are properly filled in and that the Notary Public before whom the same are sworn to affix his name and seal to the affidavits.

As it is desired that the records in the matter of these applications for enrollment be closed up as early as possible, your courtesy in having these proofs of death promptly executed and returned to this office will be appreciated.

Respectfully,

Enc. 1-6.  
Enc.

Acting Commissioner.

7-3662.

Muskogee, Indian Territory, October 17, 1905.

Charles A. Bilbo,

Caddo, Indian Territory.

Dear Sir:

This office is in receipt of information to the effect that your minor daughter, Caerna Bilbo, has died since the date of her application and in order to secure this information in proper form there is enclosed herewith a blank proof of death which you are requested to have filled out, returning same in the enclosed envelope which requires no postage.

This matter should receive your immediate attention.

Respectfully,

Enc. D.C.  
Env.

Commissioner.

MEMORANDA.

(Date) Aug 22 1899.

42 ✓ Name Charles A. Bilbo

Choctaw?  County Blaine Year 46 No. 1521

Chickasaw? County Year Page 38

Citizen by blood?  Mother's citizenship Choc

Intermarried citizen?

Married under what law?

License filed this day,

58 // Wife's name Mrs. B. B. Bilbo

Choctaw?  County Blaine Year 46 No. 15228

Chickasaw? County Year Page 382

Citizen by blood? Mother's citizenship Choc

Intermarried citizen?

Married under what law? Choc

License filed this day

Names of children:

- 8 ✓ Charles A. Bilbo County Blaine Year 46 Page 28 No. 155
- 6 ... County Year Page No. 155-3
- 4 ✓ ... County Year Page No. ...
- 2 ... County Year Page No. ...
- County Year Page No. ...
- County Year Page No. ...
- County Year Page No. ...
- County Year Page No. ...
- County Year Page No. ...
- County Year Page No. ...

3662  
Merrill  
to be filed.

Choc 3663

William H. Bates  
Christina A. Bates

3663

7-3863.

Muskogee, Indian Territory, October 6, 1902.

Christina A. Bates,

Caddo, Indian Territory.

Dear Madam:

Information has been received at this office that your husband, William H. Bates, is dead. If this is correct, proof of his death should be furnished the Commission, for which purpose a blank is enclosed you herewith and you are requested to have the same properly executed and return at your earliest convenience in the enclosed envelope.

You will note there is an affidavit for a relative and an acquaintance. In executing same, be careful to see that all blanks be properly filled, all names written in full, and in event either of the persons whose names are to be affixed to the affidavits are unable to write and their signatures are by mark, such signatures should be attested by two disinterested parties, witnesses thereto.

The notary public before whom the same are acknowledged must affix his notarial jurat and seal to each separate affidavit.

Respectfully,

Env.

D.C.

Acting Chairman.

MEMORANDA.

(Date)

1899.

46

Name

Choctaw? County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day,

47

Wife's name,

Choctaw? County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

Name	County	Year	Page	No.
<del>John</del>	<del>Blue</del>			56
	County	Year	Page	No.
	County	Year	Page	No.
	County	Year	Page	No.
	County	Year	Page	No.
	County	Year	Page	No.
	County	Year	Page	No.
	County	Year	Page	No.
	County	Year	Page	No.

3663

7-3663

INDEXED

32

IN RE  
THE DEATH OF

*William A. Bates*

a citizen of the

*Choctaw*

*Nation.*

Approved NOV 22 1902 190

*[Signature]*  
Commissioner.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

NOV 22 1902

*[Signature]*

ACTING CHAIRMAN.

# 3663



DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of William H Bates  
(Here insert name of deceased)

a citizen of the Choctaw Nation, who formerly resided at or near

Caddo, Ind. Ter., and died on the 17 day of

August, 1901.

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA, )  
INDIAN TERRITORY, )

Centerville District. }

I, W. J. Bouton, on oath state that I am 28  
years of age and a citizen, by blood, of the Choctaw Nation;  
that my post office address is Caddo, Ind. Ter.; that I am

step son of William H Bates,  
(State relationship as the father, an uncle, a cousin, etc.) (Here insert name of deceased)

who was a citizen, by marriage, of the Choctaw Nation;

and that said William H Bates died on the 17 day of

August, 1901.

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 19 day of Nov, 1902

R. H. Luebaugh  
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA, )  
INDIAN TERRITORY, )

Centerville District. }

I, A. J. Lee, on oath state that I am 43  
years of age, and a citizen, by blood, of the Choctaw Nation;

that my post office address is Atoka, Ind. Ter.;

that I was personally acquainted with William H Bates  
(Here insert name of deceased)

who was a citizen, by marriage, of the Choctaw Nation;

and that said William H Bates died on the 17 day of

August, 1901.

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 19 day of Nov, 1902

R. H. Luebaugh  
Notary Public.

Choc 3664 William I. Benton

3664

MEMORANDA.

(Date) ..... 1899.

Name *Wm. ...*

Choctaw ? *4/1* County *...* Year ..... No. ....

Chickasaw ? ..... County ..... Year ..... Page .....

Citizen by blood ? ..... Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day, .....

Wife's name, .....

Choctaw ? ..... County ..... Year ..... No. ....

Chickasaw ? ..... County ..... Year ..... Page .....

Citizen by blood ? ..... Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day .....

Names of children:

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

3664

Choc 3665 Lena D. Sutherland

3665

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-----

In the matter of the application for the enrollment, as  
a citizen by intermarriage of the Choctaw Nation, of--

Henry Sutherland ----- 7 D-483.

Commission to the Five Civilized Tribes,

South McAlester, Ind. Ter.

In the application of Henry Sutherland for enrollment as  
an Intermarried Choctaw; duly sworn and examined by Com'r McKeenan  
as testifies as follows:

1. What is your name? A. Henry Sutherland.
2. How old are you? A. Fifty.
3. Has anyone ever issued you a license by the County Clerk of Wash-  
taw County, Choctaw Nation, dated September 4th 1899, to marry  
Lena Hill, or a certificate of marriage dated the 11th day of  
September A. D. 1899, were you married to her before? A. Yes sir.
4. When? A. In 1899 I believe.
5. Did you ever separate or divorce from her? A. No sir.
6. How long have you been married to her under this  
license or certificate of marriage? A. No sir.
7. How long have you been married? A. No sir.

Signature

Date

Very respectfully,  
W. B. ...  
Commissioner

DEPARTMENT OF THE INTERIOR  
COMMISSION TO THE FIVE CIVILIZED TRIBES

Chester D-483.

Waskogen, Indian Territory, March 4, 1902.

Mr. ...

Dear Sir:

You are hereby notified that the application of yourself

for enrollment as a citizen of the Chester Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Waskogen, Indian Territory, on

On said date you may, if you desire, appear before the Commission in person or by attorney when an opportunity will be given you to introduce any additional testimony affecting said application or if you may think proper so necessary.

You are further notified that the representatives of the Chester Nation will, at the same time, be afforded an opportunity to introduce testimony affecting your right to enrollment. You and your representatives will be required to submit evidence in support of your testimony before they are enrolled as citizens.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

W. B. ...

Commissioner in Charge.

Department of the Interior.  
Commission to the Five Civilized Tribes.  
Muskogee, Indian Territory, April 12, 1902.

.....  
:: In the matter of the application ::  
:: of Henry Sutherland for enrollment ::  
:: as a citizen by intermarriage of ::  
:: the Choctaw Nation. ::  
.....

143  
D-~~143~~

On the 4th day of March, 1902, the applicant was notified by registered mail, and on the 6th day of March, 1902, the attorneys for the Choctaw and Chickasaw Nations were also notified by registered mail that the application of Henry Sutherland for enrollment as a citizen of the Choctaw Nation would be taken up by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 12th day of April, 1902, for final consideration.

Now on this 12th day of April, 1902, this cause coming on to be heard pursuant to said notice, the Choctaw Nation failed to appear, and the applicant being called, failed to appear in person or by attorney.

-----p-----:-----

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on April 12, 1902, and that the above and foregoing is a full true and correct transcript of his stenographic notes in said cause on the said day of April, 1902.

Subscribed and sworn to before me this 12 day of April, 1902.

*Hal Belford*  
*A. Brantchellwood*  
Notary Public.



Department of the Interior.  
Commission to the Five Civilized Tribes.  
Atoka, I.T. March 12, 1903.

7-D483

In the matter of the application of Henry Sutherland for enrollment as an inter-married citizen of the Choctaw Nation.

Applicant represented by J.G.Ralls:

Henry Sutherland being duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Henry Sutherland.
- Q How old are you? A Fifty four.
- Q What is your post office address? A Ardmore, I.T.
- Q That is in the Chickasaw nation? A Yes sir.
- Q How long have you resided in the Chickasaw Nation? A Since April last.
- Q Where did you live prior to that? A Caddo, I.T.
- Q How long did you reside in the Choctaw nation? A Since '91.
- Q Are you a white man? A Yes sir.
- Q Do you claim the right to enrollment as an inter married citizen of the Choctaw Nation? A Yes sir.
- Q What is the name of your Choctaw wife through whom you claim this right? A Lena Sutherland.
- Q Is she a recognized and enrolled citizen by blood of the Choctaw nation? A Yes, I understand so; she was admitted by act of council.
- Q When were you married to this woman the first time? A My recollection of dates is not exactly distinct; I think in '84.
- Q Where was this marriage ceremony performed? A Canton, Mississippi.
- Q At that time were both you and your wife living in the State of Mississippi? A We were.
- Q When did you remove to this country? A In 1896.
- Q You stated your wife was admitted by act of council? A Yes sir.
- Q Was your name enrolled? Was your name included? A No sir.
- Q Did you afterwards re-marry this woman? A Yes sir.
- Q What was the date of this second marriage? A I think in '98. The record, the Commission has possession of these facts.
- Q Where was this second marriage ceremony performed? A Near Caddo I.T.
- Q In the Choctaw nation? A In the Choctaw Nation.
- Q At that time were both you and your wife living in the Choctaw Nation? A We were.
- Q Did you obtain a tribal license? A I did.
- Q Did -- from whom did you get that license? A I can't tell you from whom; it was the clerk living in another County from Blue; I don't remember his name.
- Q How much did you pay for the license? A I think- if I remember correctly-- it was \$52.50; there was a reduction.
- Q Who performed the marriage ceremony? A Calvin Robinson.
- Q A minister of the gospel? A Minister of the gospel.
- Q From the time of your first marriage to this woman up to the present time have you lived together continuously as husband and wife? A Yes sir.

Q There has been no separation of any kind whatsoever? A None whatever.

Q Are you at present living together as actual and bona fide residents of the Chickasaw Nation? A Yes sir.

Examination by S.E. Lewis:

Q When you stated you give \$52.50 you mean that \$100.00 in scrip cost you that? A Yes; I got a discount on it.

Examination by J.G. Ralls:

If I understand you you mean that you paid \$100.00 worth of scrip for the sum of \$52/50 and with that \$100.00 in scrip you bought this marriage license in the County from which this scrip was issued?

A Yes sir.

Q And was married under this license? A Yes sir.

Q You have filed a copy of that license with the Commission? A Yes sir.

Q That has the correct name of the clerk of the county and the date? A Yes sir.

Henry G. Hains being sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported the above testimony March 12, 1903, and that this is a full, true and correct transcript of his stenographic notes in same.

*Henry G. Hains*

Subscribed and sworn to before me this 17 day of March, 1903.

*Charles Kesawyer*

Notary Public.

This is to certify that Henry Jutherland  
a United States citizen, and Lena Bilbo  
a Choctaw citizen, by blood, are duly  
married according to the laws of this  
Choctaw Nation this the 11<sup>th</sup> day of September  
A D 1879 by Rev Calvin Robinson  
A minister of the Gospel.

1879

Choctaw Nation

Botteullo County

To whom it may concern:

Know ye, that Henry Sutherland, a white man and a citizen of the United States, having made application to this office for a license to marry Lexa Bilbo, a member of the Choctaw tribe of Indians; the said applicant having also presented to this office a certificate of good moral character, signed by ten respectable Choctaw citizens by blood; And having paid (\$100.00) One hundred Dollars (the receipt where of is hereby acknowledged) And having taken the oath of allegiance to the Choctaw Nation, as required by law, I, the undersigned, a County and Probate Clerk of Botteullo County, Choctaw Nation, by virtue of the authority in me vested by the laws of the Choctaw Nation, do grant unto Henry Sutherland ~~and~~ a license to marry Lexa Bilbo according to the laws of the said Nation.

Now, therefore, any Judge of this Nation or any regularly ordained minister of the gospel is hereby authorized to join together in the holy estate of matrimony Mr. Henry Sutherland and Lexa Bilbo, both of Blue County, C.N.

Witness my hand and County seal this the  
4 day of September A.D. 1899  
L. B. Simpson  
County Clerk Botteullo Co.  
C.N.

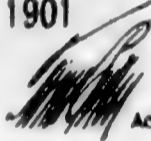
Henry Sutherland  
vs

Choctaw Nation

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

**FILED**

MAR 1 1901



ACTING CHAIRMAN.



The above mentioned report of the Commission  
is hereby approved and the Commission is authorized  
to issue the necessary orders in the case  
of W. H. Tucker & the Choctaw Nation  
and to report in regard to this of said  
acts in which the Commission  
in its report and decision was affirmed  
and the same shall be the basis of  
the same as of the above decision  
the same shall be the basis of the  
reportment

7 D-483.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

--:--:--:--oOo--:--:--:--

In the matter of the application for the enrollment of  
Henry Sutherland as a citizen by intermarriage of the Choctaw Nation.

---oOo---

- D E C I S I O N -

-----O-----

It appears from the records herein that Henry Sutherland appeared before the Commission and made application for enrollment as a citizen by intermarriage of the Choctaw Nation, claiming his right thereto by virtue of his marriage with Lena D. Bilbo, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as Lena D. Sutherland number 10360 upon the lists prepared by this Commission, under the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation and approved by the Secretary of the Interior on February 4, 1903.

It further appears from the records of the Commission that on September 9, 1896, in the case entitled "Henry Sutherland vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, case No. 1381), the applicant herein made original application to this Commission under the provisions of the act of Congress approved June 10, 1896 (29 Stat., 321) for admission to citizenship in the Choctaw Nation claiming his right thereto by virtue of his marriage with the said Lena D. Bilbo and on December 8, 1896 the said Henry Sutherland was by this Commission denied the right to citizenship in the Choctaw Nation as a citizen by intermarriage, from which decision of the Commission no appeal was taken.

It further appears from the evidence in this case that the applicant herein was a resident in good faith of the Indian Territory on June 28, 1898 and that on the 11th day of September 1899 he was duly married in accordance with the laws, customs and usages of the Choctaw Nation to the said Lena D. Bilbo; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation and that they have continued to live together in Indian Territory as husband and wife from the date of their said marriage, on September 11, 1899, up to and including September 25, 1902.

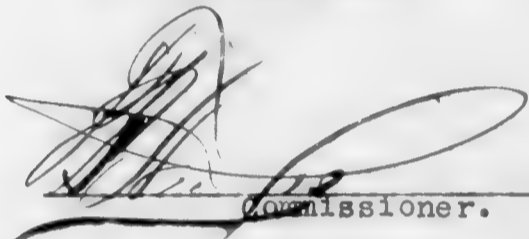
It is, therefore, the opinion of this Commission that Henry Sutherland should be enrolled as a citizen by intermarriage of



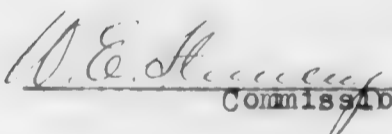
the Choctaw Nation, under the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495) and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

  
Chairman.

  
Commissioner.

  
Commissioner.

  
Commissioner.

Muskogee, Indian Territory,  

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7-D-483.

Muskogee, Indian Territory, January 7, 1904.

Henry Sutherland,  
Caddo, Indian Territory.

Dear Sir:-

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered January 7, 1904, granting your application for enrollment as a citizen by inter-marriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from the date hereof within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of said time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

*Tamm Dixby.*

Chairman.

Registered.  
Enc: 7-D-483.

7-D-483.

Muskogee, Indian Territory, January 7, 1904.

J. G. Ralla,  
Attorney at Law,  
Atoka, Indian Territory.

Dear Sir:-

You are hereby notified that the Commission to the Five Civilized Tribes rendered a decision, under date of January 7, 1904, granting the application of Henry Sutherland for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from the date hereof within which to file protest against the action of the Commission in enrolling said Henry Sutherland as a citizen of the Choctaw Nation. If at the expiration of said time no protest has been filed, his name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

*John D. Doby.*

Chairman.

Registered.

COPY.

7-D-483.

Muskogee, Indian Territory, January 7, 1904.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,  
South McAlester, Indian Territory.

Gentlemen:-

Enclosed herewith you will find a copy of the decision of the Commission, rendered January 7, 1904, granting the application of Henry Sutherland for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from the date hereof, within which to file protest against the action of the Commission in enrolling the said Henry Sutherland as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, his name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(S. J. C.)



Chairman.

Registered.  
Enc: 7-D-483.

Commission to the Five Civilized Tribes,  
Caddo, Indian Territory.

In the enrollment of the child of Mrs. Lena D. Sutherland as  
a Choctaw; being sworn and examined by Com'r McKenon, she states:

Q What is your name? A Lena D. Sutherland.

Q How old are you? A Forty-three.

Q You are the identical person who is admitted in the Act of the  
Choctaw Council #8 approved April 8th 1891 as Mrs. Lena Sutherland  
are you? A Yes sir.

Q You are the mother of Valeria E. Sutherland? A Yes sir.

Q She is now fourteen years of age? A Yes sir.

Q She was born before the date of your admission as a Choctaw?

A Yes sir.

Com'r McKenon: This being so, she having been born to you  
prior to the date of the Act by which you were admitted to  
Choctaw citizenship, the commission holds that she is not  
entitled to enrollment; notwithstanding the fact that the  
Act adds, "And their descendants be and they are hereby de-  
clared citizens of the Choctaw Nation."

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of the Interior,  
Commission to the Five Civilized Tribes.  
I hereby certify under my official oath as  
Commissioner of the Interior, that this  
is a correct translation of  
my stenographic notes.

Valeria Sutherland

v

Choctaw Nation

Gentlemen of the Commission:

I am before you in behalf of my daughter Valeria, who is a minor and a Choctaw by ~~half~~ blood, she was refused enrollment by the Laws Commission at Galdo I. T. in August 1899 for the alleged cause that that admitted her mother, Mrs Lena Sutherland, to citizenship, with the further objection, that the word descendant appearing in the act is too broad and indefin<sup>n</sup>ite to give her citizenship rights, as will be seen in A. R. Durant's Compilation of the Choctaw Laws, Bill No 8 page 329 I have the petition of Mrs Lena Sutherland to this Commission asking for a reversal of the former action of this Commission in the case of Valeria Sutherland, setting forth the facts of her claims to citizenship; the Commission kindly permits me to file Mrs Sutherland's petition, I also; have with me affidavits of other Indian citizens corroborating the statements of Mrs Sutherland. I received a communication from the Commission just the day before the hearing of this case stating that affidavits were inadmissible and I could not in so short a time get witnesses here in person, the following argument in part is based on these facts.

*Henry Sutherland  
for claimant*

Application for Enrollment.

Application of Mrs. Lena Southerland, in behalf of her daughter Valeria Southerland, for enrollment as a Choctaw Indian by blood.

Your petitioner, Mrs. Lena Southerland in behalf of her minor daughter Valeria, as grounds for this application states:

My name is Mrs. Lena Southerland, I am ---- years of age, and my Post Office is Caddo, Ind. Ter. I am the wife of Henry Southerland, and the identical person admitted by Act of Choctaw Council to citizenship in the Choctaw Nation-Act No. 8 passed in 1891 under the name of Lena Southerland together with my sisters, Mrs Anna Boyd, Ozie Travis, and Mrs M. Williams. I have been at all times recognized and enrolled as a Choctaw Indian since the passage of that Act, as has also my daughter, Valeria Southerland, who has at all times been enrolled as a citizen of the Choctaw Nation by blood. My Daughter, Valeria Southerland is 14 years old, and was refused enrollment at Caddo, Ind. Ter. by the Commission to the Five Civilized Tribes for the reason that her name did not appear in the act that admitted me, her mother to citizenship. Valeria was about 6 years old at the time of the passage of the act admitting me to citizenship.

Your petitioner further represents to your commission that she is acquainted with the customs of the tribunals of citizenship in the Choctaw Nation, and that it is the custom of the Choctaw authorities to enroll as citizens of the Choctaw Nation the children of recognized Choctaw Indians by blood, and that it is the custom and rule of the Committee on citizenship of the Choctaw Council and of the Choctaw Council in passing acts admitting Indians to citizenship, to incorporate only the heads of families or parents, and not to mention by name the unmarried minor children. I was present when the Committee on citizenship of the Choctaw Council framed their report which was adopted admitting me to citizenship and requested that the name of my daughter be incorporated in the Act, but was informed of the custom and that when the parent was recognized and admitted as a Choctaw Indian the children of that parent must be enrolled, and that the word descendant would cover all children.

Your petitioner further states that in pursuance of and in recognition of this custom your petitioner's daughter was enrolled by the Choctaw authorities, and her name appears on all the rolls prepared by the Choctaw authorities since the date of the passage of the said act, and in all things

recognized as a Choctaw Indian by blood.

Your petitioner, the mother of Veloria Southerland, states that she was duly and regularly enrolled by the Commission at Caddo, Ind. Ter. as a member of the Choctaw Tribe of Indians by blood, and that proof of her marriage to Henry Southerland is on file with the Commission.

Wherefore your petitioner prays your honorable Commission to entoll her daughter as a member of the Choctaw Tribe of Indians and a citizen of the Choctaw Nation as she in all right deserves to be, being the daughter of a Choctaw Indian by blood, enrolled and recognized as such.

Lena Southerland

Sworn and subscribed to before me this the 24th. day of September, 1899.

Chas. W. [Signature]  
Notary Public.

Com. Expires Sept. 11th. 1901.



The condition precedent to the establishment of title and claim to citizenship in the Choctaw Nation, save the intermarried, is the evidence of the existence of Choctaw blood. The Choctaw Council was the Body before which matters of this kind were considered and determined and it was this body that passed the act admitting the mother of Valeria to Citizenship as heretofore mentioned upon satisfactory proof of this condition subsisting. Now we contend that when this fact was acknowledged by Council and citizenship granted to the mother of Valeria upon this basis, that right then and there inured to Valeria as the direct offspring of said accepted citizen by reason of the fact of possessing in her veins the Choctaw blood and the absence of her name from the record in question does not affect her rights. This element of Choctaw blood was the sine qua non of Citizenship and proof having been made and accepted by the council that it existed in the mother this same element must of necessity exist in the child.

This right per se resided alike in mother and child in a latent form prior to the act of the tribunal recognizing it, and the acceptance of the mother the source whence the child derives her being most manifestly ~~obvious~~ must embrace her. The Council can not create citizens, it did not generate this Choctaw blood it merely discovered it to be in the veins of the mother of Claimant and if it was this blood that entitled the mother to the right of Choctaw Citizenship we must irresistably conclude that claimant the daughter of this mother must have the like blood coursing thro' her veins and hence entitled to the same right. We contend that the mother of claimant acquired no new rights when her name was recorded by the act of Council, but that the right already existed tho' held in abeyance and that that tribunal was the means of bringing it to light and to recognition and when they recognized it to exist in the parent, by parity of reasoning it existed in the Child matters not if it had no name. Claimant and her mother were both born Choctaw Indians with the inherent right, it being subject to being perfected into Citizenship of the tribe to which they claim membership, and that when the right was perfected in the mother by

proof of Choctaw blood, so it was in the child they stood or fell by the same law claiming to be Choctaws by blood. The mere fact of the name of Claimant not being inscribed in the act of 91 proves no design upon the part of the Council to exclude her from citizenship for the omission is cured by the word descendant embodied in said act as well as subsequent and repeated acts of the Choctaw Government exercised toward her thereby providing for all who were ~~omitted~~ omitted as her descendants. The Commission held that the word descendant was too broad and indefinite, true enough the term is comprehensive and it would include the posterity of a generation provided they could trace their line of descent back to the parent stem. Were the Choctaw Government to remain in Statu quo and because of this facility afforded to claimants, could their claims in any wise be violated because of this fact? Manifestly not for this indefiniteness as it is termed is cured by the limitation imposed by the U. S. Government in its dealings with the Choctaw Indians in consequence of fixing a definite time in which all these claims shall be adjusted and that time has come within the period of eight or nine years since the passage of the act in question making it absolutely certain who these descendants are, stripping it of all manner of doubt and uncertainty as to their identification, the word "descendants" as used in the act of the Choctaw Council above referred to admitting the mother of claimant to citizenship, means direct descendant, such as child, grandchild etc as will be seen by the following authority, 1st Vol of Rapalje and Lawrence's Law Dictionary page 379 30 N. Y. 393; Vol 9 2ed Edition of the American and English Encyclopaedia of Law page 399, and its import can not be restricted to the issue born since the admission of the mother to citizenship, its import is against the <sup>admission</sup> ~~council~~ of the Commission, and in keeping with subsequent acts of the Choctaw Authorities, for claimant during all of the time since the passage of the act, has been as the evidence shows under the benign and fostering care of the Choctaw Nation, participating in the distribution of the monies paid to the Choctaws by blood, and enjoying all the benefits immunities and privileges accorded to Choctaw Citizens;

proving beyond the shadow of a doubt that whatsoever construction may be put upon the word descendant by others, that the Choctaw Authorities construed it to mean the Children living at the time of the passage of the act as well as thereafter<sup>ment</sup> to extend indiscriminately from that time henceforth all of the rights and claims that a full blood had enjoyed who had been here all his ~~life~~ life. So if subsequent acts throw any light ~~in~~ the way of determining the intention of the <sup>giving</sup> act, then the word descendant is entirely shorn of <sup>1</sup> indefiniteness by the acts of the Choctaw Nation, for it takes this claimant up recognizes and infallibly stamps her with the seal of Choctaw Citizenship and we are driven to the conclusion that the word descendant applied to claimant with the same force and effect as did the Act to the mother and that was conferring upon her Citizenship, and that the Council so understood and intended that this and no other construction should be placed upon it and to say that claimant is to be deprived of her just and equitable rights upon the husk of a technicality as I deem it is to sacrifice substance to form and do an irreparable injury where none was intended by the Council. She was not placed on the rolls without authority of law, if there was any law in the Choctaw Nation, as the rolls will show. For during all this time of her recognition by the Choctaw authorities there has never been sounded a note of warning by the Nation or its authorities signifying or intimating that Valeria's claim were on a shaky foundation and at this late day to question her rights when a remedy by Council is barred ~~by the Council~~ is a cruel wrong and it would be saddling upon the Choctaw Nation a deception that it never thought of perpetrating. Even admitting any ambiguity in the terms in the act, which we do not, the personnel of the Council ought to be considered, the intelligence and legal knowledge they possessed, their want of familiarity with legal phraseology that may appear in their bills, and if their acts carry with them any doubtful terms they ought not to be construed with the strictness of law makers of great legal acumen, but to get their intention and meaning and nothing throws more light on this act of 91

as to what the Council intended than how the Choctaw authorities have acted upon this and that has been to recognize by word and deed Valeria's claim to Citizenship.

The custom of the Choctaw Nation that when Citizenship rights are conferred upon parents this act invests the child or children of said parent with the same rights and superseeds the ~~need~~ necessity of any act of Council as to said children. Now the kindly ~~and~~ treatment of C. N. to this claimant has been in keeping with this custom and clearly shows that it has long recognized the existence of this relation. We hold that claimant is now and has been a bona fide citizen since the ~~time~~<sup>time</sup> her mother was admitted by council, for during this interval the C. N. has claimed her as such and through its Council has caused two or three several records since that time <sup>to be made</sup> enrolling none but Citizens by blood and in all of these records the name of Claimant is found. And if these <sup>legally</sup> actually constituted authorities of the C. N. do not mean that claimant is a citizen what do they mean? are the wishes of the C. N. not at all to be respected as to whom it will claim as citizens and plenary powers vested elsewhere to make and unmake citizens? Committee's that made these several rolls were creatures of the C. Government appointed by the same with full power and instruction to enroll none save the Indians by blood on the Indian roll and to enroll none that had no right to have their names placed thereon and upon the completion of said rolls they were ~~remanded~~<sup>remanded</sup> to the revisory board and that body had the power and authority of eliminating from these rolls all doubtful names but nothing of the kind was done to claimant and her name remained on these several Committees who made the rolls every facility and opportunity were given them to carefully investigate as to who were Choctaw Citizens and through all this the name of Claimant adhered to the rolls. What clearer demonstrations do we want than that the C. N. accepted this claimant as a Citizen and intended that she should remain as such? To deny Claimant's Citizenship under this state of facts would be saying that the C. N. has been acting a part-practicing

delusion but there has never been a single act of the C. N. in its dealing with claimant that would engender a doubt of her firm and substantial citizenship on the contrary it has done every thing to confirm claimant's belief in her valid and indisputable rights thereto further more to insist that the act of these several Committees <sup>are</sup> void and inoperative would be resolving the Choctaw Government into an nonentity with no power to make laws, could not have a legislative body if so all of its enactments would be futile. Whereas in point of fact the Choctaw is a DeFacto Government can make valid laws for its own people can appoint Committees and cloth them with authority to do certain duties and such acts must of necessity bind the Government. And when these Committees who are the regularly and legally constituted authorities or Agents of the Nation made the rolls and when they accepted claimant as Citizen as evidenced by enrollment it had the same binding force as if the Council had passed an act declairing her a Citizen. And the rule of law Facit Per Alian Facit Per Se applies with the same force in the Choctaw Nation as in any other land where the civil law is known

Henry Sutherland  
for claimant

Argument of Mr. M. D. Ainsworth before the Commission to the Five Civilized Tribes.

I will preface my remarks by saying that I am first cousin to these people. I am here to see if I can throw some light on this subject; not as an attorney in this case, and I never have been.

As I look at this matter, it turns on the word "descendants". I would like to have the Commission take into consideration the following, which is right out of the deed the United States gives to this Choctaw Nation.

"Now Know Ye, that the United States of America, in consideration of the premises, and in execution of the agreement and stipulation in the aforesaid treaty, has given and granted, and by these presents do give and grant, unto the said Choctaw Nation the aforesaid "Tract of country west of the Mississippi", to have and to hold the same with all the rights, priveleges, immunities and appurtenances of whatsoever nature thereunto belonging as intended to be conveyed by the aforesaid article, "in fee simple to them and their descendants, to inure to them while they shall exist as a nation and live on it" liable to no transfer or alienation, except to the United states or "with their consent.

There is that word "descendants" again. I take it that when the Choctaw Nation adopted three Choctaw women after proper proof, and inserted the word descendant, that it was just such a word as was in the Choctaw law and treaties, and about which there could be no misunderstanding. And there is a further fact about that that may give the Commission light. The treaty of 1830: every Choctaw who remains back in Mississippi and has his land, he has this further right. He can sell his land there and come west and have all the rights and priveleges of these Choctaws who had previously come except one. That was in certain annuities. As a matter of fact, I expect that three-fifths of the Choctaw people in the Choctaw Nation are descendants of the Choctaws who took their rights back there and sold them out. The grandmother of these children today, took her land on Thompson's bluff, Miss. My mother came in 1850; these people came since, some twenty years ago, a difference of twenty years. Another fact that was to throw light on this particular word descendants; in our discussions in Washington, all we wanted of the Mississippi Choctaws was that they would come there in good faith.

They just showed the fact that they had come in in good faith and they were recognized. I suppose you recognize that phase of the question? When Mississippi Choctaws came here in good faith the question was never raised.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES,  
MUSKOGEE LAND OFFICE, Nov. 27, 1899.

Mrs. Valeria Southerland :

vs

The Choctaw Nation :

Mrs. Fm William's Children :

vs

The Choctaw Nation :

Mr. Henry Southerland appearing  
for these plaintiffs

Robbie O. Travis, William B. Bravis:

Marie McBride Travis, ~~and~~ the Minor:

Children, sons and daughter of

Robert E. and Ozie P. Travis

: Mr. Z. T. Walrond appearing  
for these Plaintiffs.

Argument of Mr. Walrond before the Commission to the Five  
Civilized Tribes:

My connection with this case began before the Commission at Vanita two years ago. Thomas J. Boyd and his sons, and Judge Stewart then represented the Choctaw Nation. Mr. Boyd, my client, was then the husband of Anna Boyd, and they were the parents of the other two persons named. In that case the council of the Choctaw Nation regarded that the younger boys, the sons in the case, should be enrolled, and I understood it was accordingly done. So far as Thomas J. Boyd was concerned, he was regarded as a doubtful citizen, and by agreement that case was referred to the Choctaw council. My connection with the case ceased then, but I am informed that they did not enroll him, and he instituted suit before the Court at Ardmore and was ordered enrolled by Judge Thomasend. Q. You want to appeal to the Commission? A. I think a suit was instituted direct Mr. Herbert was his attorney. Mrs. Anna Boyd, deceased, his wife, Mrs. Sutherland, her sister, Mrs. Williams, the mother of these Williams heirs and Mrs. Travis were all the sisters, and C. A. Bilbow of Caddo, was a brother in the same family of Choctaws. Probably they were all born in the state of Mississippi, and Mr. Bilbow came to this country several years ago and has long been a citizen and office holder in the Choctaw Nation. In 1891, these sisters, who had removed to the Choctaw Nation, and whose descendents were and are now, residents of the Choctaw Nation, some living in one place and some in another, applied to the Choctaw legislature for ~~enrollment~~ enrollment. They were enrolled under an act which stated their names and gave the names of their descendants in a general form. As I understand, they have all appeared before the Commission for enrollment, and the Commission has the matter under advisement on account of the fact that the individual names of all the heirs were not embraced in the bill, as is sometimes done in the Acts of the Indian councils. I do not think there will be any question raised as to the blood or the residence of any of these children or their parents--those that survive. It is simply a question as to whether the Boyd descendants and the names of these sisters, quoted in the Act, covers the children that were in the Territory at that time, or may have come here since.; probably all were here then.; or that have been born since; that is the only question I understand is before this Commission.. My friend Ainsworth is the cousin of these ladies; their ancestor was the same lady. For any information concerning the lineage of these parties, he is better prepared than anyone I know to give it



Q. By Mr. Bixby: Are there any precedents or authorities you can quote us as to the admission or recognition of the parties not named in this bill? A. That is just what I am getting to. I have been advised by consultation, and we have some authorities here, which show that persons have been enrolled by the Indian Nations/ when described generally, as well as when their names were specially given. The information comes to me from Mr. Thomas Ainsworth, their kinsman, and whom they desired to look after their interests when they were being presented before the Commission at Tuskahoma, that the reason why the individual names of all the children were not given was simply because it was a long list of names embracing probably 3 or 4 families, and it was not necessary; and the Council acted upon it that way. We will say generally, that if the intent of the Council was only to admit these ladies, that the word descendants would not have occurred in the bill. In other words, if the intent had been to admit Mrs. Boyd and Mrs. Travis and Mrs. Southerland,<sup>only</sup> the word descendants would not have been used. It is not the practice of any of these councils when they admit an individual, to give any descriptive terms. From my observation they merely give the names of these individuals, and if we are to give meaning to the word descendants, the Choctaw Council would have intended it mean something. The only argument against it would be the old English doctrine which the Commission is familiar with--a doctrine that is obsolete to a great extent in this country, and especially in the Indian Territory in the transactions with Indian Councils. Supposing there was a correct rule, that the intent in this case was to carry an estate as well as citizenship, which I understand citizenship means in a case like this, then the word "heirs" would be necessary, but there is quite a difference between the word heir and the word descendant. For instance, my friend Ainesworth might devise something to me as his heir, when I am not of his blood. On the other hand, a descendant would refer to some person of his own blood. Mr. Webster's definition of the word de-

scendant is this: "Any person proceeding from an ancestor in any degree, issue, offspring in the line of generation" ad infinitum,, and then he gives as illustration that we are all descendants of Adam and Eve. I have not examined but one law dictionary upon the subject and it there made a correlative of ancestor. One is up the line and the other is down the line. I do not think that we are required, in interpreting these Indian councils, to go beyond the ordinary meaning of words in the English language, but the legal meaning in this case is identical with the literary meaning; that is, there is nothing technical in the expression descendants in this case; it was evidently the intent of the Choctaw council to embrace the families of these people.. If we had any doubt about this matter and wanted to bring to our assistance the circumstances and conditions that surrounded the Choctaw council in 1891 when this Act took effect, we could compare the provisions in the treaty with the United States which the Commission is so familiar with, and which they have so carefully investigated, that gave special privileges to Choctaw residents in the state of Mississippi. I do not wish to take the time of the Commission to refer them to the invitation which the Choctaws have, in a repeated manner by Act and otherwise, extended to their bretheren who remained behind in the state of Mississippi to become a portion of the citizens of the Choctaw Nation here in the west. With the liberality that the Choctaws extended to them in their treaty with the United States made many years ago, and with their repeated acts since, it seems that there can be no other intent than to allow these people to become a part and parcel of these people here in this Territory. It would give to these people the right of possession to the public domain, recognizing them as one with them in the use and occupation of the soil here in this Territory, and allow any of their descendants who desire to exercise suffrage to do so, and open up a way for them to take part in the administration of the affairs of the nation. I do not think I have anything more to say on this matter/ The proposition seems to sit

squarely on the meaning of the Choctaw council, and I think it meant just what it said, and I do not think it is necessary for us to travel outside to find any other meaning. I concede that it would have been better if the names of all their heirs had been included, but I want to call the attention of the Commission to the fact that if exactness is required in any instrument, it would be in that of a will, and Redfield lays down the laws on wills that the court can admit extemporaneous testimony to show what the meaning of the testator was; not to conflict with it in any way, but to determine who was the party that was in the mind of the testator when he made his will. Applying those points to a case like this, carrying with it real estate and personal property, it seems that the word descendant in this case would carry with it all the prerogatives that carry with it citizenship in the Indian Territory, whether it be a right to a portion of the soil as permanent allottees or a right of citizenship. These citizens were on the roll of 1896.

From the  
Secretary of the Interior

Valeria Luther and

<sup>70</sup>  
Choctaw Nation.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIALIZED TRIBES.

**FILED**

MAR 9 1881



DEPARTMENT OF THE INTERIOR,  
WASHINGTON.

February 28, 1901.

Mr. H. Sutherland,

Cadde, Indian Territory.

Sir:

The Department is in receipt of your communication dated February 21, 1901, desiring to be advised if "section 21 of Curtis Bill applies to the Choctaw and Chickasaw Nations."

In reply, you are informed that under the agreement set out in section 29 of said act, which was ratified on August 24, 1890, by the Choctaw and Chickasaw Nations, the provisions thereof became the law with reference to said nations whenever in conflict with the Curtis Act, with certain exceptions mentioned therein. There is nothing in the agreement which conflicts with section 21 of said act, and therefore you are advised that said section does apply to the Choctaw and Chickasaw Nations.

Respectfully,

Ind. Terr. Div.  
110-1901

*Shaw*  
Acting Secretary.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES,  
Muskogee, Indian Territory, March 1, 1901.

In the Matter of the Application for Enrollment as a Citizen of the  
Choctaw Nation of Valeria Sutherland, daughter of Lena D. Sutherland.

Applicant represented by Major Z. T. Walrond.

Statement by the Commission: Lena D. Sutherland, Ozie Travis and Mary Missouri Williams were sisters, the daughters of William Bilbo and Henrietta Bilbo. These three sisters were admitted to citizenship in the Choctaw Nation by an act of the National Council approved April 8, 1891; this act admitted to citizenship these three persons and their descendents. The children in whose behalf this testimony is now taken, were living at the time of the admission of their parents and the contention is that the word "descendents" in the Act of the Council above mentioned, does not include the children who were living at the time of the passage of the said act, but was only intended to confer citizenship upon such children as might be born to these persons after the passage of the said act.

Lena D. Sutherland having been first duly sworn by Acting Chairman Bixby, testified as follows:  
Examination by Major Walrond:

- Q Give your name, age, residence and postoffice address?  
A Lena D. Sutherland, Caddo, Indian Territory. I don't know how old I am; I am about 44. I really don't know my age.
- Q You are the wife of Henry Sutherland? A Yes sir.
- Q How long have you resided in the Choctaw country? A For ten or eleven years; ever since the year we were admitted.
- Q State where you moved ~~to~~ from the Choctaw Nation? A From Canton, Mississippi.
- Q State whether or not you were a Mississippi Choctaw when you removed here? A Yes, I was a Mississippi Indian.
- Q Give your maiden name before you were married? A Lena Bilbo.
- Q State whether or not your family moved with you to the Choctaw Nation? A Yes, all of them.
- Q At that time what were the names of your children that moved here?  
A I only have one; her name is Valeris Sutherland.
- Q What is her present age? A 16 years
- Q Was she ever on the rolls? A Yes, she has always been on the rolls; she has drawn money once; she has been accepted on all the rolls that have been taken within the last ten years. She has been educated by the Choctaw funds.
- Q State how you came to be enrolled? By what act? How you came to be enrolled by the Choctaw nation? A The first I was enrolled? Yes, how you were admitted, in other words? How were you admitted? A Before the Indian council.
- Q Admitted by an act of the Choctaw council? A Yes, by a resolution admitting me and my ~~daughters~~ sisters.
- Q Give the names of your sisters? A Missouri Williams, Annie Boyd and Ozie Travis. At the time we were admitted I insisted on the lawyer including all the names after he read the bill, and he said that it would take a good deal of time to make it over, and the time was short, and that that would cover it.
- Q What names? A All the children's given names. He objected to writing it over as it took so much time, and they had only a short time; he said that he would do it, but that this covered everything; and that if there should be any children born after-

2-Sutherland.

- wards it would include them.
- Q Do you refer to the act of council that admitted your sisters and yourself? A Yes sir.
- Q That is the way the act read? A Yes, "and their descendents."
- By Mr. Bixby. How did the act read? You have got a copy of it havn't you?
- By Major Walrond: I did have but I can't find it. I loaned the book out.
- By Mr. Bixby: The act is certainly in existence? A Yes.
- By the Witness: Yes, it is in some large book; I have seen it recently.
- By Mr. Bixby: You had better introduce the act itself.
- By Mr. Walrond:
- Q At that time had your sisters removed to the Choctaw country in the Indian Territory? A All except Mrs. Travis; she came shortly afterwards; I came before she did and went to the council, and they admitted us all at once.
- Q You have given the name of your daughter as constituting a member of your family that you have considered as embraced under the term "descendants"? A Yes sir.
- Q Will you give the names of the children of your sisters, Mrs. Boyd, Mrs. Williams and Mrs. Travis? A Mrs. Boyd has two children, Tom and Lewis Boyd.
- Q Give the names of Mrs. Williams' children? A Ernestine, Royal, Kelsey, Travis, Annie and Boyd.
- By Mr. Bixby: They all have the same surname? A Yes, Williams.
- Q Give the names of the Travis children? A Robbie, William and Marie. They have middle names; I don't suppose it is necessary to put them in.
- Q You might explain what name Earnestine Williams now bears, and when she was married? A She was married three years ago; married Mr. James Bower.
- Q State, in that connection, whether he is a Choctaw? A He is a Choctaw by blood; he is a citizen.
- Q State whether or not all of these children emigrated to the Indian Territory with their parents? A Yes, all of them; came when they were small.
- Q Have any children been born to these four sisters that were admitted, since they came to the Territory? A No, not any.
- Q State whether or not all of these children were enrolled as Choctaws after the passage of that act? A Yes, all of them.
- Q To what extent did that passage extend them priveleges of Choctaw citizens? A They have all bee educated in Choctaw schools and all drew money at the distribution of the lease district funds; they have had advantages of all the Choctaw priveleges; these two are all I think of; if there are any others, they had the advantage of them.
- Q State whether or not they have all, through their parents, sought enrollment through the Commission to the Five Civilized Tribes? A Yes, gave their names in.
- Q Are these sisters all living now? A No, all dead except myself.
- Q Where have these children and their descendents resided since the passage of that act of the Choctaw council? A Some of them--they have all been in these boarding schools; one of them was raised in the orphan school.
- Q I mean whether they have resided in the Indian Territory? A Yes.
- Q Have they resded in the Indian Territory or in Mississippi?
- A In Indian Territory; they have been in the schools except their vacations when they have been with us.
- Q State whether any of them resided in the Chickasaw country?
- A Two of them in the Chickasaw country--the boy's children--the others in the Choctaw.
- Q If there is any particular fact--you say you were present when

3-Sutherland.

this act was passed in the Choctaw council? Is there any particular fact explanatory as to the manner in which this instrument was made, or regarding the priveleges to these children, you can explain that. A Not that I know of.

N. V. Ainsworth, having been first duly sworn, testifies as follows:

By Major Walrond:

Q State your name, age and residence? A N. V. Ainsworth, 44, I live in McAlester in the Choctaw nation.

Q What is your occupation? A Lawyer.

Q State whether or not you are an enrolled, regular citizen? by blood, of the Choctaw nation? A I am.

Q Are you acquainted with the claimants in this case? A Yes sir.

Q How long have you resided in the Choctaw nation? A I was born and raised in the Choctaw Nation.

Q State whether or not you are related to the other witness here, Mrs. Sutherland, and if so, what relation? A She is first cousin; our mothers were sisters.

Q Of Indian blood? A Yes, our Indian blood comes on our mother's side.

Q Were these other sisters in this act sisters of the same blood?  
A Yes sir

Q How many years have you been engaged in the practice of law in the Indian Territory? A Since '83.

Q Have you ever been a member of the council and present when these citizenship matters were considered by the council?--Are you familiar with the practice of procedure? A Yes, I am familiar with the practice; I have been a member once or twice.

Q Please explain from your experience as an expert in this line what construction the Indians of the Choctaw council have put upon the term "descendents"? A I cannot say that we have ever had a decision on that.

Q What has been the usage and custom of the Choctaws in regrd to that term? A Well, the Choctaw law and the custom and usage has been that the word descendent would mean the Children.

Q Is there any distinction between children born or unborn in regard to the application of it among the Choctaws? A There has been none in practice; that is, persons admitted to citizenship, and in the course of two or three years give birth to a child, that child has always been recognized as a citizen.

By Mr. Bixby: You don't seem to answer his question. What he wants to know is whether there has ever been any difference made between the enrollment of children born prior to the admission of parents and children born after their admission. A Not that I know of--no difference or distinction.

By Major Walrond: You are familiar with the terms of the patent that runs from the Government of the United States to the Choctaws? A Yes,- if you will excuse me, I think we went fully into that thing when I was here before. I think my testimony was full on that point and would only be a repetition. I think I called Mr Bixby's attention that that word was used in the patent.

By Mr. Bixby: Are there any additional facts? A The only additional fact, I took occasion to inquire of Tom, my brother, the author of the bill; I asked him what his intention was in the matter, and he told me it was to include the children. As she said this morning, he put the word "descendents" in in order to save time in writing. That is all the additional information I have received since I last testified here.

By Mr. Bixby: Do you know whether or not, Mr. Ainsworth, the Choctaw Nation and the Choctasaw Nation are now contesting the appli-



4-Sutherland.

cations for enrollment of citizens who claim through acts of the council admitting their parents, and not maning the children in the bill? A I can't say. I have not had time to keep up with citizenship--with the laws. they have a special commission for that.

- Q You don't know that the Choctaws and Chickasaws claim that a party, to be entitled to citizenship by adoption through act of the council, must be named in the act? A No, I didn't know that.
- Q You have no information then? A No, I have not followed this business.

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Frances R. Brown having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 1st day of March, 1901, and that the above and foregoing is a full, true and correct transcript of her stenographic notes, of said proceedings on said date.

*Frances R. Brown*

2nd.

Subscribed and sworn to before me this ~~2nd~~ day of March, A. D., 1901.



Acting Chairman.

Before the Commission to The Five Civilized Tribes:-

Written brief or Argument, in behalf of Valeria Sutherland for final enrollment by the Commission on the Choctaw Citizenship rolls by blood. This being an amended argument to one now on file with said Commission:

This claimant holds that under act of Congress of June 7th 1897, the Commission had the authority to contest the legality or right of any names found on said rolls, within six months, claimants name was found thereon and no contest was made by the Commission within the prescribed time, hence they acquiesced in her name remaining there.

Under act of Congress of June 28th 1898 the Commission was directed to make a correct roll of the Indians and to eliminate all who were on the rolls, placed there by fraud or without authority of law. That under the above <sup>acts</sup> ~~sighted~~ acts claimant name was entitled to be placed on said rolls by the Commission, for the reason that her name is found on the rolls at the passage of said acts, as it was also, at the passage of the act of Congress of June 10th 1896. There can be no shadow of fraud, nor can there be any reason to believe that her name was placed there without authority of law. That these rolls of 1893 and 1896, as accepted by the Commission as the last authenticated rolls, were submitted to the only constituted enrolling authorities of the Choctaw Nation, and were passed upon and confirmed by said Nation. At the passage of the act of Congress of June the 10th 1896 claimants name appears on the Choctaw rolls and she was confirmed as a Choctaw Citizen by said act, because the act explicitly states that the rolls of the Choctaw Nation as they existed in 1896 were confirmed by said act, and hence, there was no necessity for her making application for citizenship, for she was then an acknowledged citizen of the Choctaw Nation, both by the United States and by the Choctaw Nation.

That section 21 of the Curtis Bill gives minor children of the Cherokee Nation, who were born <sup>at</sup> the time of the adoption of their parents by the Cherokee Authorities, gives the children the same rights to citizenship <sup>as</sup> that of the parent. Undoubtedly this is the key to the construction of all laws on this line that pertain to the five tribes, for it can not be presumed that the Cherokee's are the chosen people of the United States, but that whatever law governs in their citizenship rights is applicable alike to the Choctaws, and we ~~cite~~ cite the "Prather case" of the Cherokee Nation, of which the Commission will take judicial notice, the case exactly in point with claimants.

Aside from the authorities and reasons above <sup>cite</sup> stated showing claimants right to enrollment, we further <sup>cite</sup> cite, Section 9 of the Naturalization laws of the United States as confirmatory of the view we hold which is, that where the parents have become naturalized <sup>minor</sup> the children of said parents are acknowledged <sup>as</sup> being United States Citizens the same as the parent, the identical point we insist upon in this case.

As to the word descendant occurring in act of Choctaw Council 1891 which admitted mother of claimant to citizenship, for its construction, see Black's Law Dictionary and See 6502 Mansfield's Digest of the law of Arkansas, 1884. Also, article Third of the <sup>6</sup> treaty of 1866 between the United States and the Choctaw and Chickasaw Nation.

Henry Sutherland  
Atty for ~~claimant~~ claimant

James S. Standley, being duly sworn and examined, testified as follows:

Mr. A. Telle, Attorney for the applicants: Capt. Standley, I will ask you if you are a Choctaw Indian by blood?

A Yes, sir.

Q What is your age? A 58 years of age.

Q Your residence? A Choctaw Nation; I claim Atoka as my headquarters, my home, I have no domicile in the town, but I am at home here.

Q I will ask you how long have you been in the Choctaw Nation?

A I came here in 1873.

Q I will ask you whether or not you are acquainted with the laws and customs and usages of the Choctaw people with reference to citizenship? A Yes, sir; I think I am.

Q Did you ever occupy any position at the Choctaw Council, where they have passed on these questions of citizenship? A Yes.

Q I will ask you if you have ever acted in the capacity of draftsman for the Council? A Yes, sir.

Q Where citizenship cases were passed upon? A Yes, many a time.

Q I believe you state that you are well acquainted with the laws of the Choctaw Nation? A Yes, sir.

Q I will ask you if you know of any law of the Choctaw Nation, previous to the Act of 1888, wherein it was required that the names of the applicants should be presented to the council, all of the names, other than the names of the heads of the families?

A No, I do not.

Q Then, as I understand, it, has been the custom of the council to admit people by simply admitting the heads of families?

A Yes, I will say that is my understanding, some have been.

Q Admitted the heads of families, and the others all came in?

A That has been the custom.

Q I will ask you if you know William Buckholt? A Yes.

Q And R. T. James? A Yes.

Q I will ask you whether or not you know John Null? The old John Null? A I knew him simply as a matter of record, and a matter of common knowledge in the country.

Q I will ask you if you know of any statute authorizing the Supreme Court to pass on cases in the Choctaw Nation; and law of the Choctaw Nation authorizing the Supreme Court to pass on citizenship cases?

A The Supreme Court of the Choctaw Nation, there used to be an old law years ago, that was the law when I came here.

Q You were not present when the Supreme Court passed on the case of William Buckholt and others? A No.

Q I will ask if you were attorney in the case of one J. R. Plumer when he was admitted to citizenship by the Citizenship Commission of the Choctaw Council? A Yes.

Q I will ask you if there was any expression of the Committee as to what their intention was at the time that he was admitted to citizenship? A There was no question raised by the Commission that I know of, with reference to the necessity of having his entire family incorporated in the bill.

Q Did the applicant himself ask the question? A Yes, the question was raised by him.

Q And what was the answer of the Commission to his question, as to whether he ought to name the children or not? A It has been a good long time ago, and my recollection is it wasn't necessary.

Q That the admission of the parents carried with it the rights to the children? A Yes.

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Q When, as far as your experience goes and observation with reference to the Choctaw affairs, it has been the custom of the Choctaw Nation, where the parents were admitted to citizenship, that the children took their status, without naming them?

A Let me answer that in my own way, and I will state my experience to you. I was attorney for Plumer, I was the attorney for Stewart, I was the attorney for Marsh; and I can't call to my mind another case now; and in all these cases, if it had been my understanding that it didn't carry all of them with the head of the family, it would have been an easy matter, you understand, for me to insert the name. The fact that we didn't do so, and I was the attorney in the case, is sufficient for the Commission to understand what my understanding of the law was, and what the custom was at the time, as I understood it.

Q I will ask you whether or not the Choctaws have recognized the children of William Buckholt, R. T. James, and John Mull, as far as exercising the rights of citizenship goes, since that time?

A As to Buckholt and James, I know more about in a general way, than I do about the Mull family, I will say that as far as my information goes, they have always been recognized; I have never heard anything to the contrary.

Q I will ask you if it is not true with reference to other cases, where they were admitted by act of the Council and the children not named? A I think, say yes; Palmer's children went ahead here and were admitted by the laws, and that other case, and the Marshalls.

MR. GORNISH: You spoke of two or three cases, the Marsh and Plumer case, and what other case? A Mrs. Nancy Stewart.

Q Were those cases where the heads of families only were named in the act of admission? A In the Nancy Stewart case, that was different from the others.

Q I am inquiring if you did represent certain cases, wherein only

certain heads of families were named in the act? A Yes.

Q What other cases in addition to the Buckholt? A The Marshall case and the Plumer case; the Stewart case went beyond the Council.

Q There are two cases wherein only the heads of families were named?

A Yes.

Q And there are descendants of these persons claiming and asserting rights in the Choctaw Nation? A That is my understanding; I know some of Plumer's children are here, and some not here; and Marshall's, Marshall has a mixed blood.

Q Is it not a fact then, that the Plumer's, after they were admitted by naming the heads of the family, that by subsequent act of the Council, the members of the family were named in that?

A I don't really know that.

Q That is your understanding, is it? A Yes.

Q So, that leaves only the Marshall case? A Yes, but mind you, I don't remember about that subsequent act of the Plumers.

Q Isn't that your understanding that it was done? A No, I don't remember it; it might have been done, I don't say it wasn't done, and I might have been called upon to testify in reference to the other.

Q Is it Henry Marshall that you speak of? A Yes, Henry Marshall

Q Capt. Standley, how many acts of the Choctaw Council do you think have been passed since they commenced to admit persons many years ago; about how many cases? A I can't hardly tell.

Q There have been at least 100? A Yes.

Q Perhaps 200? A Yes, I don't know how many.

Q Something, perhaps 100 and 200? A That would be a good guess.

Q Isn't it a fact, that so far as your information goes, that only in these three cases were only the heads of families mentioned?

A I can't say, because many of those cases I had nothing to do with

Q Do you know of any other cases, wherein persons claim through acts of the Council, wherein only the heads of families were named?

A Of my own knowledge, no, I do not; I haven't been attorney for many cases.

Q I supposed you might be familiar with the various acts, from going through the old books. A I would not know from drafting an act, who was in, and who wasn't in.

Q Is it not a fact that the proportion would be fifty to one, or perhaps 100 to one, as regards cases wherein only the heads of families were named, and the cases wherein all persons claiming admission would be? A It might be; my knowledge of it isn't sufficient to justify me in answering that question. *Just cases that I single out I know of personally.* The other cases wherein I was simply serving as draftsman of the Council, there might have been only the heads of families, and their might have been all the family.

Q Since Mr. Velle wanted to get your opinion and general information as to the custom, I thought I might go further and get the benefit of your general knowledge of Choctaw affairs as well.

A Very well, and <sup>they</sup> will see from my action at the time of the admission of these parties, that it was my general understanding, and the understanding of my associate, Colonel Nelson, and he was a much older man than I am, and had lived here all his life, and was more familiar with the laws than I was; and that was his understanding, and he guided me largely.

Q This custom, would that warrant the recognition by the Choctaws, of the brothers of a person admitted and the sisters, was that your knowledge of the customs? A I wouldn't say that; I don't know that there has been any customs on that subject.

Q Do you know of any brothers and sisters of persons admitted by acts, who have not without any specification by the Council, been recognized as Choctaw citizens? A Yes.

Q You know of cases where one person was admitted, and the brothers of that person, never having been admitted, has been by the Choctaws recognized, but never was admitted by any act of Council, and car-



ried on the rolls? A Yes.

Q What case? A I don't know of but one, and that is my own brother.

Q You don't know of any other case? A I can't call to mind any other case, but if I was to talk around among the people and get my memory refreshed, I might think of some.

Q Is your brother living? A No, sir.

Q So far as you know, this custom would not extend to colateral relatives, brothers and sisters? A No, I can't say as to what the custom has been about that, I have had no other experience; there has been no way of obtaining information on that line.

Q The only act of the Choctaw Council, then, of which you have any personal knowledge, wherein only heads of families were admitted, and in which the relatives sought to be recognized as Choctaw Citizens were those three cases you spoke of, the Buckhart case, the Marshall case and the Plumer case? A Yes, sir, and the Stewart case.

Attorney J. G. Ralls, for applicant: In the Stewart case, before the Council, the petition only mentioned the name of Mrs. Stewart, did it? A Yes, sir.

Q That case, it went to the Indian Agent under a special act of the Choctaw Council, and there the Agent inserted the names of the decendants? A Yes.

Q And required them to be inserted there? A Yes.

Q And they were admitted there by the Indian Agent, that was approved by the Secretary of the Interior, was it? A Yes.

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ALANTON TALLE, Duly sworn by Acting Chairman,

BIXBY, testified as follows:-

By Mr. Ralls:

Q State your name? A A. Talle.

Q What is your age, Mr. Telle? A Forty-one years.

Q You are a Choctaw Indian by blood? A Yes, sir.

Q Born and raised in the Choctaw Nation, were you? A Yes, sir.

Q What official position have you held in the Choctaw Nation?

A I have held several positions. The longest position I have held was National Secretary.

Q Have you held the position of National Attorney for the Choctaw Nation? A Yes, sir.

Q Have you been a practicing attorney in the Choctaw courts for how long? A For nineteen years.

Q During this time you have examined the laws of the Choctaw Nations on various questions, and especially in regard to citizenship have you, Mr. Telle? A Yes, sir.

Q Now state, Mr. Telle, if prior to October, 1872, there was any law of the Choctaw Nation, requiring Choctaws coming to this country to be admitted, in order to enjoy the benefits, as Choctaws?

Q What was the date?

Q October, 1872. A My recollection is, there was not. The law that you refer to - I think the law that is on file there with the Commission - is the first law, and I think it was ~~passed~~ <sup>passed</sup> at a special term in 1872, earlier than October.

Q What time in 1872? A I think in April. I have forgotten the date exactly.

Q Then, prior to that act they had no law requiring persons to be admitted by the Choctaw Council or by the courts, ~~and~~ in any other manner, in order to enjoy the privileges as Choctaws? A I have never been able to find any law they required Choctaws to be admitted by an act of Council.

Q If a Choctaw came to this country, and the officials of the Choctaw Nation recognized him as a Choctaw prior to that act, then he

took the privilege as a Choctaw and was duly recognized, was he?

A That is my understanding.

Q As a matter of fact, a great many of the Choctaws that are now in the Choctaw Nation, have come here, and have never been admitted by any act at all, have they, Mr. Felle, and are now recognized?

A Yes, sir; a great many of them. Possibly four or five hundred; I mean by that people that did not come at the time of the emigration provided by the treaties, but who simply emigrated; simply came out here afterwards. They came all of the way from the time of the emigration in the thirties, up to this time in 1872, when the law was passed.

Q Were you a member of a commission that made the rolls of the Choctaws, in 1893? A Not in the Choctaw Nation.

Q Were you in the Chickasaw Nation? A I made the roll in the Chickasaw Nation of Choctaws residing in the Chickasaw Nation.

Q Were you a member of the Commission that made the roll in the Choctaw Nation in 1896 I believe it was, or 1897? A No, sir; not in the making of the rolls.

Q What position did you hold in that regard, in connection with the citizenship business? A No connection with it at all, in 1896 or 1897 either.

Q How, being acquainted with the laws and customs of the Choctaw Nation, Mr. Felle, in the preparation of the Lease District roll, were persons of white blood put on as Choctaws, or were only Choctaws by blood placed on the roll? A Only Choctaws by blood.

Q Your commission determined the question of blood? A That is we enrolled them. There was a kind of revisory board that passed on all of them. I think from the rolls that we made in the Chickasaw Nation, of Choctaws residing there, possibly they cut out four or five.

Q And then the Leased District payment was made to those remaining on the roll, after the revisory board had gone over it? A Yes, sir.

-2-

CROSS-EXAMINATION, BY MR. COMISH.

Q Mr. Telle, you stated that you were National Attorney of the Choctaw Nation? A Yes, sir.

Q How long have you been National Attorney? A About a year and a half.

Q You were a member of the Citizenship Commission of the Choctaw Nation, appearing before the Dawes Commission, were you not?

A I was simply Clerk of the Commission.

Q How long were you clerk of the Commission, before the Dawes Commission? A I have been figuring that up.

Q Since the fall of 1898? A Either the fall of 1897 or 1898. It was the first—

Q Yes, - well - you have given a construction, as you understand it, of the laws, customs and usages of the Choctaw Nation, as to citizenship matters? A Yes, sir.

Q You are an attorney in this case, are you not? A I am, yes, sir.

Q Do you know of any other act of Choctaw Council through which persons, claiming Choctaw citizenship, that does not specifically ~~mention~~ <sup>mention</sup> the names of all the persons living at that time, upon whom it is desired to confer citizenship? A No, sir; I know of no act specifically on the statute books. Now, there is one - there are possibly one or two that allowed people to stay here.

Q Possibly one or two? A Yes, sir; I remember that in the old J. P. Polson code; code made in 1869 by J. P. Polson, I see there that they allowed a white man to stay here on account of his marriage or during good behavior, I believe.

Q That is an exception or two, I believe? A And then there was a band of what they called Bilukaha. It seems that they were really Choctaws, and in attempting to come to this country, not knowing the geography of the country, went south of here, and finally stepped up in the Caddo country, and what is known as the Leased

-18-

District. They spoke the Choctaw language, and had the customs of the Choctaws, and some time, along about the year 1857, I believe, I simply speak from memory. They allowed these Bilukshas to come down here as Choctaws.

Q Now, these Buckholts and Jones people don't claim to be Bilukshas, do they? A No, sir.

Q Going back to the question, do you know of any other act of the Choctaw Council that assumes to confer citizenship on persons that don't specifically name those upon whom it is desired to confer Choctaw citizenship? A No, sir.

Q You don't know of any other act? A No, sir.

Q You stated that you are familiar with the laws of the Choctaw Nation, have held various positions, and practice law before the Choctaw Courts? A Yes, sir.

Q You are reasonably familiar with the Choctaw laws, are you not? A Reasonably so, yes, sir.

Q About how many acts would you say there are of the Choctaw Council that have been passed since they began that business; about ~~how many~~ how many acts? A I don't know.

Q You could guess at it, couldn't you? A I have copies of the pamphlets, and could refer to them.

Q They are exceeding one hundred, are they not? A I could not say, as to that.

Q I would like to have you give me an idea? A If you will let me get my books.

Q There are a great many acts, are there not? A Yes, sir.

Q Would you give your opinion that they would exceed fifty acts specially conferring citizenship. I suppose you would not hesitate to say that they exceed fifty, would you? A I would not say as a matter of fact I don't believe they go over fifty. There are a great many acts referring to citizenship, but most of them refer to rejected cases.

Q There are a great many; you would not care to fix the number? A No, sir.

Q Now, of all that number, be it fifty, sixty, forty or two hundred, you don't know of any act that assumes to confer citizenship that doesn't name the parties specifically, do you, except this act of Buckholt, Jones and Hull, do you? A Well, sir; to tell the truth, I don't know any act that requires it at all.

Q My question is this. You state there are a great many acts? A Yes, sir.

Q Ranging it may be from forty, fifty to two hundred, there are a great many acts? A I don't say so.

Q This is my question. Of what number of acts, now do you know of any other act that assumes to confer citizenship that doesn't name the parties specifically name the persons upon whom it is desired to confer citizenship, that does not specifically name the persons in it? A Yes, sir, I do.

Q Well, mention them? A I know one or two. One is a case of Henry Marshall.

Q Henry Marshall? What other? A J. B. Plumber.

Q What other? A In the acts of 1884 you will find a list passed on that didn't name anyone but the claimants; sometimes had the word 'family' and sometimes not.

Q Are these the only ones you knew? A Well there are several names included in this list. The Council made a general list and where John Smith appeared, maybe said husband and children, or wife and children.

Q What act is that, now? A I think about the year 1884.

Q Who were those persons? A I couldn't say.

Q Were they Mississippi Choctaw who had just joined the people here? A No.

Q Were they not Mississippi Choctaw people? A No, sir.

Q Where did they come from? A They appeared at Council.

Q Well, where did they come from? A They lived here.

Q How long had they lived here? A I don't know.

Q How long have they been from Mississippi? A They were not Mississippi Choctaws.

Q But you don't know that they were Indians, who had come from Mississippi. A I could not say. I know some of the people have been living here as long as I could remember.

Q But you are not able to state that they did not come direct from Mississippi to the Choctaw Nation? A I think I am in some of the cases.

Q Are you able to state in all of the cases? A No, sir? I am not.

Q Is it not a fact that in the Plumer case, after an act had been passed, naming the heads of the families that these parties appeared before the Council, and all parties naming were mentioned.

A Yes, sir? I prepared the act myself.

Q Why did you prepare the act? A The reason for that is this: One of the Plumer boys had been elected to the Council. He had gone through the election, and was elected to Council, and had a seat, as a member of the council, and it seems that someone suggested the idea that they could not find his name admitted by act of Council.

Q Someone suggested that? A Yes, sir; who it was, I could not say.

Q Suggested that as a reason why he should not be elected to Council? A I could not say.

Q There was a question raised though? A Yes, sir.

Q Why was the act amended? A Well, I heard it, and I had been one of their supporters and I wanted no question raised. Of course with my information, I could see the possibility of a question being raised, so I filed a supplemental petition to the original, setting forth that they had been recognized, and one of them was, at that

time, sitting as a member of Council, and I thought it was safer for the family, and filed the act, and admitted the whole family.

Q Were you one of the ones who raised this question? A No, sir/

Q Who raised it? A I don't remember.

Q There was a question raised? A I heard it.

Q Raised in Council? A It was outside talk.

Q It was in response to the question that was raised that you drew the act was it not? A Indirectly, you might say it was.

Q You were a practicing attorney, at that time? A Yes, sir.

Q And were familiar at that time, with the customs, laws, customs and usages of the Choctaw Nation? A Yes, sir, I knew it was no matter, but simply did it as a matter of precaution.

Q As a matter of precaution you drew the act and had it passed?

A Yes, sir.

Q When did the Choctaw Council pass a law, requiring the names of all persons, upon whom it was desired to confer citizenship presented to the Supreme Court. A I don't remember any such law, sir, there is no law to that effect.

Q My understanding was from Mr. Ralls, that in 1872, - he asked you that, prior to that time there, if there was any law requiring anyone to be admitted? A There was no law before then.

By Mr. Bixby:- Is this evidence or not?

Mr. Cernish: I don't know.

Mr. Bixby: Is it in reply to your question? A I presume it is.

Q There were some people living here who never were here until that time, some of the most prominent families, came in fifty or sixty. They never had to be admitted to citizenship, and that act in 1872 was the first act that was ever recognized.

Q Do you state that as your opinion, or as a fact? A A fact. A matter of law and record.

Q That is the first act of the Choctaw Council admitting specific persons to Choctaw citizenship? A Yes, sir.



Now, there was another act passed later on, it didn't refer specifically to the method of making applications, except one part of it - it said that it required a receipt from the National Treasury, of a payment of one hundred dollars for each case which was to be considered.

Q Was any other? A In 1891, I think.

Q Considerably later than that? A Yes, sir.

Q Then you stated as a member of law and fact that this committee, Jones and Hall and, was the first act of the National Council, authorizing persons to Chester citizenship? A This was not an act of law at all.

Q Well, an act of the Chester authorities? A Yes, sir, in 1891.

Q Do I understand, now, that as a matter of law and fact, that it is the first act of the Chester authorities, specifically granting Chester citizenship to persons? A Under the law, yes, sir. They were the first people. It was the first case that came up under the new law.

Q Under the new law? A Under the law of 1891.

Q Concerning this jurisdiction as the Chester Council? A Yes, sir.

Q Then you state there is an act of Chester Council prior to that time, specifically authorizing citizenship applications? A I am not sure of now.

Q Didn't you state, Mr. Wells - I don't believe you ever gave correct in your statements your opinion, as a lawyer, or as to the fact it as a matter of law, that there might be an error in the law, that's the law, that's the law.

Q Now is that I understand your answer to me, I understand that you stated that there was an act of the Chester Council or the Chester authorities, prior to the date of the case Backholts, Jones and Hall and, that authorized, or caused to confer citizenship upon 141 foreign persons? A Yes, I don't know I understand you state. I give you my opinion, as to the law, as to the question did not apply.

Q As I understood you to state a minute ago, this was the first act of Chester Authorities conferring or assuming to confer citizenship and before that time did not confer citizenship.

By Mr. Ballis: I would like to understand you myself.

Mr. Cornish: I am not mixed up at all. If you understand English, you will understand this.

Q Is this the first act of the Chester Council, or the Chester authorities, conferring citizenship upon specific persons, upon persons naming them? A No, sir, it is not. There are times exceptions I speak of.

Q Prior to the admission of the Latholite people? A Yes, sir.

Q Then there are acts of the Chester tribal authorities, specifically conferring citizenship upon persons prior to that time, are they not? A No cases of this kind.

Q Perhaps there are different cases, different persons and people but they are persons, people admitted prior to this time?

A I couldn't say they were admitted. You use a word there that was not known to the Cheboks at that time.

Q I will avoid the word. A There were some permitted to live here. They were white people, or people of no real descent, or they allowed them to stay here.

Q What was prior to the Latholite admission? A Yes, sir.

Q These admissions you speak of? A Yes, sir, these were special cases.

Q These people were specifically named in the act, were they not?

A Yes. A These people that were permitted to stay here.

Q Yes and the Latholites?

Q I mean all persons who were permitted to stay here. They were in the act, were they not? A No, sir, not all of them. But some of them.

Q Is this a clear modification of the act, or just as you stated?

ber it. A My recollection, and I have seen them. One of the old descendants is living up here in Toxusky County, by the name of Tola Face; his English name is Charlie Keel.

Q Now, those Bilukshas you spoke of being permitted to live here, were they not admitted to citizenship? A I could not say. I could not say that the word citizenship appeared, as used now.

Q Now these Buckhelts people claim to have full rights of citizenship? A Yes, sir.

Q Now, is there any act of the Choctaw tribal authorities, prior to the admission of the Buckhelts people that confers, or assumes to confer full citizenship upon persons, specifically named? A No, sir, there is not, no sir.

MR. RAILS:

Q As I understand, you stated, Mr. Telle, that law of 1872 was the first act of Choctaw Council, requiring persons to prove up citizenship? Was that the act conferring jurisdiction on the Supreme Court?

A Yes, sir.

Q But prior to that time the Choctaw council had passed some specific acts in regard to persons residing in the Choctaw Nation permitting them to remain, or recognizing them to that extent? A Yes, sir.

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KIRCH E. LEWIS, being duly sworn by Acting Chairman,  
KIRCH, testified as follows:-

Mr. Rails:-

Q Your name is K. E. Lewis? A Yes, sir.

Q How old are you today? A Fifty-nine.

Q How long have you lived in the Choctaw Nation? A Born here.

Q What official positions have you held in the Choctaw Nation?

A I have held a good many.

Q You are a citizen of the Choctaw Nation? A Yes, sir.

Q You have acted as one of the Commissioners of the Choctaw in preparing the rolls that have been made by the Choctaw Nation, have you?

A Yes, sir.

Q You are, at present, one of the Choctaw Commissioners? A Yes, sir.

Q Representing of the Choctaw Nation in the hearing of the protest cases? A Yes, sir.

Q Of persons claiming citizenship in the Choctaw Nation? A Yes, sir.

Q Were you a Commissioner that assisted in the preparation of the rolls of 1893? A No, sir.

Q Were you one in 1896? A Yes, sir.

Q What part of the Choctaw Nation did you work in? A There was two boards that worked on this.

Q When was the first roll made? A I made the roll of the Chickasaw Nation, of Choctaws residing in the Chickasaw Nation. Afterwards, the roll that was made of the Choctaw Nation was very incomplete, and there was another board formed to go over that roll again, and I was Chairman of the board for the first district, and was afterwards a member of the board that revised that roll at Tushkahoma.

Q When you were in the Chickasaw Nation making the rolls of Choctaws in 1896, did you enroll any of the descendants of Mr. William Backholts, R. T. Jones, of John Hall? A Yes, sir.

Q Who was it you enrolled, Judge? A Well, I think old man Backholts, himself happened to be up there, and I think I enrolled him up there. I remember John Hall was at Tishomingo, and I don't remember exactly where he enrolled. I think we enrolled some of the Backholts people up there.

Q Do you know Frank Flate? A Yes, sir, we enrolled them.

Q And V. D. Bailey? A Yes, sir.

Q You were acquainted with the condition of their citizenship, at the time, were you not? A Not particularly, but I had a copy of the 1896 pay roll, and I noticed they had all drawn their money.

Q Now, Judge, are you acquainted with the different provisions of the Choctaw Laws in regard to the admission of persons to citizenship? A Yes, sir, pretty well.

Q Was there any law of the Choctaw Nation, prior to this act conferring jurisdiction upon the Supreme Court of the Choctaw Nation in 1872, requiring persons to prove up citizenship or to be admitted by any act in order to enjoy the privileges of the Choctaws? A I don't remember that I ever saw that law. I was just looking over it a moment ago. I don't think I ever saw the law, but it was passed sometime about seventy one or two.

Q Was there any law prior to that time? A No, sir, there was no law, requiring Choctaws who come here, and come from the Mississippi to prove up their rights. They just come here and settled down, as there were old people enough to identify them at that time.

Q Then Choctaws coming here, and identified by Choctaws who were here, would be recognized by the Choctaw authorities, and treated as members of the Nation? A Yes, sir.

Q There are a great many of the Choctaws that came here? A I know of two families, down by Skullyville since the war I know never was admitted.

Q What are their names? A Watkins, married Campbell Leflore's sister, and his family. Paryes and Captain Reynolds and his family.

Q Who composed the revisory board at Tushkahoma when you made up the roll? A Alexander Durant was Chairman, myself and Ben Watkins, that is the 1894 roll.

Q Do you know who composed the revisory board when the roll for the payment of the Leased District money was made? A The Governor and his cabinet, whoever they were at that time.

Q Do you remember their names? A Governor Jones, William W. Nelson was treasurer, Jacob Jackson Secretary.

Q Who was National Attorney? A I believe I am mistaken about the Treasurer. I expect McMurrian was the Treasurer. I am not certain.

they changed hands about that time. National Attorney, I don't remember who ~~was~~ <sup>did</sup> that.

Q And they were supposed to take off the names of all those who were not recognized citizens, were they? A Yes, sir.

Q And recognized by blood? A Yes, sir. Besides that there were a great many that had got left over, and did not get enrolled, and went down there and was enrolled by that board.

Q Are the Commissioners appointed by the Choctaw Nation objecting to the enrollment of those descendants of Buckholts, Jones and Null? A No, Sir.

Q They are willing that they should be enrolled? A We raised no objection. Well, there might have been some of the Commissioners up in the Chickasaw Nation; there was objection raised up there by some of the commissioners. I don't know.

Q In your opinion, and being acquainted with the laws and customs of the Choctaws, are you, or would you say that they are recognized citizens of the Choctaw Nation or not? A They have always been. The first time I got acquainted with I met some on the Jury, Judge Vincent was Judge, and he got crippled, and I come down here to hold court for him. I found them on the jury. I asked who they were, and they said Choctaws who had been admitted.

Q Knowing the case as you know it, what would be your opinion as to their being recognized citizens? A I would not like to give my opinion. The Dawes Commission is settling that.

CROSS-EXAMINATION BY MR. CORWISER.

Q These two families you speak of as being recognized with an act of the Choctaw Council, is it not a fact that they come direct from Mississippi to the Choctaw Nation? A Yes, sir.

Q Come direct from the old Choctaw Nation to this country?

A Yes, sir.

Q These Buckholts people; where did they come from? A I don't know; I wasn't acquainted with them until 1836.

Q Is it your understanding they come from Texas here? A I

I have heard some of the witnesses state that

JOSEPH R. THE PLUMER, being duly sworn by Acting Chairman, BIXBY, testified as follows.

Examination by Mr. Cornish.

Q What is your name? A Joseph R. Plumer.

Q What is your age? A Sixty-seven.

Q You are a citizen of the Choctaw Nation, are you? A Yes, sir.

Q Admitted to citizenship by the Choctaw Council? A Yes, sir, by blood.

Q I want to get a statement from you, for the information of the Commission in regard to your admission to citizenship; when were you admitted? A 1883.

Q Now, what persons were named in that act of admission?

A I only petitioned to be recognized myself.

Q What children did you have living at that time? A Well, all of the children.

Q How many? A Eight.

Q All living at that time? A All, living, no sir.

Q Some born since? A No, sir, the oldest one married Butler, and was dead; the youngest girl died since.

Q After that act of admission the Choctaws recognized you as a citizen? A Yes, sir.

Q Immediately after your admission to Choctaw citizenship, the Choctaws recognized you? A Yes, sir.

Q Immediately after that did they also recognize your children, your family at that time? A Well, they did; they got the Leased District money, three of the boys.

Q Three of the boys got the Leased District money? A Yes, sir.

Q When was the second act passed? A I think in 1895, possibly in 1894, I have the papers with me.

Q How many of your children did not get the Leased District money?

A Walter G. Plumer, and Mollie G. Ragen.

Q And her children? A Yes, sir.

Q Did Walter G. Plumer have children also? A Yes, sir.

Q The children are your grandchildren? A Yes, sir.

Q And others? A I think Franklin E. Plumer.

Q And his children? A He had no children.

Q Was he your son? A Yes, sir.

Q Why did they fail to get the Leased District money? A Because they failed to be here the year before the Choctaw lease. All the citizens who were not within the bounds of the Choctaw Nation, would not be bounded in the Leased District payment.

Q Then these people you have mentioned were not living in the Indian Territory in 1893, were they? Is that your statement?

A Yes, sir. They were here, but they came in 1892; I think that act was passed in April; in 1893 the payment was.

Q The payment made in 1893 on the rolls made in 1892? A Yes, sir.

Q They were not living in the Choctaw Nation in 1892?

A No, sir, they came after the roll was made up, except three that received their money.

Q Did all of your children who were living here at the time the roll was made up receive their Leased District money?? A Yes, sir.

Q And those who did not reside here when the roll was made up, did not receive the money? A No, sir.

Q Where did they live? A They had moved to Texas.

Q When did they move back? A I think in the fall and winter of 1892.

Q They had lived here, however, from the time you were originally admitted up to the time they moved to Texas? A Yes, sir.

Q This second act was passed in 1895? A '94 or '95.

Q Whose name was included in that act? A All included except those who were living out there. I asked them to come here and live with me, and if they would not come here, their names would not be



in there.

Q Then, in the second act of admission the names of all your children, who were then in the Indian Territory, and living with you were mentioned? A Yes, sir.

Q Why did you have that second act passed? A I believed it was right; I wanted the act passed; I wanted to be fair with the Nation.

Q You felt that if this second act, stating their names, was not passed, there might be some question as to their citizenship? A Yes, sir. Brazell Leflore told me to have my children recognized as soon as I could.

Q By the Council? A Yes, sir.

Q And in obedience ~~to~~ advice, you had this act passed, in order that there might be no question? A I did, yes, sir.

Q Who else did you talk to about that? A Several of my friends. J. B. Jackson was the man I first had a conference with; he was then National Secretary.

Q You talked quite generally among your friends? A Yes sir.

Q Did you advise with Mr. Telle about it? A Yes sir, he drew the petition.

Q And Telle represented you before the Council, by which the second act was passed? A No, sir, just draw the bill, upon my direction; I placed the matter before the Council myself.

Q Mr. Telle drew the bill? A Yes, sir, I dictated it.

Q Did you ask his advice? A I just asked him to draw the bill. He was an attorney and of course, knew about it; I told him I wanted the bill to place before the citizenship committee, and wanted my children that was here recognized, and those who would not come here, would not be in.

Q you understand that this does not affect your citizenship?

A I will just say, my daughter, Fannie Seals, I asked her why she wouldn't live in the Indian Territory.

Q You understand this does not affect your citizenship, but another question before the commission.

## EXAMINATION BY MR. RALLS.

Q It wouldn't make any difference if it did apply to your case, you would answer the same way, wouldn't you? A I am pretty sound on it.

Q As I understand you, you only mentioned your own name in the petition to be admitted as a member in 1883. You were admitted, and as soon as you were admitted, your children, who were here with you, were recognized by the Choctaws? A Yes, sir.

Q They got all the benefits as other Choctaws, and afterwards, in order that there might be no question at all, you had an act passed, specifically naming all the children who were then here?

A Yes, sir.

Q And I also understood you to say that your children were residing here - in regard to the payment of the Leased District money - were placed on the Leased District roll?

A Yes, sir, three of them.

Q Now, isn't it a fact that your son, Charlie Plumer, was elected to council before he was specifically named in any act of admission?

A Yes, sir.

Q In every way, your children were regarded as Choctaws?

A Those that were here.

Q That was on the theory, that you, being their father, your children were entitled to recognition as Choctaws? A Yes, sir, he was on the Indian Police for nine years; I heard him say so yesterday.

Q They didn't have anyone on the Indian Police but Indians?

A No, sir.

Q And, as I understand you, those that did not draw Leased District money were not here at the time the act for the payment of that money was passed, and under the act they could not draw the money, not being residents? A They could not receive the payment, but did not affect their property right.

The deposition of Joel Everidge, taken at the residence of Joel Everidge, about nine miles east of the town of Grant, in the Central District of the Indian Territory, between the hours of eight o'clock in the forenoon and six o'clock in the afternoon, on the 8th day of January, A. D. 1901, to be used as evidence in behalf of the above named applicants, and all the descendants of William Buckholts, John Null and R. T. Jones, and in behalf of all parties having married any of such descendants, pending before the commission to the Five Civilized Tribes.

JOEL EVERIDGE, after being duly sworn, deposes and says:

" I am 72 years old, a citizen of the Choctaw Nation by blood, and a resident of Kiamitia County, Choctaw Nation. I am one of the Supreme Judges of the Choctaw Nation. I was first elected to the office in the year 1868, and having served in that capacity every year since that year, with the exception of four years, during which time Judge J. R. Turnbull served. I was on the bench, when the application for citizenship in this nation was presented by William Buckholts, R. T. Jones and John Null. The court took up the case and examined the witnesses thoroughly; the witnesses were all Choctaws by blood and perfectly reliable. The Court, being satisfied that Mr. Buckholts was a Choctaw by blood, and that R. T. Jones was entitled to inter-married rights, by virtue of his marriage to William Buckholts, and that John Null was entitled to inter-married rights, by virtue of his marriage to a sister of the said William Buckholts, rendered a decision in their favor, naming only the heads of families. This was the first case of this kind ever passed on by the court. At that time, it was not considered necessary that the children should be named. I remember that William Buckholts asked if it was necessary to name the children, and the Chief Justice, I. L. Garvin, informed him that if the parents were Choctaws, the children certainly were Choctaws.

This case was decided under authority conferred on the Court, by an act of the general council passed in 1872. Previous to that act there was no law of the Choctaw nation requiring persons to prove up their citizenship. Citizenship at that day and time was not considered as being of the value that was placed on it in after years, and at the present time. Even to this day there is no law specifically requiring the children to be named, but the practice of late years, by the Citizenship Committee of council has been to have them named, owing to the great number of applicants, for its information.

JOEL EVERIDGE. "

United States of America,

Indian Territory.

I, William Beadles, a Notary public within and for the Central District of the Indian Territory, do hereby certify that the foregoing deposition of Joel Everidge was taken before me, and was read to and subscribed by him in my presence, at the time and place and in the action mentioned in the caption. The said Joel Everidge having been first sworn by me, that the evidence he should give in the matter should be the truth, the whole truth and nothing but the truth: I further certify that his statements were first reduced to writing in his presence, the applicants not being present in person, and being represented by A/ Telle, one of their attorneys, and the Choctaw and Chickasaw Nations not being represented by their attorney, although properly served with a notice as evidenced by the return hereto attached.

Given under my hand and official seal, at the above-named place, within the Central District of the Indian Territory, this the 8th day of January, A. D., 1901.

Wm. BEADLES.

(Seal)

Notary Public.

BEFORE THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application

In the matter of the application of  
James M. Buckholts et al, to be enrolled  
as a member of the Choctaw Nation.

Notice to take depositions.

To Mansfield, McMurray and Gernish, Attorneys for the  
Choctaw and Chickasaw Nations:

You are hereby notified that the applicants, James M. Buckholts, et al, will take the deposition of Judge Joel Everidge, about eight miles nearly east of Grant, in the Central District of the Indian Territory, between the hours of nine o'clock in the forenoon and six o'clock in the afternoon, on the eighth day of January, A. D. 1901, the said deposition, when taken, to be used before the Commission to the Five Civilized Tribes, by the said applicants, in their applications to be enrolled as members of the Choctaw Nation, and to be used in behalf of all of the descendants of William Buckholts, R.T. Jones, and John Null, and in behalf of all persons claiming to be enrolled as inter-married citizens, who have married any of said descendants. And if the taking of said depositions, be not completed on said day, the taking thereof will be continued from day to day, at the same place, and between the same hours, until completed.

J. G. RALLS.

TELLE & CHAMBERS,

Attorneys for Applicants.

United States of America,  
Indian Territory, SS  
Central District.

I, Jasper B. Grady, United States Marshall for the Central District of the Indian Territory do hereby certify that I received the above and foregoing notice, at the hour of 8:30 o'clock, A. M., on the 24th day of December, 1900, and that I served the same at the hour of 4:20 o'clock, P.M., in the town of South McAlester, in said District and Territory, by delivering a true copy thereof to Melvin

Cornish, a member of the law firm of Mansfield, McMurray & Cornish.

Witness my hand, this 24th day of December, 1900.

J. P. GRADY,  
U. S. Marshall, as aforesaid  
By Robert Fortune, Deputy.

Fee for serving, 50cents.  
Paid by J. G. Ralls,  
J. P. Grady,  
U. S. Marshall.

United States of America,  
Indian Territory,  
Central District.

I, Wm. BEADLES, a Notary Public, within and for the Central District of the Indian Territory, with office at Grant, I. T., do hereby certify that the above and foregoing is a true and correct copy of the deposition of Joel Everidge, taken before me on the 8th day of January, A. D., 1901, and that the copy of the notice thereto attached is a true and correct copy of the original notice attached to said deposition.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal as such Notary Public aforesaid, at Grant, in said District and Territory, this 9th day of February, A. D., 1901.

(Signed) Wm. Beadles.  
Notary Public aforesaid.

United States of America,  
Indian Territory,  
Central District.

I \_\_\_\_\_, a Notary Public, duly appointed, commissioned and acting, within and for the Central District of the Indian Territory, with my office at Atoka, do hereby certify that the above is a true and correct copy of the original evidence, taken before the Commission to the Five Civilized Tribes, with the deposition taken before William Beadles, a Notary public, in the matter of the application of James M. Buckholts et al, to be enrolled as members of the Choctaw Tribe of Indians.

I further certify that I have no interest in the prosecution of this claim, and that I am not related to any of the parties in this action, and that I make this certificate from an examination of one of the copies of the evidence taken by the Commission and furnished J. G. Ralls, as attorney for the applicants in this action.

WITNESS my hand and official seal at Atoka, on this the

31st day of March, A. D., 1902.

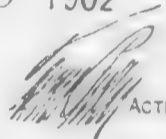
W. S. Fanner  
Notary Public, Central District,  
Indian Territory.

No. 7  
Valeria Sutherland  
vs  
Choctaw Nation

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

OCT 9 1902

 ACTING CHAIRMAN.



7-R-291

*C.W.L.*  
*G.H.K.*

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-----

In the matter of the application of Valeria E. Sutherland  
for enrollment as a citizen by blood of the Choctaw Nation.

- D E C I S I O N -

It appears from the records in the possession of the Commission that at a session held by the Commission at Caddo, Indian Territory, beginning August 21, and ending August 25, 1899, application was made for the enrollment of Valeria E. Sutherland as a citizen by blood of the Choctaw Nation; that on March 1, 1901, at Muskogee, Indian Territory, further proceedings were had in the matter of this application.

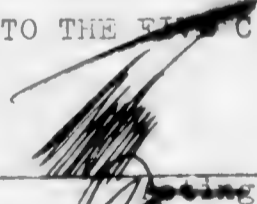
It appears from the testimony submitted, and the records in the possession of the Commission, that by an act of the Choctaw National Council, approved April 8, 1891 (Act No. 8, page 320, of Durant's Digest of the Laws of the Choctaw Nation), Lena Sutherland (written Mrs. Lenas Southerland), with others, "and their descendants be and are hereby declared citizens of the Choctaw Nation;" that the applicant herein is the daughter of the said Lena Sutherland (written Mrs. Lenas Southerland), and was at the time of the approval of said act of admission a minor about six years of age.

It further appears that the name of the said Valeria (written Veleria) Sutherland was placed upon the 1893 Leased District pay roll of the Choctaw Nation for Skullyville County, and appears thereon at page 57, No. 550; and it further appears that the name of the said Valeria Sutherland (written Southerland) was placed on the 1896 census roll of said Nation as a resident of Blue County, No. 11590.

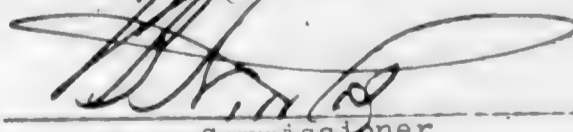
It further appears from the evidence herein that the applicant was a resident in good faith of Indian Territory on June 28, 1898, having resided therein since her removal thereto, about 1891.

It is, therefore, the opinion of this Commission that the application for the enrollment of Valeria E. Sutherland should be granted under the provisions of section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

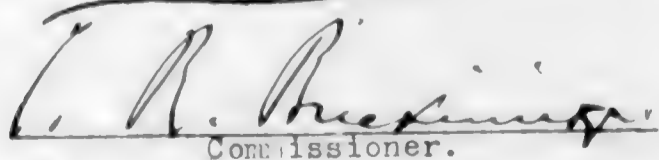
COMMISSION TO THE FIVE CIVILIZED TRIBES,



Acting Chairman.



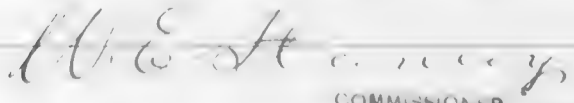
Commissioner.



Commissioner.

Muskogee, Indian Territory,

JUL 30 1903



COMMISSIONER.

Choctaw-R291

COPY.

Muskogee, Indian Territory, July 30, 1903.

Valerie E. Sutherland,  
Caddo, Indian Territory.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission, rendered July 30, 1903, granting your application for enrollment as a citizen by blood of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

SIG

*T. B. Needles.*  
Commissioner in Charge.

Registered.

Enc. Hd 9-0.

COPY.

Choctaw-R291

Muskogee, Indian Territory, July 30, 1903.

Z. T. Walrond,  
Attorney at Law,  
Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission, rendered July 30, 1903, granting the application of Valeria E. Sutherland for enrollment as a citizen by blood of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed, the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,  
(SIGNED).

*I. B. Needles.*

Commissioner in Charge.

Registered.

Enc. No. 110-30.

COPY.

Choctaw-R291.

Muskogee, Indian Territory, July 30, 1903.

J.G.Ralls,

Attorney at Law,

Atoka, Indian Territory.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission, rendered July 30, 1903, granting the application of Valeria E. Sutherland for enrollment as a citizen by blood of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed, the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,  
(SIGNED).

*I. B. Needles.*

Commissioner in Charge.

Registered.

Enc. Hh 77-30.

COPY.

Choctaw-R291

Muskogee, Indian Territory, July 30, 1903.

Manafield, McMurray & Cornish,  
Attorneys for the Choctaw and Chickasaw Nations,  
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission, rendered July 30, 1903, granting the application of Valeria E. Sutherland for enrollment as a citizen by blood of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed, the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIC)

*T. B. Hoodless.*  
Commissioner in Charge.

Registered.

Eno. Hh 10-30.

Department of the Interior.  
Commission to the Five Civilized Tribes.  
Muskegee, Indian Territory, April 12, 1902.

.....  
:: In the matter of the application ::  
:: of Henry Sutherland for enrollment ::  
:: as a citizen by intermarriage of ::  
:: the Choctaw Nation. ::  
.....

483  
D-253.

On the 4th day of March, 1902, the applicant was notified by registered mail, and on the 6th day of March, 1902, the attorneys for the Choctaw and Chickasaw Nations were also notified by registered mail that the application of Henry Sutherland for enrollment as a citizen of the Choctaw Nation would be taken up by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 12th day of April, 1902, for final consideration.

Now on this 12th day of April, 1902, this cause coming on to be heard pursuant to said notice, the Choctaw Nation failed to appear, and the applicant being called, failed to appear in person or by attorney.

-----p-----;-----

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on April 12, 1902, and that the above and foregoing is a full true and correct transcript of his stenographic notes in said cause on the said day of April, 1902.

Subscribed and sworn to before me this 12 day of April, 1902.

*Hal Belford*  
*Clarence Hullwood*

Notary Public.

Department of the Interior,  
Commission to the Five Civilized Tribes.  
Atoka, I.T. March 12, 1903.

7-D483

In the matter of the application of Henry Sutherland for enrollment as an inter-married citizen of the Choctaw Nation.

Applicant represented by J.G.Ralls:

Henry Sutherland being duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Henry Sutherland.  
Q How old are you? A Fifty four.  
Q What is your post office address? A Ardmore, I.T.  
Q That is in the Chickasaw nation? A Yes sir.  
Q How long have you resided in the Chickasaw Nation? A Since April last.  
Q Where did you live prior to that? A Caddo, I.T.  
Q How long did you reside in the Choctaw nation? A Since '91.  
Q Are you a white man? A Yes sir.  
Q Do you claim the right to enrollment as an inter married citizen of the Choctaw Nation? A Yes sir.  
Q What is the name of your Choctaw wife through whom you claim this right? A Lena Sutherland.  
Q Is she a recognized and enrolled citizen by blood of the Choctaw nation? A Yes, I understand so; she was admitted by act of council.  
Q When were you married to this woman the first time? A My recollection of dates is not exactly distinct; I think in '84.  
Q Where was this marriage ceremony performed? A Canton, Mississippi.  
Q At that time were both you and your wife living in the State of Mississippi? A We were.  
Q When did you remove to this country? A In 1896.  
Q You stated your wife was admitted by act of council? A Yes sir.  
Q Was your name enrolled? Was your name included? A No sir.  
Q Did you afterwards re-marry this woman? A Yes sir.  
Q What was the date of this second marriage? A I think in '98. The record, the Commission has possession of these facts.  
Q Where was this second marriage ceremony performed? A Near Caddo I.T.  
Q In the Choctaw nation? A In the Choctaw Nation.  
Q At that time were both you and your wife living in the Choctaw Nation? A We were.  
Q Did you obtain a tribal license? A I did.  
Q Did -- from whom did you get that license? A I can't tell you from whom; it was the clerk living in another County from Blue; I don't remember his name.  
Q How much did you pay for the license? A I think- if I remember correctly-- it was \$52.50; there was a reduction.  
Q Who performed the marriage ceremony? A Calvin Robinson.  
Q A minister of the gospel? A Minister of the gospel.  
Q From the time of your first marriage to this woman up to the present time have you lived together continuously as husband and wife? A Yes sir.

Q There has been no separation of any kind whatsoever? A None whatever.

Q Are you at present living together as actual and bona fide residents of the Chickasaw Nation? A Yes sir.

Examination by S.H.Lewis:

Q When you stated you give \$52.50 you mean that \$100.00 in scrip cost you that? A Yes; I got a discount on it.

Examination by J.G.Ralls:

If I understand you you mean that you paid \$100.00 worth of scrip for the sum of \$52/50 and with that \$100.00 in scrip you bought this marriage license in the County from which this scrip was issued?

A Yes sir.

Q And was married under this license? A Yes sir.

Q You have filed a copy of that license with the Commission? A Yes sir.

Q That has the correct name of the clerk of the county and the date? A Yes sir.

Henry G. Hains being sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported the above testimony March 12, 1903, and that this is a full, true and correct transcript of his stenographic notes in same.

*Henry G. Hains*

Subscribed and sworn to before me this 17 day of March, 1903.

*Charles Mc Sawyer*

Notary Public.



MEMORANDA.

Caddo

(Date) Aug 22 1899.

Name .....

Choctaw ? ..... County ..... Year ..... No. ....

Chickasaw ? ..... County ..... Year ..... Page .....

Citizen by blood ? ..... Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day, .....

43

✓ Wife's name, Lena D. Sutherland

Choctaw ? yes County Bland Year 96 No. 279

Chickasaw ? ..... County ..... Year ..... Page 279

Citizen by blood ? yes Mother's citizenship Caddo

Intermarried citizen ? .....

Married under what law ? .....

License filed this day .....

Names of children:

~~14x Valeria Sutherland County Bland Year 96 Page 279 No. 11575~~

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

~~..... Valeria .....~~

3665

MEMORANDA.

(Date) ..... 1899.

11 a  
50 v

Name *John S. Thompson* .....

Choctaw?  County *Wagon Wheel* Year *1896* No. ....

Chickasaw?  County ..... Year ..... Page .....

Citizen by blood?  Mother's citizenship *1895* .....

Intermarried citizen?  .....

Married under what law? .....

License filed this day, .....

Wife's name, .....

Choctaw?  County ..... Year ..... No. ....

Chickasaw?  County ..... Year ..... Page .....

Citizen by blood?  Mother's citizenship .....

Intermarried citizen?  .....

Married under what law? .....

License filed this day .....

Names of children:

.....	County .....	Year .....	Page .....	No. ....
.....	County .....	Year .....	Page .....	No. ....
.....	County .....	Year .....	Page .....	No. ....
.....	County .....	Year .....	Page .....	No. ....
.....	County .....	Year .....	Page .....	No. ....
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.....	County .....	Year .....	Page .....	No. ....
.....	County .....	Year .....	Page .....	No. ....
.....	County .....	Year .....	Page .....	No. ....
.....	County .....	Year .....	Page .....	No. ....

54183

Muscogee, Indian Territory,

August 18th, 1900.

Henry Southerland,

Caddo, Indian Territory,

Dear Sir:

You are hereby notified that the Choctaw Nation, through its attorneys, Messrs McKennon, Mansfield, McMurray, & Cornish, has filed with this Commission a notice of protest to your enrollment as a citizen of the Choctaw Nation.

The Commission, commencing December 3rd, 1900, will hold a session at Atoka, Indian Territory. At that time both you and the Choctaw Nation will be permitted to offer additional testimony and written arguments in this case, and this hearing will be final.

Yours truly,

Acting Chairman.

7-D-483.

Muskogee, Indian Territory, September 18, 1900.

Henry Southerland,

Caddo, Indian Territory.

Dear Sir:-

Since notifying you on August 18, 1900, of the protest filed by the Choctaw Nation to your enrollment as a citizen of the Choctaw Nation, the Commission has been furnished by the Nation with the grounds upon which objection is made to your enrollment. The question raised is to your right to enrollment under your second marriage.

The Commission is in possession of a sufficient statement of facts upon which a decision may be rendered and in your case it will not be necessary for you to appear at the appointment at Atoka beginning December 3rd, 1900.

The Commission will accept and consider any written arguments on questions of law submitted on behalf of the Choctaw Nation at any time prior to February 1st, 1901, and on your behalf at any time prior to March 1st, 1901.

As soon thereafter as practicable the Commission will consider and finally determine your right to enrollment and the decision of the Commission, stating fully its reasons for any action that may be taken, will be mailed to you.

Yours truly,

Acting Chairman.

COMMISSIONERS  
HENRY L. DAWES.  
TAMM BIXBY.  
THOMAS B. NEEDLE.  
C. R. BRECKINRIDGE.  
ALLISON L. AYLESWORTH.  
SECRETARY

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 5, 1901.

Henry Sutherland ,  
Caddo, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 24th of January enclosing the petition of Valeria Sutherland relative to her rights as a Choctaw citizen and also the petition of Earnestine Beavers, Roy Williams, Kelsey Williams, et. al.

The same are returned to you herewith with the information that the Commission cannot receive or consider such papers in support of the application of any persons for enrollment as citizens of the Choctaw or Chickasaw Tribes of Indians. Neither is the Commission able to identify these parties as having made application or being listed for enrollment as citizens of either the Choctaw or Chickasaw Nation. If they have been applicants and desire to offer any additional proof or testimony in support of their applications, the Commission will hear the same at its office in Muskogee provided the Commission has not already rendered a decision refusing their enrollment as members of the Choctaw or Chickasaw tribe of Indians.

Yours truly,

Acting Chairman.

Enc w

Muskogee, Indian Territory, February 12, 1901.

Messrs. Mansfield, McMurray & Cornish,  
Attorneys at Law,  
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that the Commission will on March 1st, 1901, hear additional testimony and argument in the matter of the application of Valeria K. Sutherland, for enrollment as a citizen of the Choctaw Nation.

The records of the Commission show that Lena D. Sutherland the mother of this child, was admitted to citizenship by act of the Choctaw Council approved April 8th, 1891. That she made application for the enrollment of her child Valeria K. Sutherland, at Caddo, Indian Territory, in 1899 and that such enrollment was at that time refused.

Yours truly,

Acting Chairman.

7-2291

Winnipeg, Indian Territory, February 24, 1904.

Hon. S. J. P. Smith,

Cadiz, Indian Territory.

Dear Sir:

In the matter of the petition forwarded by you in your letter of the 24th of January to the Commissioner of Valeria Sutherland relative to her rights as a Choctaw citizen and certain other papers, you are informed that the Commissioner by a further search of its records has been enabled to identify Valeria Sutherland as an applicant for enrollment as a citizen of the Choctaw Nation by name behind an appearance was made by Mrs. Tom J. Sutherland of Cadiz, Indian Territory, in the summer of 1894.

The Commission will bear additional testimony and expense in behalf of the application of Valeria Sutherland for enrollment as a citizen of the Choctaw Nation at the office in Muskogee, Indian Territory on Friday, March 1st, 1904, at 9 o'clock A. M.

Yours truly,

W. J. C. Chairman.

Muskogee, Indian Territory, February 14, 1901.

Messrs Mansfield, McMurray & Cornish,  
Attorneys at Law,  
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that the Commission will on March 1st, 1901, at its office in Muskogee, Indian Territory, at 9 o'clock A. M. hear additional testimony and argument in the matter of the application of Valeria E. Sutherland, for enrollment as a citizen of the Choctaw nation.

Yours truly,

Acting Chairman.

7-1-291



Muskogee, Indian Territory, February 19, 1901.

Henry Sutherland,

Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 16th instant in which you desire to be informed relative to the case of Valeria Sutherland versus the Choctaw Nation and it if will be necessary for Mrs. Sutherland to appear in person before the Commission on March 1st, next.

Replying to your letter you are informed that on February 14th, 1901, the Commission at the request of Mr. Z. T. Walrond, an attorney of this place wrote you informing you that a further hearing would be granted in the matter of the application of Valeria Sutherland for enrollment as a citizen of the Choctaw Nation, in Muskogee, Indian Territory on Friday March 1st, 1901 at 9 o'clock A. M.

This request was made by Mr. Walrond as the attorney for Valeria E. Sutherland and on the date above mentioned the Commission will hear such oral testimony as may be offered by either the applicants or by the Choctaw Nation relative to the rights of Valeria E. Sutherland to enrollment as a citizen of the Choctaw Nation.

The Commission cannot consider documentary evidence in support of her application for enrollment and if it is the desire to present further the rights of Valeria Sutherland to enrollment as a citizen of the Choctaw Nation, it will be necessary that the same be through oral testimony of witnesses before the Commission.

H S 2

The letter of the Commission of the 14th of February is not to be considered as requiring the presence of Mrs. Sutherland or any other person to offer testimony in support of this application but was simply a notification that on that date the Commission would hear such testimony as the applicants or the Choctaw Nation desired to present.

The attorneys for the Choctaw Nation have also been notified that additional testimony would be heard in this case on that date but if you do not desire to present the same and it is your intention to have the Commission pass upon the rights of this child to enrollment from the records as now submitted, you of course can use your own judgment as to this appearance.

Yours truly,

Acting Chairman.

7-R-291

Choctaw D 483

Muskogee, Indian Territory, April 7, 1902.

Henry Sutherland,  
Cadde, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of April 4, 1902, in which you state that you have no more evidence to offer in your case and advise the Commission that the attorneys for the Choctaw Nation have served no notice on you that they will introduce any further testimony.

As stated in our communication of March 4, 1902, the matter of your application for enrollment as an intermarried citizen of the Choctaw Nation will be taken up for final consideration at its office in Muskogee, Indian Territory, on April 12, 1902 at which time you may appear before the Commission if you desire and offer any additional testimony affecting your application which you may think proper or necessary.

Yours truly,

Commissioner in Charge.

Chootaw R 291

Muskogee, Indian Territory, October 9, 1902.

J. G. Ralls,

Attorney at Law,

Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 2nd instant, enclosing certified copy of evidence of James S. Standley, Alenton Telle, Simon E. Lewis, James R. Plummer and Judge Joel Everedge taken in the case of James M. Buckholt, which you request to have filed in the case of Valeria Sutherland.

You are advised that the certified copy of the evidence submitted by you has been duly filed with the records of this office in the matter of the application of Valeria Sutherland for enrollment as a citizen of the Chootaw Nation.

Sincerely,

Acting Chairman.

Choctaw R 291

Muskogee, Indian Territory, October 14, 1902.

James Power,

Tushkshomma, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 7th instant, in which you desire to be advised if Robbie, William and Marie Travis, Wallie Sutherland and Royal Williams are enrolled as citizens of the Choctaw Nation and that you be advised relative to what the records may contain relative to their citizenship status.

In reply to your letter you are advised that it appears from our records that Robbie, William and Marie Travis, Valeria E. Sutherland and Royal Williams are applicants to this Commission for enrollment as citizens by blood of the Choctaw Nation. A protest has been entered by the legal representatives of the Choctaw and Chickasaw Nations to their final enrollment as citizens of the Choctaw Nation for the reason that their names were not mentioned in the act of Council of April 8, 1891 admitting Ozie Travis, Lena D. Sutherland and Mary Missouri Williams, the mothers of the children above named, to citizenship in the Choctaw Nation.

The Commission has not up to this time rendered a decision

J B 2

in the matter of the applications of these children for enrollment  
as citizens of the Choctaw Nation.

Respectfully,

Commissioner in Charge.

Choctaw 3665

Muskogee, Indian Territory, November 1, 1902.

Lena P. Sutherland,

Ardmore, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of your letter of October 29, in which you state that you recently appeared before the Commission at Ardmore, Indian Territory, and were there informed that there was a judgment denying your citizenship in the Choctaw Nation, rendered by the Commission in 1896; that this is the first intimation you have had of such action and that you are of the opinion that your name was not included in the application made by your husband for admission as an intermarried citizen of the Choctaw Nation in 1896. In conclusion, you request that you be advised of the facts in regard to this matter.

In reply you are informed that it appears from the records of the Commission of parties applicant for citizenship in the Choctaw Nation under the act of Congress of June 10, 1896, that your husband, Henry Sutherland did file an application to be admitted as an intermarried citizen which was rejected, and from which decision no appeal was taken within the time prescribed by the act of Congress of June 10, 1896. Your name was not included in the application made by your husband, nor is there any record of any other application

L.D.S. 2

made in your behalf or in behalf of your minor child, Valeria Sutherland. The notation appearing upon the face of the card in the possession of the representative of the Commission at Ardmore the past week was an error and has this day been corrected in accordance with the facts.

Respectfully,

Commissioner in Charge.



Choctaw D-483

Muskogee, Indian Territory, February 26, 1903.

Henry Sutherland,  
Caddo, Indian Territory.

Dear Sir:

It is the present intention of the Commission to establish land offices in the Choctaw and Chickasaw Nations April 1, 1903.

The Act of Congress approved July 1, 1902, provides:

"No person whose name does not appear upon the rolls as herein provided shall be entitled in any manner to participate in the distribution of the common property of the Choctaw and Chickasaw tribes."

It will be necessary, before your right to enrollment as an intermarried citizen of the Choctaw Nation can be determined, that you appear before the Commission and testify as to your status on September 25, 1902.

For this purpose the Commission has made an appointment at Atoka, Indian Territory, March 10 to 13, 1903, and you should personally appear at said place on one of the above dates for the purpose herein indicated. No further action can be taken relative to the determination of your right to enrollment until this testimony is received.

Respectfully,

Chairman.

Choctaw D 483.

Muskogee, Indian Territory, March 12, 1903.

Mansfield, McMurray & Cornish,  
Attorneys at Law,  
South McAlester, Indian Territory,

Gentlemen:

Receipt is hereby acknowledged of your letter of March 7, asking the citizenship status of Henry Sutherland, an applicant for enrollment as an intermarried citizen of either the Choctaw or Chickasaw Nation.

In reply to your letter you are advised that it appears from our records that Henry Sutherland has been listed among the doubtful claimants to enrollment as an intermarried citizen of the Choctaw Nation. His name appears on the 1896 census roll of the Choctaw Nation, Atoka County, Number 15066. It further appears that he made application to this Commission in 1896 for citizenship in the Choctaw Nation as an intermarried citizen, and his application was denied by the Commission and no appeal taken to the United States Court in the Indian Territory, within the time prescribed by the act of Congress of June 10, 1896. His final right to enrollment as an intermarried citizen of the Choctaw Nation has not yet been determined.

Respectfully,

Chairman.

Choctaw R 291  
Choctaw R 334

Muskogee, Indian Territory, March 28, 1905.

Wansfield, Volterra & Cornish,

South McAlester, Indian Territory,

Gentlemen:

Receipt is hereby acknowledged of your letter of March 25, asking if the names of Royal Williams and Valeria Sutherland have been placed upon the final rolls of the Choctaws or Chickasaws.

In reply to your letter you are advised that it appears from our records that Royal Williams and Valeria E. Sutherland are applicants to this Commission for enrollment as citizens by blood of the Choctaw Nation, but their final right to such enrollment has not yet been determined. As soon as decisions are reached in these cases you will be notified of the action of the Commission.

Respectfully,

Chairman.

7-5385

Muskogee, Indian Territory, August 18, 1903.

Commissioner in Charge,  
Chickasaw Land Office,  
Tishomingo, Indian Territory.

Dear Sir:

Enclosed you will find copy of additional name, information and notation placed this day upon original Choctaw enrollment card, No. 3665; you are therefore, requested to enter the same upon the corresponding duplicate in your possession.

Respectfully,

Commissioner in Charge.

Enc. MT. 40 A

7-3665

Muskogee, Indian Territory, August 18, 1903.

Commissioner in Charge,  
Choctaw Land Office,  
Atoka, Indian Territory.

Dear Sir:

Enclosed you will find copy of additional name, information and notation placed this day upon original Choctaw enrollment card, No. 3665; you are therefore, requested to enter the same upon the corresponding duplicate in your possession.

Respectfully,

Commissioner in Charge.

E no. MT. 40

REFER IN REPLY TO THE FOLLOWING:  
7-3665

DEPARTMENT OF THE INTERIOR,  
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, March 29, 1907.

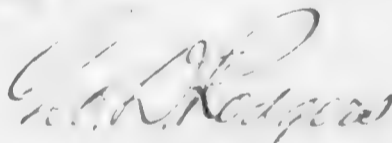
Henry Sutherland,  
Caddo, Indian Territory.

Dear Sir:

You are hereby advised that in accordance with an opinion of the Attorney General of the United States of February 19, 1907, the Secretary of the Interior on March 4, 1907, directed the cancellation of your enrollment upon the roll of citizens by intermarriage of the Choctaw Nation.

Your name has accordingly been stricken from copy of said roll in the possession of this office.

Respectfully,



Acting Commissioner.

COPY

DEPARTMENT OF JUSTICE,

WASHINGTON,

February 19, 1907.

The Secretary of the Interior.

Sir:

I have the honor to communicate to you my opinion in certain Choctaw Indian citizenship cases, the first two submitted by your letter of May 29, 1906, and the others by the direction of the President under date of January 19, 1907.

1. The first case is that of Myrtle Randolph and her brother V. J. Thompson, in regard to which you say:

Myrtle Randolph and V. J. Thompson are children of Oiles Thompson, white, intermarried in the Choctaw Nation in Mississippi prior to the treaty of September 27, 1830 (7 Stat., 333), and was one of the parties named by supplementary article II (1b, 340,) as entitled to a section and a half, reserved to him from the ceded lands, to be as selected as "to include their present residences and improvement." His first and second wives were Choctaws. His name appears on page 64, volume 7, American State Papers (Public Lands), as a beneficiary of Article XIV of the treaty of September 27, 1830, and on page 25, volume 1 of the record in suit of the Choctaw Nation v. United States, Court of Claims. He was registered under the treaty as citizen of the Choctaw Nation, Moshulatubbee's District, and with his family was transported under the treaty as Choctaws at expense of the United States, from Mississippi to the Choctaw Nation, west, prior to October 24, 1830, when he petitioned the President, from Doakesville, near the Red River, in the southern part of the Choctaw Nation, to approve sale of his Mississippi lands to James Gay, of Mississippi, and for issue of patent therefor (copy A enclosed). In the Choctaw Nation, west, in Indian Territory, in 1863, in accordance to Choctaw law, he married a white woman, citizen of the United States, of whom the applicants were born. He was living October 19, 1868, and was paid by the Choctaw Nation for beaves furnished June 1868. (Copy of Act of Council of October 19, 1868, is enclosed, B). He continued to live





unless their inscription on the tribal rolls was procured by fraud or was without authority of law. Such has been the rule of this Department since decision in the case of Wiley Adams May 21, 1903, discussed and concurred in by the Assistant Attorney-General, Interior Department (opinions of March 24, 1905, in cases of Benjamin J. Vaughn and Mary Elizabeth Martin. In Vaughn's case counsel for the nation acceded to it as the proper rule.

To determine the validity and finality of the judgment of the Citizenship Court, as well as other questions arising in these cases, it is necessary to consider carefully the entire legislation of the Congress on this subject.

The act of June 10, 1896 (29 Stat. 341, 359), directed the Commission to the Five Civilized Tribes in the Indian Territory to continue the exercise of the authority theretofore conferred upon them to negotiate with such tribes for the extinguishment of the tribal title to their lands, by the cession of the same or a part thereof to the United States, or their allotment in severalty to the members of such tribes, with a view to the ultimate creation of a State or States embracing such lands.

That act also provided:

That said commission is further authorized and directed to proceed in cases to hear and determine the application of all persons who may apply to them for citizenship in any of said nations, and after such hearing they shall determine the right of such applicant to be so admitted and enrolled; ~~and~~ that such application shall be made to ~~the~~ ~~Commission~~ within three months after the passage of this act. The said Commission shall decide all such applications within ninety days after the same shall be made. That in determining all such applications said Commission shall respect all laws of the several nations or tribes, not inconsistent with the laws of the United States, and all

treaties with either of said nations or tribes, and shall give due force and effect to the rolls, usages, and customs of each of said nations or tribes. And provided, further, That the rolls of citizenship of the several tribes now existing are hereby confirmed, and any person who shall claim to be entitled to be added to said rolls as a citizen of either of said tribes and whose right thereto has either been denied or not acted upon, or any citizen who may within three months from and after the passage of this Act desire such citizenship, may apply to the legally constituted court or committee designated by the several tribes for such citizenship, and such court or committee shall determine such application within thirty days from the date thereof.

In the performance of such duties said commission shall have power and authority to administer oaths, to issue process for and compel the attendance of witnesses, and to send for persons, documents, and depositions and affidavits and other evidence in any case whatsoever heretofore taken where the witness giving the testimony are dead or now residing beyond the limits of said Territory, and to use every fair and reasonable means within their reach for the purpose of determining the status of persons claiming such citizenship, and to protect any of said nations from fraud or wrong, and the rolls so prepared by them shall be hereafter held and considered to be the true and correct rolls of persons entitled to the rights of citizenship in said several tribes: Provided, That if the tribe, or any person, be aggrieved with the decision of the tribal authorities or the commission provided for in this act, it or he may appeal from such decision to the United States district court; Provided, however, That the appeal shall be taken within sixty days, and the judgment of the court shall be final.

That the said commission, after the expiration of six months, shall cause a complete roll of citizenship of each of said nations to be made up from their records, and add thereto the names of citizens whose right may be conferred under this act, and such roll shall be, and are hereby made rolls of citizenship of said nations or tribes, subject, however, to the determination of the United States courts, as provided in this act.

The commission is hereby required to file the lists of names on the rolls of said nations with the Commissioner of Indian Affairs, for use as the final judgment of the legally constituted authorities.

The act of June 7, 1897 (30 Stat. 62, 64) contained this

provision:

That said commission shall continue to exercise all authority heretofore conferred on it by law to negotiate

with the Five Tribes, and any agreement made by it with any one of said tribes, when ratified, shall operate to suspend any provisions of this Act if in conflict therewith as to said nation; Provided, That the words "rolls of citizenship", as used in the act of June tenth, eighteen hundred and ninety-six, making appropriations for current and contingent expenses of the Indian Department and fulfilling treaty stipulations with various Indian Tribes for the fiscal year ending June thirtieth, Eighteen hundred and ninety-seven, shall be construed to mean the last authenticated rolls of each tribe which have been approved by the council of the nation, and the descendants of those appearing on such rolls, and such additional names and their descendants as have been subsequently added, either by the council of such nation, the duly authorized Courts thereof, or the commission under the act of June tenth, eighteen hundred and ninety-six. And all other names appearing upon such rolls shall be open to investigation by such commission for a period of six months after the passage of this Act. And any name appearing on such rolls and not confirmed by the Act of June tenth, eighteen hundred and ninety-six, as herein construed, may be stricken therefrom by such commission where the party affected shall have ten days previous notice that said commission will investigate and determine the right of such party to remain upon such roll as a citizen of such nation; Provided, also, That any one whose name shall be stricken from the roll by such commission shall have the right of appeal, as provided in the Act of June tenth, eighteen hundred and ninety-six.

The act of June 28, 1898 (30 Stat. 495, 502-3), provided:

Sec. 21. That in making rolls of citizenship of the several tribes as required by law, the Commission to the Five Civilized Tribes is authorized and directed to take the roll of Cherokee citizens of eighteen hundred and eighty (not including freedmen) as the only roll intended to be confirmed by this and preceding acts of Congress, and to enroll all persons not living whose names are found on said roll, and all descendants born since the date of said roll to persons whose names are found thereon; and all persons who have been enrolled by the tribal authorities who have heretofore made permanent settlement in the Cherokee Nation whose parents, by reason of their Cherokee blood, have been lawfully admitted to citizenship by the tribal authorities, and who were minors when their parents were so admitted; and they shall investigate the right of all other persons whose

names are found on any other rolls and omit all such as may have been placed thereon by fraud or without authority of law, enrolling only such as may have lawful right thereto, and their descendants born since such rolls were made, with such inter-married white persons as may be entitled to citizenship under Cherokee laws.

X X X X X X X X X

Said commission is authorized and directed to make correct rolls of the citizens by blood of all the other tribes, eliminating from the tribal rolls such names as may have been placed thereon by fraud or without authority of law, enrolling such only as may have lawful right thereto, and their descendants born since such rolls were made, with such inter-married white persons as may be entitled to Choctaw and Chickasaw citizenship under the treaties and the laws of said tribes.

X X X X X X X X X

The rolls so made, when approved by the Secretary of the Interior, shall be final, and the persons whose names are found thereon, with their descendants thereafter born to them, with such persons as may intermarry according to tribal laws, shall alone constitute the several tribes which they represent.

The act of May 31, 1900 (31 Stat. 221, 236), provided:

That said commission shall continue to exercise all authority heretofore conferred upon it by law. But it shall not receive, consider, or make any record of any application of any person for enrollment as a member of any tribe in the Indian Territory who has not been a recognized citizen thereof, and duly and lawfully enrolled or admitted as such, and its refusal of such application shall be final when approved by the Secretary of the Interior.

The act of March 3, 1901 (31 Stat., 1058,1077), contained this provision:

The rolls made by the Commission to the Five Civilized Tribes, when approved by the Secretary of the Interior, shall be final, and the persons whose names are found thereon shall alone constitute the several tribes which they represent; and the Secretary of the Interior is authorized and directed to fix a time by agreement with said tribes or either of them for closing said rolls, but upon failure or refusal of said tribes or any of them to agree thereto, then the Secretary of the Interior shall fix a time for closing said rolls, after which no name shall be added thereto.

The act of July 1, 1902 (32 Stat. 641) ratified an agreement made by the Commission to the Five Civilized Tribes with the Commission representing the Choctaw and Chickasaw Tribes. This agreement was subsequently ratified by these two nations as required therein. In regard to rolls of citizenship it provided:

27. The rolls of the Choctaw and Chickasaw citizens and Choctaw and Chickasaw freedmen shall be made by the Commission to the Five Civilized Tribes, in strict compliance with the act of Congress approved June 28, 1898 (30 Stat., 495), and the act of Congress approved May 31, 1900 (31 Stat., 221), except as herein otherwise provided: Provided, That no person claiming right to enrollment and allotment and distribution of tribal property, by virtue of a judgment of the United States court in the Indian Territory under the act of June 10, 1896 (29 Stat., 321), and which right is contested by legal proceedings instituted under the provisions of this agreement, shall be enrolled or receive allotment of lands or distribution of tribal property until his right thereto has been finally determined.

28. The names of all persons living on the date of the final ratification of this agreement entitled to be enrolled as provided in section 27 hereof shall be placed upon the rolls made by said Commission; and no child born thereafter to a citizen or freedman and no person intermarried thereafter to a citizen shall be entitled to enrollment or to participate in the distribution of the tribal property of the Choctaws and Chickasaws.

29. No person whose name appears upon the rolls made by the Commission to the Five Civilized Tribes as a citizen or freedman of any other tribe shall be enrolled as a citizen or freedman of the Choctaw or Chickasaw nations.

30. For the purpose of expediting the enrollment of the Choctaw and Chickasaw citizens and Choctaw and Chickasaw freedmen, the said Commission shall, from time to time, and as early as practicable, forward to the Secretary of the Interior lists upon which shall be placed the names of those persons found by the Commission to be entitled to enrollment. The lists thus prepared, when approved by the Secretary of the Interior, shall constitute a part and parcel of the final roll of citizens of the Choctaw and Chickasaw tribes and of

Choctaw and Chickasaw freedmen, upon which allotment of land and distribution of other tribal property shall be made as herein provided. Lists shall be made up and forwarded when contests of whatever character shall have been determined, and when there shall have been submitted to and approved by the Secretary of the Interior lists embracing names of all those lawfully entitled to enrollment, the rolls shall be deemed complete. The rolls so prepared shall be made in quintuplicate, one to be deposited with the Secretary of the Interior, one with the Commissioner of Indian Affairs, one with the principal chief of the Choctaw Nation, one with the governor of the Chickasaw Nation, and one to remain with the Commission to the Five Civilized Tribes.

31. It being claimed and insisted by the Choctaw and Chickasaw nations that the United States courts in the Indian Territory acting under the Act of Congress approved June 10, 1896, have admitted persons to citizenship or to enrollment as such citizens in the Choctaw and Chickasaw nations, respectively, without notice of the proceedings in such courts being given to each of said nations; and it being insisted by said nations that, in such proceedings, notice to each of said nations was indispensable, and it being claimed and insisted by said nations that the proceedings in the United States courts in the Indian Territory, under the said Act of June 10, 1896, should have been confined to a review of the action of the Commission to the Five Civilized Tribes, upon the papers and evidence submitted to such commission, and should not have extended to a trial de novo of the question of citizenship; and it being desirable to finally determine these questions, the two nations, jointly, or either of said nations acting separately and making the other a party defendant, may, within ninety days after this agreement becomes effective, by a bill in equity filed in the Choctaw and Chickasaw citizenship court hereinafter named, seek the annulment and vacation of all such decisions by said courts. Ten persons so admitted to citizenship or enrollment by said courts, with notice to one but not to both of said nations, shall be made defendants to said suit as representatives of the entire class of persons similarly situated, the number of such persons being too numerous to require all of them to be made individual parties to the suit; but any person so situated may, upon his application, be made a party defendant to the suit. Notice of the institution of said suit shall be personally served upon the chief executive of the defendant nation, if either nation be made a party defendant as aforesaid, and upon each of said ten representative defendants,

and shall also be published for a period of four weeks in at least two weekly newspapers having general circulation in the Choctaw and Chickasaw Nations. Such notice shall set forth the nature and prayer of the bill, with the time for answering the same, which shall not be less than thirty days after the last publication. Said suit shall be determined at the earliest practicable time, shall be confined to a final determination of the questions of law here named, and shall be without prejudice to the determination of any charge or claim that the admission of such persons to citizenship or enrollment by said United States courts in the Indian Territory was wrongfully obtained as provided in the next section. In the event said citizenship judgments or decisions are annulled or vacated in the test suit hereinbefore authorized, because of either or both of the irregularities claimed and insisted upon by said nations as aforesaid, then the files, papers, and proceedings in any citizenship case in which the judgment or decision is so annulled or vacated, shall, upon written application therefor, made within ninety days thereafter by any party thereto, who is thus deprived of a favorable judgment upon his claimed citizenship, be transferred and certified to said citizenship court by the court having custody and control of such files, papers and proceedings, and upon the filing in such citizenship court of the files, papers and proceedings in any such citizenship case, accompanied by due proof that notice in writing of the transfer and certification thereof has been given to the chief executive officer of each of said nations, said citizenship case shall be docketed in said citizenship court, and such further proceedings shall be had therein in that court as ought to have been had in the court to which the same was taken on appeal from the Commission to the Five Civilized Tribes, and as if no judgment or decision had been rendered therein.

32. Said citizenship court shall also have appellate jurisdiction over all judgments of the courts in Indian Territory rendered under said Act of Congress of June tenth, eighteen hundred and ninety six, admitting persons to citizenship or to enrollment as citizens in either of said nations. The right of appeal may be exercised by said nations jointly or by either of them acting separately at any time within six months after this agreement is finally ratified. In the exercise of such appellate jurisdiction said citizenship court shall be authorized to consider, review, and revise all such judgments, both as to findings of fact and conclusions of

law, and may, whenever in its judgment substantial justice will thereby be subserved, permit either party to any such appeal to take and present such further evidence as may be necessary to enable said court to determine the very right of the controversy. And said court shall have power to make all needful rules and regulations prescribing the manner of taking and conducting said appeals and of taking additional evidence therein. Such citizenship courts shall also have like appellate jurisdiction and authority over judgments rendered by such courts under the said act denying claims to citizenship or to enrollment as citizens in either of said nations. Such appeals shall be taken within the time hereinafter specified and shall be taken, conducted and disposed of in the same manner as appeals by the said nations, save that notice of appeals by citizenship claimants shall be served upon the chief executive officer of both nations; Provided, That paragraphs thirty-one, thirty-two and thirty-three hereof shall go into effect immediately after the passage of this Act by Congress.

35. A court is hereby created to be known as the Choctaw and Chickasaw Citizenship Court, the existence of which shall terminate upon the final determination of the suits and proceedings named in the last two preceding sections, but in no event later than the thirty-first day of December, nineteen hundred and three. Said court shall have all authority and power necessary to the hearing and determination of the suits and proceedings so committed to its jurisdiction, including the authority to issue and enforce all requisite writs, process and orders, and to prescribe rules and regulations for the transaction of its business. It shall also have all the powers of a circuit court of the United States in compelling the production of books, papers and documents, the attendance of witnesses, and in punishing contempt. Except where herein otherwise expressly provided, the pleadings, practice and proceedings in said court shall conform, as near as may be, to the pleadings, practice and proceedings in equity causes in the Circuit Courts of the United States. The testimony shall be taken in court or before one of the judges, so far as practicable. Each judge shall be authorized to grant, in vacation or recess, interlocutory orders and to hear and dispose of interlocutory motions not affecting the substantial merits of the case. Said court shall have a chief judge and two associate judges, a clerk, a stenographer, who shall be deputy clerk, and a bailiff. The judges shall be appointed by the President, by and with the advice and consent of the Senate, and shall each receive a compensation



of five thousand dollars per annum, and his necessary and actual traveling and personal expenses while engaged in the performance of his duties. The clerk, stenographer, and bailiff shall be appointed by the judges, or a majority of them, and shall receive the following yearly compensation: Clerk, two thousand four hundred dollars; stenographer, twelve hundred dollars; bailiff, nine hundred dollars. The compensation of all these officers shall be paid by the United States in monthly installments. The moneys to pay said compensation are hereby appropriated, and there is also appropriated the sum of five thousand dollars, or so much thereof as may be necessary, to be expended under the direction of the Secretary of the Interior, to pay such contingent expenses of said court and its officers as to such Secretary may seem proper. Said court shall have a seal, shall sit at such place or places in the Choctaw and Chick saw nations as the judges may designate, and shall hold public sessions, beginning the first Monday in each month, so far as may be practicable or necessary. Each judge and the clerk and deputy clerk shall be authorized to administer oaths. All writs and process issued by said court shall be served by the United States Marshal for the district in which the service is to be had. The fees for serving process and the fees of witnesses shall be paid by the party at whose instance such process is issued or such witnesses are subpoenaed, and the rate or amount of such fees shall be the same as is allowed in civil causes in the circuit court of the United States for the western district of Arkansas. No fees shall be charged by the clerk or other officers of said court. The clerk of the United States Court in Indian Territory, having custody and control of the files, papers, and proceedings in the original citizenship cases, shall receive a fee of two dollars and fifty cents for transferring and certifying to the citizenship court the files, papers, and proceedings in each case, without regard to the number of persons whose citizenship is involved therein, and said fee shall be paid by the person applying for such transfer and certification. The judgment of the citizenship court in any or all of the suits or proceedings so committed to its jurisdiction shall be final. All expenses necessary to the proper conduct, on behalf of the nations, of the suits and proceedings provided for in this and the two preceding sections shall be incurred under the direction of the executives of the two nations, and the Secretary of the Interior is hereby authorized, upon certificate of said executives, to pay such expenses as in his judgment are reasonable and necessary out of any of the joint funds of said nations in the Treasury of the United States.

It appears that the agreement in these paragraphs provides for the establishment of the Choctaw and Chickasaw Citizenship Court, and gives it jurisdiction of a test suit to annul and vacate the decisions of the United States courts in the Indian Territory admitting persons to citizenship and enrollment as citizens of the Choctaw and Chickasaw nations, respectively, on the ground of want of notice to both of said nations and because the United States courts tried such cases de novo, with a right in the event such judgments should be annulled because of either or both of the irregularities mentioned, on the part of any party thus deprived of a favorable judgment to remove his case to the Citizenship Court, where such further proceedings were to be had therein "as ought to have been had in the court to which the same was taken on appeal from the Commission to the Five Civilized Tribes, as if no judgment or decision had been rendered therein; and also "appellate jurisdiction over all judgments of the courts in Indian Territory, rendered under said act of Congress of June tenth, eighteen hundred and ninety-six, admitting persons to citizenship or to enrollment in either of said nations." In the exercise of such appellate jurisdiction the citizenship court was "authorized to consider, review, and revise all such judgments, both as to findings of fact and conclusions of law, and may, whenever in its judgment substantial justice will thereby be subserved, permit either party to any such appeal to take and pre-

sent such further evidence as may be necessary to enable said court to determine the very right of the controversy."

It will be noted that the agreement further provides (paragraph 33) that "the judgment of the citizenship court in any or all of the suits or proceedings so committed to its jurisdiction shall be final."

The agreement also contained this provision:

34. During the ninety days first following the date of the final ratification of this agreement, the Commission to the Five Civilized Tribes may receive applications for enrollment only of persons whose names are on the tribal rolls, but who have not heretofore been enrolled by said Commission, commonly known as "delinquents", and such intermarried white persons as may have married recognized citizens of the Choctaw and Chickasaw Nations in accordance with the tribal laws, customs and usages on or before the date of the passage of this Act of Congress, and such infant children as may have been born to recognized and enrolled citizens on or before the date of the final ratification of this agreement; but the application of no person whomsoever for enrollment shall be received after the expiration of the said ninety days; Provided, That nothing in this section shall apply to any person or persons making application for enrollment as Mississippi Choctaws, for whom provision has herein otherwise been made.

By the Act of April 21, 1904 (33 Stat. 189,204), it was provided that the Commission to the Five Civilized Tribes should conclude its work and terminate on or before July 1, 1905, and cease to exist on that date, the powers theretofore conferred upon it being continued.

By the Act of March 3, 1905 (33 Stat. 1048,1060), it was provided "that the work of completing the unfinished business,

The Secretary of the Interior -

14.

if any, of the Commission to the Five Civilized Tribes shall devolve upon the Secretary of the Interior, and that all the powers heretofore granted to the said Commission to the Five Civilized Tribes are hereby conferred upon the said Secretary on and after the first of July, nineteen hundred and five."

By the act of April 26, 1906 (34 Stat. 137), it was provided:

That after the approval of this Act no person shall be enrolled as a citizen or freedman of the Choctaw, Chickasaw, Cherokee, Creek, or Seminole tribes of Indians in the Indian Territory, except as herein otherwise provided, unless application for enrollment was made prior to December first, nineteen hundred and five, and the records in charge of the Commissioner to the Five Civilized Tribes shall be conclusive in evidence as to the fact of such application; and no motion to reopen or reconsider any citizenship case, in any of said tribes, shall be entertained unless filed with the Commissioner to the Five Civilized Tribes within sixty days after the date of the order or decision sought to be reconsidered except as to decisions made prior to the passage of this act, in which cases such motion shall be made within sixty days after the passage of this act. X X X

By that act the rolls of citizenship of the several tribes were required to be completed March 4, 1907.

After very carefully considering this legislation, in the light of the circumstances under which it was enacted, I am constrained to the conclusion that the Citizenship Court had jurisdiction of the cases now under consideration, and that its judgment therein is final.

By the act of June 10, 1896, the Commission to the Five Civilized Tribes was "authorized and directed to proceed at once

to hear and determine the application of all persons who may apply to them for citizenship in any of said nations." It is true that this act also confirmed the then existing rolls of the several tribes, but the question whether an applicant was, as matter of fact, already duly enrolled upon one of the rolls so confirmed constituted, in my opinion, an issue upon which the Commission was authorized and required to pass: the applicant may be fairly held to have waived by his application the conclusiveness of the confirmation of the rolls in his case.

Independently of any such waiver, I do not see how the proposition that the Commission did not have jurisdiction of the case of a person whose name was upon a tribal roll can be maintained, in the face of the provision of the act of June 10, 1896, that "in determining all such applications said Commission shall x x x give due force and effect to the rolls, usages and customs of each of said nations or tribes." I think that act left it to the Commission to determine whether or not the applicant was upon a roll which was confirmed, and evidently it did not so hold in these cases.

It is unnecessary, however, to determine what might have been the effect of an adverse judgment in the case of an applicant whose name was upon a roll so confirmed for such confirmation was certainly and very materially modified by the act of June 7, 1897, and apparently altogether withdrawn by the act of June 28, 1898. The act of June 7, 1897, provided that the words "rolls of citizenship" as used in the act of June 10, 1896, should be con-

strued to mean the "last authenticated rolls of each tribe which have been approved by the council of the nation". I am informed that there never was any such an authenticated roll of the Choctaw Tribe, either at the time of the passage of the act of June 10, 1896, or subsequently thereto. Moreover, by the act of June 28, 1898, it was provided that in making rolls of citizenship of the several tribes, the Commission should take the Cherokee roll of 1880 as the only roll intended to be confirmed by that and preceding acts of Congress: it seems to be clear from the further provisions of the Act that the Congress did not here refer to the Cherokee rolls only but had in mind those of all the Tribes. To my mind, however, the decisive consideration is that Congress, knowing there were certain cases of contested citizenship in the Choctaw and Chickasaw Nations, referred these cases, under carefully defined conditions, to the Citizenship Court and made the determination of that Court in those cases final. This provision of law repealed, as to cases in this category, any inconsistent provisions (if any there were) in the Act of 1896 or any other prior act. These cases were unquestionably within the terms of the law: the claimants had been admitted to citizenship by decisions of the United States courts, and it seems clear that, under the agreement with the Choctaw and Chickasaw Nations ratified by the act of July 1, 1902, it was intended that the Citizenship Court should have a revisory jurisdiction of judgments of the

The Secretary of the Interior -

17.

United States courts in the Indian Territory in citizenship cases; irrespective of the grounds on which these suits had been entertained by the said courts. That agreement was made after the confirmation given to the tribal rolls had been qualified if not withdrawn, and, we must presume with a knowledge of the fact that the Commission, under the act of June 10, 1896, had exercised jurisdiction in the case of persons whose names appeared upon some of the rolls of the tribes. Its action seems to show that Congress did not intend to confirm any roll of the Choctaw and Chickasaw tribes, but, however that may be when, with a knowledge of all that had gone before, it created the Citizenship Court, this was done, in my opinion, with the evident purpose of giving it jurisdiction of all citizenship cases which had been decided by the United States courts for the Indian Territory on appeal from the judgments of the Commission. As neither Congress nor the Nations made any distinction in the act and agreement referred to as to the cases of persons whose names were on a tribal roll which might have been confirmed by the act of June 10, 1896, if Congress had not decided otherwise I do not think any other authority can make this distinction. Indeed, as I have suggested, the applicants themselves, having voluntarily submitted to the jurisdiction of the Commission, might be fairly held estopped to now deny it.

I understand that it is not contended, nor do I think it could be successfully maintained that any authority to review the

judgments of the Citizenship Court was intended to be conferred upon you by Congress when it made the rolls, as finally compiled, subject to your approval (see paragraph 30 of the agreement ratified by the act of July 1, 1902.) Neither do I think that the provision in the act of April 26, 1906, above quoted, as to enrolling persons and entertaining motions to reopen or reconsider citizenship cases, was intended to recognize or confer any such authority, the purpose of that provision being simply to limit the time in which the authority previously conferred might be exercised. To hold thus would be to treat the later act as a repeal of so much of the former as expressly declared the judgments of the Citizenship Court to be final, which seems to me untenable.

This disposes of the cases of Myrtle Randolph and her brother W. J. Thompson: whatever their intrinsic merits, these claims have been finally decided adversely to the claimants by the judgment of the Citizenship Court.

2. The second case is that of Cyrus H. Kingsbury and Lucy E. Littlepage, in regard to whom you say:

Cyrus H. Kingsbury and Lucy E. Littlepage are children of John Parker-Kingsbury and wife, Hannah Mariah, white, affiliated by act of the Choctaw Council of November 15, 1854, which enacted:

That all rights, privileges and immunities of Choctaw citizens are hereby granted unto John Parker-Kingsbury and to his wife Hannah Mariah, and they shall enjoy all the benefits to which the citizens of this nation may hereafter be entitled, except in the participation of any sum of money which may now be due the nation under treaty stipulations heretofore made.



Both applicants were born in the Choctaw Nation and have always resided there as its recognized citizens. Both are on the tribal Choctaw 1885 census roll, Atoka County, Nos. 819, 821. September 7, 1896, they applied to the Commission to the Five Civilized Tribes under the act of June 10, 1896, were enrolled, and no appeal was taken. Cyrus H. Kingsbury is on the 1896 Choctaw census roll. Lucy H. Littlepage is on the partial roll of Choctaw citizens by blood, and her husband, Patrick H. Littlepage, on the roll of intermarried citizens--both rolls approved by the Secretary of the Interior, October 21, 1904. Patent, signed and executed by the principal chief of the Choctaw nation, conveying to Cyrus H. Kingsbury allotted tribal lands as a citizen by blood, is now before the Secretary of the Interior for approval, but is not yet approved, or delivered. No objection to occupation of tribal lands was ever made against either applicant as an intruder.

Paragraph 27 of the agreement with the Choctaw and Chickasaw Nations ratified by the act of July 1, 1902, provides that the rolls of Choctaw and Chickasaw citizens shall be made by the Commission to the Five Civilized Tribes "in strict compliance" with the acts of June 28, 1898, and May 31, 1900.

Section 21 of the act of June 28, 1898, after providing that in making rolls of citizenship of the several tribes the Commission shall take the roll of Cherokee citizens of 1880 as the only roll intended to be confirmed by that and preceding acts of Congress, and providing for the enrollment of the Cherokees, authorizes and directs the Commission "to make correct rolls of the citizens by blood of all the other tribes, eliminating from the tribal rolls such names as may have been placed thereon by fraud or without authority of law, enrolling such only as may have lawful right thereto, and their descendants born since such rolls were

made, with such intermarried white persons as may be entitled to Choctaw and Chickasaw citizenship under the treaties and the laws of said tribes."

It might be held that the only white person intended to be enrolled by this Act were such intermarried ones as were entitled to citizenship under the treaties and laws of the tribes, if it were not for the reference to the tribal rolls, on which, as appears from your statement as to these parties, there were undoubtedly the names of adopted whites. The only names which the Act declares shall be <sup>eliminated</sup> from the tribal rolls are those placed thereon by fraud or without authority of law, and it is not suggested that the names of these parties were open to either of those objections.

Light, it seems to me, is thrown on this matter by the Act of May 31, 1900, which was also directed to be strictly complied with in making the rolls of citizenship of these tribes. That act is plainly intended to be of a restrictive nature, yet a fair construction of it would seem to authorize the enrollment of these parties. It provides that the Commission shall continue to exercise all authority theretofore conferred upon it by law, "but it shall not receive, consider, or make any record of any application of any person for enrollment as a member of any tribe in the Indian Territory who has not been a recognized citizen thereof, and duly and lawfully enrolled or admitted as

such, and its refusal of any such application shall be final when approved by the Secretary of the Interior.\*

This act recognizes the authority of the Commission to receive, consider and record the application of a recognized citizen of any of the tribes referred to who has been duly and lawfully enrolled or admitted as such, its refusal of the application of any person not so qualified being made final when approved by the Secretary of the Interior.

These applicants appear to possess all of these qualifications. Your letter states that they were born and have always resided in the Choctaw Nation as its recognized citizens; that their names appear upon various tribal rolls, and that they were admitted by the Commission in 1896 as citizens, no appeal from the decision of the Commission being taken by the Nation. That they were duly and lawfully enrolled by the tribal authorities would seem to result from the fact that both of their parents had been adopted into the tribe, and the failure to contest the action of the Commission in admitting them would indicate that their citizenship rights were regarded as indisputable.

You say that you would not have doubt that these applicants, born to the allegiance of the Choctaw Nation, are entitled to be enrolled, but for the report of my predecessor to the President of February 24, 1906, in the case of persons without Indian blood,

and the order to you of February 27, 1906, that "in the President's judgment, without reference to the act of Congress, it is perfectly clear equity demands that the son of white parents, who has no Indian blood in his veins, even though one of these parents has been adopted into the tribe, should not be treated as an Indian".

The report of Mr. Moody and the order of the President thereon, had reference to the case of children of white persons, one of whom had previously acquired Indian citizenship by virtue of his marriage into the Choctaw tribe, but had afterwards, upon the death of his Indian spouse, married a white person. Mr. Moody was of opinion that the right of citizenship acquired by an intermarried white was a personal right, and could not be conferred upon children by such subsequent marriage, which is also the view taken by the Citizenship Court.

I see no reason to question the soundness of that conclusion, assuming that the matter is still open for consideration. It is expressly provided by the Choctaw act of November 9, 1875, providing for the intermarriage of whites with Choctaws, that a white person intermarrying into the tribe in pursuance of that act should forfeit his rights of citizenship acquired thereunder if upon the death of his Indian Spouse he married "a white man or woman, or person, as the case may be, having no rights of Choctaw citizenship by blood."

I am aware that it has been held by one of the United States Courts in the Indian Territory that this law is inconsistent with

the treaty of April 28, 1866, but with great respect for the said Court, I do not so consider it. That treaty provides:

Article 28. Every white person who, having married a Choctaw or Chickasaw, resides in the said Choctaw or Chickasaw Nation, or who has been adopted by the legislative authorities, is to be deemed a member of said nation and shall be subject to the laws of the Choctaws and Chickasaw Nations according to his domicile, and to prosecution and trial before their tribunals, and to punishment according to their laws in all respects as though he was a native Choctaw.

This article merely recognizes a pre-existing custom of the Choctaw and Chickasaw Nations as to the intermarriage and adoption of white persons, and cannot fairly be said to have been intended to prevent them from decitizenizing an intermarried person for good cause: and what better cause could there be than that the tie which bound him to the tribe, and because of which alone citizenship was granted, was broken?

An act of the Choctaw Nation, approved October 30, 1896, providing for the enrollment of Choctaw citizens, provided that "the Commission shall enroll as citizens all who come under any one of the following heads, and all such persons are hereby declared citizens of the Choctaw Nation:"

x x x x x x x x

V. All white men who have married Choctaw women by blood in strict conformity to the laws of the Choctaw Nation of 1875 regulating inter-marriage, or the Chickasaw law of 1876 regulating inter-marriage, and have not been divorced from same nor married any other than a Choctaw woman by blood since said marriage.

x x x x x x x x

VIII. All white women who have married Choctaws by blood legally and have not been divorced from them nor since married any other than a Choctaw by blood, a recognized citizen and resident of the Choctaw or Chickasaw Nation.

X X X X X X

That act further provided that "the Commissions are especially prohibited from enrolling as citizens any persons coming under the following heads:"

X X X X X X

II. The children of any marriage where neither the father nor mother are Choctaws by blood, though one or both of said childrens' parents may have enjoyed intermarried rights.

III. All persons who, though they had at one time intermarried rights, afterwards married a person not a Choctaw by blood (being the father or mother of Choctaw children shall not save a person from this clause.)

X X X X X X

VI. All white persons who have been admitted to citizenship with their wife or husband by the General Council and afterward the wife of husband, Choctaw by blood, dying, the surviving party, being a white person, has intermarried with a person not a Choctaw by blood.

X X X X X X

It is clear that, at least since 1875, the Choctaw Nation never intended that a white person, intermarrying into the tribe, should have power to confer citizenship upon his children by a subsequent marriage to other than a citizen by blood. The informal opinion of Attorney General Moody unquestionably had reference to cases of this character.

The case of the present applicants is quite different from that just referred to. Here both parents were adopted into the tribe. It must have been contemplated that they might have

children, and if so, what was to be their citizenship if not that of their parents?

The facts in the present case answer this inquiry. Your letter states that these applicants have always been recognized as citizens of the Choctaw Nation, that their names appear on the tribal census roll of 1885, as well as upon the rolls prepared in pursuance of the Choctaw act of October 30, 1896. It seems clear, therefore, irrespective of the action of the Commission in admitting them as citizens in pursuance of the authority granted to it by the act of June 10, 1896, that they are clearly entitled to be enrolled for allotment purposes.

3. The Case of Loula (or Lulu) West, et al.

It appears from the papers in this case that Loula West applied to the Commission to the Five Civilized Tribes, pursuant to the Act of June 10, 1896, for admission to citizenship in the Choctaw Nation, and was admitted as a citizen by blood; that the Choctaw Nation appealed to the United States court for the Central District of the Indian Territory, which affirmed the judgment of the Commission; that this judgment was annulled and vacated by the judgment of the Citizenship Court in the test case provided for by the Act of July 1, 1902, (32 Stat. 641, 647); and thereupon she removed her case to that court, which denied her application.

This case is similar to that of Myrtle Randolph and her brother W. J. Thompson, children of Giles Thompson, above referred

te, in that it involves the question of the finality of the judgment of the Citizenship Court, it being contended that the Commission in the first instance and the Citizenship Court ultimately on appeal had no jurisdiction of the case because at the time of her application to the Commission her name was upon a tribal roll.

For the reasons heretofore stated, I think this contention is not well founded, and that the Citizenship Court had jurisdiction of such cases, and its judgments therein were final.

4. The Case of William C. Thompson et al.

In this case the record shows that Thompson applied to the Commission to the Five Civilized Tribes, pursuant to the act of June 10, 1896, for the enrollment of himself, his wife, and children with the exception of a daughter Mary M. McNeese, who made a separate application for herself, her husband, a white man, and their children. The Commission denied Thompson's application, and also that of his daughter. No appeal was taken from these judgments, and it is contended, on behalf of the Nation, that under the act of June 10, 1896, they were final and conclusive against the right of these parties to be enrolled.

The claimants, however, rely upon the fact that their names appear upon the tribal roll prepared in pursuance of the Choctaw acts of September 18 and October 30, 1896.



In my judgment, the action of the Commission, under the act of June 10, 1896, not having been appealed from, was final and conclusive against the right of these parties to be admitted to citizenship, and the Choctaw Nation, even if it attempted to do so, had no right thereafter to admit them. It will be observed that the act of June 10, 1896, provided that applications should be made to the Commission within three months after the passage of the act, and that the Commission should decide all such applications within ninety days after they were made; that the rolls of citizenship of the several tribes as then existing were confirmed, and "any person who shall claim to be entitled to be added to said rolls as a citizen of either of said tribes and whose right thereto has either been denied or not acted upon, or any citizen who may within three months after the passage of this Act desire such citizenship, may apply to the legally constituted court or committee designated by the several tribes for such citizenship, and such court or committee shall determine such application within thirty days from the date thereof:" and that "if the tribe, or any person be aggrieved with the decision of the tribal authorities or the Commission provided for in this Act, it or he may appeal from such decision to the United States District Court: Provided, however, That the appeal shall be taken within sixty days, and the judgment of the court shall be final.

As I read this Act, it authorized application to be made either to the Commission to the Five Civilized Tribes or the

The Secretary of the Interior -

28.

"legally constituted court or committee" of such tribes, with a right of appeal by the party aggrieved by the decision of either to the United States court. Therefore, and in view also of the fact that the act contemplated contemporaneous action by the Commission and the tribal courts, I think it clear that the provision that "any person who shall claim to be entitled to be added to said rolls (the existing rolls of the tribe) as a citizen of either of said tribes whose right thereto has either been denied or not acted upon, "had reference to a previous denial or failure to act of the tribal authorities, and not to the subsequent action or non-action of the Commission, the tense of the verbs-"has either been denied or not acted upon", not "shall be denied or not acted upon"-indicating that past action or non-action was referred to. Prior to the passage of this act the Commission had no jurisdiction of these citizenship matters.

When, therefore, as here, the claimant had applied to the Commission to be admitted and enrolled, and his application denied, his only remedy, under the act in question, lay in an appeal to the United States court. It is true Thompson claims to have received no notice of the denial of his application by the Commission, but that is not a valid excuse.

But aside from this question of jurisdiction in the Choctaw Nation to admit persons to citizenship who had been denied by the Commission, it appears that the Nation never undertook to au-

authorize the admission or enrollment of these parties, and that, in any aspect of the case, they were enrolled without authority of law and their names should, in pursuance of the mandate in the act of Congress of June 28, 1898, be eliminated from the tribal rolls.

The Choctaw Nation does not appear to have proceeded under the authority of the act of Congress of June 10, 1896, authorizing the establishment by the several tribes of a court or committee for the purpose of passing upon applications for citizenship as provided therein. It was not until September 18, 1896, ten days after the expiration of the period in which applications for citizenship were to be submitted to the "legally constituted court or committee" of the tribes under the act of June 10, 1896, that the Choctaw Council passed the act above referred to. That act provided for the appointment of census commissioners in each county, with authority "to enroll all recognized citizens of the Choctaw Nation by blood, intermarriage and adoption who are recognized as citizens of the Choctaw Nation under the treaties, constitution and law of the said nation." It further provided that "the rolls when completed by said commissioners shall be certified to by said commissioners and delivered to the Principal chief of the Choctaw Nation on or before the twentieth day of October, 1896, to be revised and approved by the next General Council of the Choctaw Nation."

It is manifest that this act conferred no power upon such commissioners to admit any person to citizenship, but only to enroll "recognized citizens." Yet in virtue thereof one of the county committees assumed to pass upon a petition prepared by Thompson's attorney, under date of August 1, 1896, and addressed to the General Council of the Choctaw Nation, "at its regular session October 1896," praying that "all rights, privileges and immunities of the Choctaw Nation" be granted to himself, his wife, family and certain other relatives," and they be enrolled with the legal citizenship of said Nation."

This petition does not appear ever to have been presented to the Choctaw Council or referred by any competent authority to the committee which assumed to pass upon it. Upon its back is the following endorsement:

William C. Thompson together with the names appearing on the face of the within application, lineal descendants of Margaret McGoy are hereby recognized and admitted to the citizenship of the Choctaw Nation or Tribe of Indians, by the legally constituted Choctaw Census Commission duly assembled at Kiowa, I. T. this the 8th day of October, 1896, upon the testimony of Henry Perkins, Mrs. Lavinia Franklin, they being enrolled Choctaw Indians by blood. The within names parties not being present were passed for further enrollment.

A. G. Folsom,

Secretary of Census Committee.

This was a manifest attempt to exercise an authority not delegated to the committee.

On October 30, 1896, the Choctaw Council, at its regular session, passed an act creating three commissions, one from each District, one member of each of which to be designated as "Chief

Commissioner", "to make a complete roll of the citizens of the Choctaw Nation." By that act it was made the duty of said commissions "to examine the rolls made by the commissions under the act of September 18, 1896, and also to expunge from said rolls of September 18, 1896, the names of all persons whom they shall adjudge not to be citizens." It was further provided:

The Commission shall enroll as citizens all who come under any of the following heads, and all such persons are hereby declared citizens of the Choctaw Nation:

1. All Choctaws by blood born and raised in the Choctaw Nation.

11. All Choctaws by blood who have been admitted to citizenship by the General Council and now residents of the Nation.

X X X X X X

It was provided that "at the expiration of the time allowed the commissions in each District, the Chief Commissioner shall meet at Tushka Homma at their earliest convenience and not later than the first Monday in December 1896, and shall revise the Rolls made by their respective District Commissions during the succeeding ten days after they meet". The Chief Commissioners were authorized to "enroll the name of any citizen who for any good cause failed to appear before the District Commissions". It was further provided that "the Roll as completed and signed by the Chief Commissioners, when approved by the Principal Chief, shall be the legal and authorized Roll of citizens of the Choctaw Nation".

These parties were enrolled by the revisory board, but that their enrollment was unauthorized is clear. The act just referred

to only authorized the enrollment of Choctaws by blood who were "born and raised" in the Choctaw Nation or had "been admitted to citizenship by the General Council." The applicants possessed neither of these qualifications. According to his own statement, William C. Thompson was not raised in the Choctaw Nation, having been taken to Mississippi shortly after his birth, and returning only once during his boyhood for about a year. It is further stated that he remained in Mississippi until the war, when he went to Texas, not returning again to the Choctaw Nation until 1887. He had never been "admitted to citizenship by the General Council". His wife and children could claim no greater rights than he possessed. The other applicants named in his petition were descendants of his brother, who was born in Mississippi and whose record appears to be otherwise about the same as William C. Thompson's.

Moreover, it appears from the opinion of the Assistant Attorney General for the Interior Department of March 24, 1906, in the case of Mary Elizabeth Martin, that on July 17, 1897, the Principal Chief of the Choctaw Nation advised the Commission to the Five Civilized Tribes that he had refused to approve the last revised roll made in accordance with the act of October 30, 1896, because he was satisfied there were some names thereon "that have been registered through fraud or misrepresentation." As such approval was necessary in order to make the roll so prepared "the

legal and authorized roll of citizens of the Choctaw Nation," it would seem that in no aspect of the case could these parties be said to be lawfully admitted and enrolled.

It further appears that these applicants, or some of them, including William C. Thompson, applied in 1900 to the Commission for the Five Civilized Tribes for identification as Mississippi Choctaws under the following provision of section 21 of the act of June 28, 1836:

Said commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation concluded September twenty-seventh, eighteenth hundred and thirty and to that end they may administer oaths, examine witnesses, and prepare all other acts necessary thereto and make report to the Secretary of the Interior.

Article 14 of the treaty of September 27, 1830, provided:

ARTICLE XIV. Each head of a family being desirous to remain and become a citizen of the States shall be permitted to do so, by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land, to be bounded by sectional lines of survey; in like manner shall be entitled to one half t at quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under 10 years of age, to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family, or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity.

The only evidence adduced in any way tending to show a compliance with the terms of this article were statements to the ef-

fect that William C. Thompson's grandfather applied for land under the treaty of 1830 but was refused by the Indian agent. Congress, however, by the acts of March 3, 1837, and August 23, 1842, (5 Stat.180, 513), appointed Commissioners for the purpose of adjusting claims of this kind, and there was no evidence to the effect that the ancestors of the claimants had endeavored to comply with the provisions of these acts, or received patents or certificates for land as therein provided for. The Commission properly held, therefore, that it was impossible to identify the applicants as Mississippi Choctaws.

Upon the whole case, it seems to me clear that these applicants, and those claiming intermarried rights with them, should be denied enrollment.

The other cases consolidated with this are of a similar nature, and under the views above stated the parties referred to therein are, in my judgment, not entitled to be enrolled.

5. The Case of Richard B. Coleman et al.

The enrollment of the parties referred to in this case depends upon the effect to be given to the following act of the General Council of the Choctaw Nation passed November 8, 1889:

An Act to establish the citizenship of R. B. Coleman, his wife and their children,  
Sec.1. Be it enacted by the General Council of the Choctaw Nation Assembled, That Richard Benjamin Coleman, and their children as follows: Richard St. Clair, age 15 years, Ida Clay, age 13, Bannetta, age 11, Bettie Withers, age 9, Henry



Alen, age 6, Willie Norma Coleman, age 4 years, are hereby admitted to citizenship in the Choctaw Nation with its rights, privileges, and immunities, and that this act shall take effect and be in force from and after its passage.

It is contended that this act was procured by fraud and bribery, and that, therefore, the names of Coleman and his family should be eliminated from the tribal rolls upon which they appear, under the act of Congress of June 28, 1898, which provides:

Said Commission is authorized and directed to make correct rolls of citizens by blood of all the other tribes, eliminating from the tribal rolls such names as may have been placed thereon by fraud or without authority of law, enrolling such only as may have lawful right thereto x x x.

The Commission held that they had no authority to go behind the act of the Choctaw Council referred to, but in an informal opinion rendered you December 7, 1904, Acting Attorney General Day, after quoting the above provision, said:

It appears to me the above quoted provisions of the statute impose upon the Commission to the Five Civilized Tribes the duty and gave it the power to determine whether any name appearing upon a tribal roll was placed there by fraud or without authority of law, and that the mere fact that such enrollment was by virtue of an act of the National Council is not sufficient to preclude an inquiry. An act of the Council should be treated with respect as prima facie valid and efficacious, and nothing done as the result thereof should be lightly set aside; but if it clearly appears that the act was procured by deliberate fraud and perjury I do not think that Congress intended that benefits thereunder should be enjoyed.

Mr. Day did not pass upon the facts of this case. Subsequently, the Assistant Attorney General for the Interior Department, upon a consideration of the record, held that it did not clearly appear therefrom that the act in question had been fraudu-

lently procured.

In my judgment the record in this case clearly shows deliberate fraud on the part of Richard B. Coleman in procuring the passage of the act admitting him to citizenship. It appears that Coleman came into the Choctaw Nation about 1880. In 1887 he made application to the citizenship committee of the Choctaw Council for admission as a citizen by blood, representing by himself and witnesses he brought before the committee that his father was a Choctaw boy named Frank Coleman, the son of a John Coleman and Chapponia, a full blood Choctaw, who had lived in Mississippi with his parents prior to the migration in 1830. The boy Frank it was testified, had been sent to Kentucky to school and nothing afterwards heard of him.

The testimony adduced on behalf of the Nation before the Commission to the Five Civilized Tribes shows that the father of Coleman was Francis S. Coleman, a son of a Francis Coleman who was born and raised in Orange County, Virginia, and was not a Choctaw. This testimony was given in the form of a deposition by Mrs. Harriet Henry, a sister of Francis S. Coleman, and R. L. Coleman a nephew, residing at Columbia, Missouri. The identity of Francis S. Coleman with the father of the applicant appears from the fact, testified to by the applicant as well as the two witnesses just referred to, that he married Ann Elisabeth Bedford, the daughter of John Bedford, in Kentucky, and the testimony of all parties that

Francis S. Coleman went to Denton, Texas, and died there. Although duly advised as to the intention of the attorneys for the Choctaw Nation to take this testimony, no effort was made by Coleman or his attorney to file cross interrogatories or in any way rebut it, but they confined themselves to an endeavor to have the testimony stricken from the records as not having been taken in accordance with law. The authority of the Commission to take the testimony in this way is clear, under the act of June 26, 1898 (50 Stat. 495), which provides:

Said commission shall make such rolls descriptive of the persons thereon, so that they may be thereby identified, and it is authorized to take a census of each of said tribes, or to adopt any other means by them deemed necessary to enable them to make such rolls.

This testimony was further enforced by another deposition of said R. L. Coleman, taken by Commissioner Tams Bixby, in which R. L. Coleman stated further that he knew the applicant Richard B. Coleman, that he was his cousin. A motion was likewise made to strike this testimony from the record, because taken without notice to the applicant, but it was overruled by the Commission, who held that under the authority of the above act they could take such measures as they deemed necessary to satisfy themselves as to the justice of the applicant's claim. I do not think it is shown that they abused their discretion in this matter.

It appears that the application of Richard B. Coleman to be enrolled as a citizen by blood of the Nation, upon the grounds

above stated, was passed over by the citizenship committee of the Council in 1887; taken up again in 1888 and a bill of rejection passed by the committee of the Council; renewed at the session of 1889, and a bill of admission introduced into the House of Representatives which was rejected, and then a new bill introduced and enacted into the law above quoted.

I think it sufficiently appears from the testimony in this case, particularly that given by and on behalf of the applicant himself, that the Council in admitting him and his family to citizenship did so upon the strength of the testimony adduced by him before the Committee on Citizenship, that he was a Choctaw by blood, descended as he represented. It is to be observed that he and his family all claim that he was admitted as a Choctaw by blood.

Some testimony was introduced for the purpose of showing that Coleman had bribed one Roebuck, the member of the Council who introduced the second bill, but the evidence on that point is not sufficient to establish the fact.

In October, 1898, the General Council of the Choctaw Nation passed an act repealing the act of November 8, 1889, admitting Coleman and his family to citizenship. This act was, however, disapproved by President McKinley, upon the recommendation of the Secretary of the Interior, under the authority of the act of Congress of June 28, 1898, which required the approval of the President to all acts of the Choctaw and Chickasaw Nations in any manner affecting the lands of the tribes.

Although this act was thus invalidated, it may fairly be taken to indicate the sense of the Nation at that time that Cole-

man was improperly admitted. The reason for its disapproval does not appear, but it might reasonably have been rejected on the ground that by the act of June 28, 1898, the work of making up the rolls of citizenship and eliminating therefrom those placed thereon by fraud was committed entirely to the Commission to the Five Civilized Tribes.

It is to be observed that Commissioner Bixby, who was the only Commissioner who considered this case on its merits, was "clearly of the opinion from such evidence as has been presented to this Commission that the evidence presented to and acted upon by the Citizenship Committee of the Choctaw General Council, which passed upon the petition of these applicants, and upon which evidence their admission to Choctaw Citizenship was based, was fraudulent, false and misleading."

In my opinion, these parties should be stricken from the rolls.

6. The Case of Ethel Pierson.

This case presents the question of your authority to enroll the children of Choctaw freedmen who were minors living March 4, 1906. The decision of this question turns upon the construction to be given to section 2 of the Act of April 26, 1906 (34 Stat. 137), as amended by the act of June 21, 1906 (34 Stat. 342). The act referred to originally provided:

Sec. 2. That for ninety days after approval hereof

applications shall be received for enrollment of children who were minors living March fourth, nineteen hundred and six, whose parents have been enrolled as members of the Choctaw, Chickasaw, Cherokee, or Creek tribes, or have applications for enrollment pending at the approval hereof, and for the purpose of enrollment under this section illegitimate children shall take the status of the mother, and allotments shall be made to children so enrolled. If any citizen of the Cherokee tribe shall fail to receive the full quantity of land to which he is entitled as an allotment, he shall be paid out of any of the funds of such tribe a sum equal to twice the appraised value of the amount of land thus deficient. The provisions of section nine of the Creek agreement ratified by Act approved March first, nineteen hundred and one, authorizing the use of funds of the Creek tribe for equalizing allotments, are hereby restored and reenacted, and after the expiration of nine months from the date of the original selection of an allotment of land in the Choctaw Chickasaw, Cherokee, Creek, or Seminole tribes, and after the expiration of six months from the passage of this Act as to allotments heretofore made, no contest shall be instituted against such allotment: Provided, That the rolls of the tribes affected by this Act shall be fully completed on or before the fourth day of March, nineteen hundred and seven, and the Secretary of the Interior shall have no jurisdiction to approve the enrollment of any person after said date: Provided further, That nothing herein shall be construed so as to hereafter permit any person to file an application for enrollment in any tribe where the date for filing application has been fixed by agreement between said tribe and the United States: Provided, That nothing herein shall apply to the intermarried whites in the Cherokee Nation, whose cases are now pending in the Supreme Court of the United States.

The amendatory act provided, (34 Stat. 341-2):

That section two of the Act entitled "An Act to provide for the final disposition of the affairs of the Five Civilized Tribes in the Indian Territory, and for other purposes," approved April twenty-sixth, nineteen hundred and six, be, and the same is hereby, amended by striking out thereof the words "Provided further, That nothing herein shall be construed so as to hereafter permit any person to file an application for enrollment in any tribe where the date for filing application has been fixed by agreement between said tribe and the United States: Provided further, That nothing herein shall apply to the intermarried whites in the Cherokee Nation whose cases are now pending in the Supreme Court of the United States." And insert in said Act in lieu of the mat-

ter repealed, the following: Provided further, That nothing herein shall be construed so as hereafter to permit any person to file an application for enrollment or to be entitled to enrollment in any of said tribes, except for minors the children of Indians by blood, or of freedmen members of said tribes, or of Mississippi Choctaws identified under the fourteenth article of the treaty of eighteen hundred and thirty, as herein otherwise provided, and the fact that the name of a person appears on the tribal roll of any of said tribes shall not be construed to be an application for enrollment.

In the agreement with the Choctaw and Chickasaw Nation ratified by the act of July 1, 1902 (32 Stat. 641), it was provided (paragraphs 1 and 3) that the words "member" or "members" and "citizen" or "citizens", "whenever used in this agreement", shall be held to mean members or citizens of the Choctaw or Chickasaw tribe of Indians in Indian Territory, not including freedmen."

The Commissioner to the Five Civilized Tribes in passing upon this case held that, in view of the above definition, the act of April 26, 1906, as amended, was not intended to apply to the children of freedmen in the Choctaw and Chickasaw Nations, but only to those of the Cherokee and Creek Nations.

There would be some force in the argument that minors, the children of freedmen members of the Choctaw Nation were not included in the act of April 26, 1906, if it were not for the proviso substituted by the amendatory act of June 21, 1906. That proviso was, as the Commissioner said, "in the nature of a construction by Congress of the meaning intended to be conveyed by the section as originally enacted." It says, in so many words, that minors, the children of freedmen members of said tribes (referring

to all of the tribes, which are separately named in the preceding part of section 2, among them the Choctaw and Chickasaw tribes) may be enrolled. This definition settles the doubt that otherwise might have arisen as to the children of freedmen members of said tribes, as well as the children of Mississippi Choctaws. If, therefore, the Choctaw freedmen are members of said nation, the right of their children to be enrolled cannot be questioned.

The Choctaw freedmen were adopted by an act of the General Council of the Nation approved May 21, 1883, entitled "An Act to adopt the freedmen of the Choctaw Nation", which provided (Report of Commissioner of Indian Affairs, 1884, p. XLV):

Whereas by the third and fourth articles of the treaty between the United States and the Choctaw and Chickasaw Nations, concluded April 28, 1866, provision was made for the adoption of laws, rules, and regulations necessary to give all persons of African descent resident in said nation at the date of the treaty of Fort Smith, September 13, 1865, and their descendants, formerly held in slavery among said nations, all the rights, privileges, and immunities, including the right of suffrage, of citizens of said nations, except in the annuities, moneys, and public domain claimed by or belonging to said nations respectively; and also to give to such persons who were residents as aforesaid, and their descendants, 40 acres each of the lands of said nations on the same terms as Choctaws and Chickasaws, to be selected on the survey of said lands; until which said freedmen shall be entitled to as much land as they may cultivate for the support of themselves and families; and

Whereas the Choctaw Nation adopted legislation in the form of a memorial to the United States Government in regard to adopting freedmen to be citizens of the Choctaw Nation, which was approved by the principal chief November 2, 1880, setting forth the status of said freedmen and the inability of the Choctaw Nation to prevail upon the Chickasaws to adopt any joint plan for adopting said freedmen, and notifying the United States Government of their willingness to accept said freedmen as citizens of the Choctaw Nation in accordance with the third and fourth articles of the treaty of 1866 as



a basis; and

Whereas a resolution was passed and approved November 5, 1880, authorizing the principal chief to submit the aforesaid proposition of the Choctaw Nation to adopt their freedmen to the United States Government; and

Whereas a resolution was passed and approved November 6, 1880, to provide for the registration of freedmen in the Choctaw Nation, authorizing the principal chief to appoint three competent persons in each district, citizens of the nation, whose duty it shall be to register all freedmen referred to in said third article of the treaty of 1866 who desire to become citizens of the nation in accordance with said treaty, and upon proper notification that the Government of the United States had acted favorably upon the proposition to adopt the freedmen as citizens, to issue his proclamation notifying all such freedmen as desire to become citizens of the Choctaw Nation to appear before said commissioner for identification and registration; and--

Whereas in the Indian appropriation act of Congress May 17, 1882, it is provided that either of said tribes may adopt and provide for the freedom in said tribe in accordance with said third article: Now, therefore,

Be it enacted by the general council of the Choctaw Nation, That all persons of African descent resident in the Choctaw Nation at the date of the treaty of Fort Smith, September 13, 1865, and their descendants, formerly held in slavery by the Choctaws or Chickasaws, are hereby declared to be entitled to, and invested with all the rights, privileges, and immunities, including the right of suffrage, of citizens of the Choctaw Nation, except in the annuities, moneys and the public domain of the nation.

X X X X X  
Sec.3. Be it further enacted, That all said persons are hereby declared to be entitled to forty acres each of the lands of the nation, to be selected and held by them under the same title and upon the same terms as the Choctaws.  
X X X X X

It appears that this act was accepted by the Secretary of the Interior on behalf of the United States as a substantial compliance with the terms of the treaty of 1866, and the moneys authorized to be paid by that treaty upon a compliance therewith were turned over to the Nation.

The Secretary of the Interior -

44.

I am of opinion, therefore, that the <sup>Assistant</sup> Attorney General for the Interior Department was right in his conclusion that minors, the children of Choctaw freedmen living March 4, 1906, are entitled to be enrolled.

This disposes of the several cases submitted. The papers therein are herewith returned.

Respectfully,

Attorney General.

DEPARTMENT OF THE INTERIOR,

I.T.D. 7794-1907/  
L.R.S.  
F.L.C.

WASHINGTON.

J.P.  
L.L.

March 4, 1907.

Commissioner to the Five Civilized Tribes,  
Muskogee, Indian Territory.

Sir:

In answer to Departmental telegram of February 23, 1907, and letter of the same date, you reported in letter of February 27, 1907, after inspection of the partial rolls of the Choctaw and Chickasaw Nation, prepared under the act of June 28, 1898 (30 Stat., 495), and subsequent legislation, the persons whose names have been placed on such partial rolls, in your opinion, contrary to the views expressed in the Attorney-General's opinion of February 19, 1907, in the case of Myrtle Randolph and others, copy of which was transmitted to you with letter of February 23, 1907, and which names you recommend be stricken from the partial rolls, opposite the numbers mentioned by you.

Your list is as follows:

CHOCTAWS BY BLOOD AND INTERMARRIAGE.

Charley S. Vincent, opposite No. 1468, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 221; no appeal. Patents recorded.

John Calvin Gray, opposite No. 1518, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No. 80, and denied by the United States court for the central district of Indian Territory on appeal; no appeal to the Choctaw and Chickasaw Citizenship Court.

Daisy Shelton, Frank, Shelton, Emma Shelton, opposite Nos/ 15951, 15952, 15953, respectively, upon the final roll of citizens by blood of the Choctaw Nation. All denied by Commission in 1896 in case No. 1407; admitted by United States court for southern district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court. Patents for No. 15951 recorded.

John Shelton, opposite No. 1495, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 1407; admitted by United States court for southern district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court.

Jacob D. Sumpter, opposite No. 1469, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 1073; no appeal. Patents recorded.

Jehn Sumpter, Amanda Isabella Sumpter, Jim Andy Sumpter, and Scott Tayler Sumpter, opposite Nos. 15645, 15646, 15647, and

15646, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 1073; no appeal. Patents for no. 15646 recorded; homestead patent for No. 15647 recorded.

Dixon D. Sumpter, opposite No. 15649, upon the final roll of citizens by blood of the Choctaw Nation. Son of Nancy Sumpter, deceased, who was denied by Commission in 1896 in case No. 1073, and no appeal. Born in 1897.

Mattie S. Mitchell, opposite No. 1519, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 1299; no appeal.

Georgia Hyden, opposite No. 1601, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 1344; admitted by United States court for the central district of Indian Territory; denied by the Choctaw and Chickasaw Citizenship Court: Decision of Commissioner of October 1, 1906, granting enrollment affirmed by department November 17, 1906 (I.T.D.22524-1906).

Eva Marguerite Hyden, opposite No. 16102, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 1344; admitted by United States court for central district of Indian Territory; denied by Choctaw and Chickasaw Citizenship Court. Application for enrollment granted by

Commissioner October 1, 1906; affirmed by Department November 17, 1906 (I.T.D.22524-1906).

J. W. Kirk, opposite No. 1399, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 948; appeal to United States district court dismissed.

Sarah Kirk and Gabriella Kirk, opposite Nos. 15393 and 15394, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 948; appeal to United States district court dismissed. Patents recorded.

William J. Crowder, Abigail Crowder, Maggie Crowder, Rosa Crowder, William H. Crowder, and John F. Crowder, opposite Nos. 15899, 15900, 15901, 15902, 15903, and 15904, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Denied by the Commission in 1896 in case No. 780; no appeal. Patents for No. 15899 recorded.

Winnie Gertrude Crowder, born June 6, 1901, opposite No. 15905, upon the final roll of citizens by blood of the Choctaw Nation. Daughter of William J. Crowder, who was denied by Commission in 1896 in case No. 780; no appeal.

Josephine Crowder, opposite No. 1523, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 763; no appeal. Wife of William J. Crowder opposite No. 15399.

George W. Crowder, Louisa Crowder, Joe Crowder and Belzeri Crowder, opposite Nos. 15906, 15907, 15908 and 15909, respectively upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 712; no appeal. Patents for Nos. 15906, 15907 and 15908 recorded.

Willie Crowder, born October 16, 1898, opposite No. 15910, upon the final roll of citizens by blood of the Choctaw Nation. Son of George W. Crowder, who was denied by Commission in 1896 in case No. 712; no appeal. Patents recorded.

Parlee C. Crowder, opposite No. 1524; upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 699; no appeal.

Van Crowder, opposite No. 15911, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 749; no appeal. Patents recorded.

Ambrose L. Rice, opposite No. 1400, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 662; no appeal. Patents recorded.

Betsy Wright, Thomas E. Wright, opposite Nos. 15912 and 15913, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 507; no appeal. Patents recorded.

Mary N. Wright and Lenard Dalco Wright (both born since 1896), opposite Nos. 15914 and 15915, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Children of Betsy Wright, who was denied by Commission in 1896 in case No. 507; no appeal. Patents recorded.

Andrew J. Allen, opposite No. 1628, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No. 488; admitted by United States court for central district of Indian Territory; no appeal to the Choctaw and Chickasaw Citizenship Court.

Elizabeth Allen, opposite No. 16103, upon the final roll of citizens by blood of the Choctaw Nation. Admitted by Commission in 1896 in case No. 488; admitted by United States court for central district of Indian Territory; no appeal to the Choctaw and Chickasaw Citizenship Court.

William H. Tucker, opposite No. 1470, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No. 288; admitted by United States



court for central district of Indian Territory; no appeal to the Choctaw and Chickasaw Citizenship Court. Patents recorded.

Arthur Jennings and Clyde Jennings, opposite Nos. 15972 and 15973, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 1048; admitted by United States court for Southern district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court.

William Reichert, opposite No. 1491, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 1117; no appeal. Patents recorded.

Ella Reding, opposite No. 1490, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No. 1243; admitted by United States court for central district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court.

Ardella Kiefer, opposite No. 15916, upon the final roll of citizens by blood of the Choctaw Nation. Admitted by Commission in 1896 in case No. 1243; admitted by United States Court for central district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court.

Angeline White, opposite No. 1403, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Com-

mission in 1896 in case No. 950; no appeal. Enrollment ordered by Department February 3, 1905 (I.T.D. 1130-1905).

David Ritter, opposite No. 16104, upon the final roll of citizens by blood of the Choctaw Nation. Admitted by Commission in 1896 in case No. 488; denied by Commission in 1896 in case No. 1107; admitted by United States Court for central district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court.

Ida Crutchfield, Ima Crutchfield, Louvinia Crutchfield, William Crutchfield and Loutitia Crutchfield, opposite Nos. 16105, 16107, 16108, 16109 and 16110, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Admitted by Commission in 1896 in case No. 488; admitted by United States court for central district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court.

Evereg Crutchfield, opposite No. 16106, upon the final roll of citizens by blood of the Choctaw Nation. Born in 1887, and son of Ida Crutchfield, above mentioned. Was not before the Commission in 1896, and possesses no tribal status.

George W. Crutchfield, opposite No. 16111, upon the final

roll of citizens by blood of the Choctaw Nation. Born since 1896, and child of Ida Crutchfield, opposite No. 16105.

James T. Leard, opposite No. 1626, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 1223; admitted by United States court for the central district of Indian Territory; denied by the Choctaw and Chickasaw Citizenship Court.

Robert L. Rabon, opposite No. 1406, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 1017; no appeal. Patents recorded.

Sarah Merryman, opposite No. 1405, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 345; no appeal.

Nellie F. Beagles, opposite No. 15917, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 11; no appeal. Patents recorded.

August Klugh, opposite No. 290, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 223; no appeal. Patents recorded.

Henry Pebworth, opposite No. 9258, upon the final roll

of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 1376; no appeal. Patents recorded.

Mary M. Bowling, opposite No. 1408, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 1031; no appeal. Patents recorded.

Alice E. James, Maggie M. James, Ellis E. James, Analaurie James and Evalena James, opposite Nos. 15450, 15451, 15452, 15453, and 15454, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 1031; no appeal. Patents for Nos. 15450, 15451, 15453, and 15454 recorded.

Chester C. Atwood, opposite No. 1409, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 1127; no appeal. Patents recorded.

William D. Paxton, opposite No. 1410, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 582; no appeal. Patents recorded.

Charles A. Woodward, opposite No. 662, upon the final

roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No. 522; denied by United States court for central district of Indian Territory; no appeal to the Choctaw and Chickasaw Citizenship Court. Homestead patent recorded.

Frederick R. Robinsen, opposite No. 1531, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No. 675; admitted by United States court for central district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court.

Virginia P. Mitchell, opposite No. 1215, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 389; no appeal. Patents recorded.

Andrew Beal, opposite No. 1473, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 77; no appeal.

Benjamin B. Gunter, opposite No. 1216, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No. 267; denied by United States court for central district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court. Patents recorded.

Calvin Q. Harris, opposite No. 1329, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No. 423; denied by United States court for central district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court. Homestead patent recorded.

Lydia Ann Crowder, opposite No. 1412, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 742; no appeal.

Madell McClure, opposite No. 1414, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 1326; no appeal.

Mary E. Robinson and Mary A. Trice, opposite Nos. 15856 and 15857, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 661; no appeal. Patents for No. 15856 recorded.

Lucy McMurtry, opposite No. 1407, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 1324; no appeal.

Eli W. Crowder, James Crowder, Katie B. Crowder and Pinkie B. Crowder, opposite Nos. 15921, 15922, 15923, and 15924, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 762; no appeal.

John A. Crowder, opposite No. 15925, upon the final roll of citizens by blood of the Choctaw Nation. Born in 1897, and son of Eli W. Crowder, opposite No. 15921. Patents recorded.

Henry Sutherland, opposite No. 668, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 1381; no appeal. Patents recorded.

Robert A. Travis, opposite No. 340, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 438; no appeal.

Mary Moran, opposite No. 1416, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 380; no appeal. Patents recorded.

George W. Roberts, opposite No. 1219, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No. 659; denied by United States court for central district of Indian Territory; no appeal to the Choctaw and Chickasaw Citizenship Court. Patents recorded.

Vincey Lewis, opposite No. 1476, upon the final roll of citizens by intermarriage of the Choctaw nation. Admitted by Commission in 1896 in case No. 1239; admitted by United States court for central district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court. Patents recorded.

Ira L. Smith, opposite No. 1127; upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 790; denied by United States court for central district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court. Patents recorded.

Mattie Freemy, opposite No. 1421, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 468; no appeal. Patents recorded.



Rosa E. Rigney, opposite No. 1478, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No. 708; admitted by United States court for central district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court. Patents recorded.

Jpsiah T. Marshall, opposite No. 1341, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No. 372; denied by United States court for the central district of Indian Territory; appeal to Choctaw and Chickasaw Citizenship Court dismissed on May 4, 1903, on general demurrer, in case No. 3 upon the McAlester docket.

Fannie Shults, opposite No. 1423, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 1067; no appeal. Patents recorded.

Hattie A. Perkins, opposite No. 1027, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 554; no appeal. Patents recorded.

Jehn T. Staten, opposite No. 1428, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 1072; no appeal. Patents recorded.

Ananda Cheate, opposite No. 1559, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 757; no appeal.

Eva Coleman, opposite No. 1586, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 971; no appeal.

William F. Kelly, opposite No. 1480, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No. 1198; admitted by United States court for central district of Indian Territory; no appeal to the Choctaw and Chickasaw Citizenship Court.

Mattie M. Russell, opposite No. 1353, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 1116; no appeal.

Grover Randall, opposite No. 15928, upon the final roll of citizens by blood of the Choctaw Nation. Admitted by Commission in 1896 in case No. 667; admitted by United States court for central district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court.

Agnes James, opposite No. 15961, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 1019; no appeal.

Martha Hyden, opposite No. 1609, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 1344; admitted by United States court for Southern district of Indian Territory; denied by Choctaw and Chickasaw Citizenship Court.

Wiley Adams, opposite No. 15027, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 1128; no appeal.

Mary A. Foster, opposite No. 988, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 437; no appeal.

Jeannetta H. Buckholts, opposite No. 1537, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 943; no appeal.

Selden T. Lindsey, opposite No. 1180, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No. 25; denied by United States court for central district of Indian Territory; no appeal to Chec-

taw and Chickasaw Citizenship Court. Patents recorded.

Henry A. Cummings, opposite No. 1464, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No. 963; admitted by United States court for central district of Indian Territory; no appeal to the Choctaw and Chickasaw Citizenship Court. Ordered enrolled by Department April 1, 1908 (I. T. D. 3131-1908). Patents recorded.

Allen Beagles, opposite No. 1486, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 11; no appeal. Patents recorded.

William Newton Gann, opposite No. 1489, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No. 1010; admitted by United States court for central district of Indian Territory; no appeal to the Choctaw and Chickasaw Citizenship Court.

John W. Carter, opposite No. 1543; upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 982; no appeal.

Julia Omo, opposite No. 1550, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 1407; admitted by United States court for Southern district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court.

Robert C. McLenden, opposite No. 16032, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 1329; no appeal. Directed to be enrolled by Department April 5, 1906 (I. T. D. 5932-1906).

Martha J. McShay, opposite No. 1614, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 1288; no appeal. Decision of Commissioner of June 5, 1906, granting application affirmed by Department October 30, 1906 (I. T. D. 21238-1906).

Mattie L. Armstrong, Layton B. Armstrong and Bonnie D. Armstrong, opposite Nos. 16054, 16055 and 16056, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in cases No. 477 and 478; admitted by United States Court for Southern district of Indian Territory; denied by Choctaw and Chickasaw Citizenship Court. Decision of Commissioner of July 9, 1906, granting application affirmed by Department August 11, 1896 (I. T. D. 13700-1906).

Rebecca K. Armstrong, opposite No. 16057, upon the final roll of citizens by blood of the Choctaw Nation. Born in 1898 and child of Mattie L. Armstrong, opposite No. 16054.

Thomas J. Howard, Horace Howard, Lennie Howard, Emery Howard and Elmer Howard, opposite Nos. 16033, 16034, 16035, 16036

and 16037, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 1354; no appeal. Directed to be enrolled by Department April 6, 1906 (I. T. D. 5364-1904).

Bettie Perney Howard and Dora Lee Howard, opposite Nos. 16038 and 16039, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Born in 1897 and 1899, respectively, children of Thomas J. Howard, opposite No. 16033.

Carrie Howard, opposite No. 1578, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 1354; no appeal. Wife of Thomas J. Howard, opposite No. 16033.

Gertrude Beaver, Clarence Beaver, Nellie Beaver and Myrtle Beaver, opposite Nos. 16040, 16041, 16042 and 16043, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Nos. 16040 and 16041 denied by Commission in 1896 in case No. 1354; no appeal. Nos. 16042 and 16043 born in 1896 and 1900, respectively, and children of Gertrude Beaver, opposite No. 16040. Ordered enrolled by Department April 6, 1906 (I. T. D. 5364-1904).

Darrell F. McLendon, Jehn B. McLendon, Thomas McLendon, Ida M. McLendon, Ralph McLendon, Harry McLendon and Fannie McLendon,

opposite Nos. 16025, 16026, 16027, 16028, 16029, 16030 and 16031, respectively, upon the final roll of citizens by Meed of the Choctaw Nation. All but Nos. 16030 and 16031 denied by Commission in 1896 in case No. 1271; no appeal. Nos. 16030 and 16031 born in 1896 and 1898, respectively, and children of No. 16025. Directed to be enrolled by Department April 6, 1906 (I. T. D. 6372-1904).

Corneal McLendon, opposite No. 1577, upon the final roll of citizens by intermarriage of the Choctaw nation. Denied by Commission in 1896 in case No. 1271; no appeal. Wife of Burrell F. McLendon, opposite No. 16025.

George A. Bungarner, opposite No. 16112, upon the final roll of citizens by blood of the Choctaw nation. Denied by Commission in 1896 in case No. 620; no appeal.

James S. Long, Joseph Long, Forbis Long, opposite Nos. 16003, 16004 and 16005, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Placed on 1896 Choctaw Census Roll by Choctaw Revisory Board without authority of law, as in William C. Thompson case. Ordered enrolled by Department January 19, 1906 (I. T. D. 3192-1905).

Columbus B. Autry, Lenora Green and Teddy Green, opposite Nos. 16048, 16049 and 16050, respectively. Nos. 16048 and 16049 placed on 1896 Choctaw Census Roll by Choctaw Revisory Board without authority of law as in William C. Thompson case. No. 16050 born

February 14, 1901; son of 16049. Record transmitted to Department  
December 21, 1906, for consideration in case of Mesakiah Enoch Autry.

CHOCTAW MINORS, ACT OF CONGRESS APPROVED

APRIL 26, 1906 (34 Stats., 137).

Nettie Myrl Crowder, opposite No. 674, child of George  
W. Crowder, opposite No. 15906, upon the final roll of citizens by  
blood of the Choctaw Nation, and Parlee G. Crowder, opposite No.  
1524 upon the final roll of citizens by intermarriage of the Choctaw  
Nation.

Rufus Clay Crowder, opposite No. 4, child of William J.  
Crowder, opposite No. 15899, upon the final roll of citizens by  
blood of the Choctaw Nation, and Josephine Crowder, opposite No.  
1523, upon the final roll of citizens by intermarriage of the Choctaw  
Nation.

Fannie Jane Wright, opposite No. 253, child of J. W.  
Wright, non-citizen, and Betsy Wright, opposite No. 15912, upon the  
final roll of citizens by blood of the Choctaw Nation.

Lee Green, opposite No. 685, child of W. F. Green, non-  
citizen, and Lenora Green, opposite No. 16049, upon the final roll  
of citizens by blood of the Choctaw Nation.



Ruth McLendon, opposite No. 706, child of Robert C. McLendon, opposite No. 16032, upon the final roll of citizens by blood of the Choctaw Nation, and Ennis McLendon, a non-citizen.

Ray D. McLendon, opposite No. 266, child of Burrell F. McLendon, opposite No. 16025, upon the final roll of citizens by blood of the Choctaw Nation, and Ceyneal McLendon, opposite No. 1577, upon the final roll of citizens by intermarriage of the Choctaw nation.

Jennie Louise Braudrick, opposite No. 724, child of Mary A. Trice, opposite No. 15857, upon the final roll of citizens by blood of the Choctaw Nation, and William M. Braudrick, non-citizen.

Hazel Calvin Beaver, Gland Dawson Beaver, and Herbert Howard Beaver, opposite No. 457, 458 and 459, respectively, children of Gertrude Beaver, opposite No. 16049 upon the final roll of citizens by blood of the Choctaw Nation, and Calvin Beaver, a non-citizen.

Effie Barnett, opposite No. 367, child of Amanda Isabella Sumpter, opposite No. 15645, upon the final roll of citizens by blood of the Choctaw Nation, and A. F. Barnett, a non-citizen.

Odia A. Kiefer and Margna Kiefer, opposite Nos. 790 and 791, respectively, children of Ardella Kiefer, opposite No. 15915, upon the final roll of citizens by blood of the Choctaw nation, and Charles Kiefer, a non-citizen.

Josephine Laflere Long, Francis Long and Jake Laflere Long, opposite Nos. 921, 889 and 922, respectively, children of Berbis Long, opposite No. 15008, upon the final roll of citizens by blood of the Choctaw nation, and Lummie Long, a non-citizen.

#### CHICKASAWS BY BLOOD AND INTERMARRIAGE.

Gustavus A. Ramsey, opposite No. 514, upon the final roll of citizens by intermarriage of the Chickasaw nation. Admitted by Commission in 1896 in case No. 123; denied by United States court for Southern district of Indian Territory; no appeal to the Choctaw and Chickasaw Citizenship Court. Patents recorded.

Sallie J. Margis, opposite No. 626, upon the final roll of citizens by intermarriage of the Chickasaw nation; denied by Commission in 1896 in case No. 281; no appeal.

John H. Goldsby, Linniel H. Goldsby and Bessie Goldsby,

opposite No. 4984, 4985 and 4986, respectively, upon the final roll of citizens by blood of the Chickasaw Nation. All admitted by Commission in 1896 in case No. 254; admitted by United States Court for Southern District of Indian Territory; no appeal to the Chectaw and Chickasaw Citizenship Court. Decision of Commission of May 23, 1905, granting application affirmed by Department October 6, 1905 (I. T. D. 8148-1905).

Murray Milton Goldsby, opposite No. 4987, upon the final roll of citizens by blood of the Chickasaw Nation. Born in 1898, and son of John E. Goldsby, opposite No. 4984.

Joe Perry and Dillard Perry, opposite Nos. 5013 and 5014, respectively, upon the final roll of citizens by blood of the Chickasaw Nation. Denied by Commission in 1896 in case No. 116; no appeal. Ordered enrolled as citizens by blood of the Chickasaw Nation by Department on October 10, 1906 (I. T. D. 18962-1906). The names of these persons formerly appeared opposite Nos. 267 and 268 upon the roll of Chickasaw freedmen, approved by the Secretary of the Interior December 12, 1902; and in the event their names are stricken from the approved roll of citizens by blood of the Chickasaw Nation, their names should be re-instated upon the Chickasaw freedmen roll.

Benjamin J. Vaughan, opposite No. 605, upon the final roll of citizens by intermarriage of the Chickasaw Nation. Admitted by Commission in 1896 in case No. 92; admitted by United States court for Southern district of Indian Territory; no appeal to the Choctaw and Chickasaw Citizenship Court. Patents recorded.

Edward A. Vaughan, Grever Cleveland Vaughan and Oscar S. Vaughan, opposite Nos. 4969, 4970 and 4971, respectively, upon the final roll of citizens by blood of the Chickasaw Nation. Admitted by Commission in 1896 in case No. 92; affirmed by United States court; no appeal to Choctaw and Chickasaw Citizenship Court. Patents recorded.

William T. Lancaster, opposite No. 612; upon the final roll of citizens by intermarriage of the Chickasaw Nation. Admitted by Commission in 1896 in case No. 202; appealed to United States Court and affirmed; no appeal to Choctaw and Chickasaw Citizenship Court; Patents recorded.

John W. Archerd, opposite No. 622, upon the final roll of citizens by intermarriage of the Chickasaw Nation. Admitted by Commission in 1896 in case No. 178; appealed to United States court for Southern district of Indian Territory and affirmed; no appeal to Choctaw and Chickasaw Citizenship Court.

James W. Ragland, opposite No. 631, upon the final roll of citizens by intermarriage of the Chickasaw Nation. Denied by Commission in 1896 in case No. 55; appealed to United States court for southern district of Indian Territory, and appeal dismissed. Action of the Commissioner of October 25, 1905, enrolling applicant affirmed by the Department January 9, 1906 (I. T. D. 17408-1905).

Thomas St. John, opposite No. 696, upon the final roll of citizens by intermarriage of the Chickasaw Nation. Denied by Commission in 1896 in Choctaw Case No. 1059; no appeal. Patents recorded.

John Quincy Adams, opposite No. 621, upon the final roll of citizens by intermarriage of the Chickasaw Nation. Admitted by Commission in 1896 in case No. 2; denied by United States court for southern district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court.

Mary A. Shanks, opposite No. 629, upon the final roll of citizens by intermarriage of the Chickasaw Nation. Denied by Commission in 1896 in case No. 219; admitted by United States court for Southern district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court.

Clay McCoy, opposite No. 606, upon the final roll of citizens by intermarriage of the Chickasaw Nation. Admitted by Commission in 1896 in case No. 141; admitted by United States court for Southern district of Indian Territory; no appeal to the Choctaw and Chickasaw Citizenship Court. Directed to be enrolled by Department April 1, 1905 (I. T. D. 3126-1905).

The Indian Office, to which was referred your letter of the 27th ultimo for report, concurs in letter of March 2, 1907, in your recommendation that such names be stricken from the rolls.

The Department is compelled to rely upon your investigation as the act of April 26, 1906 (34 Stat., 137), provides in section 2 that the rolls of the Choctaw and Chickasaw nations shall be completed on or before the 4th day of March, 1907, and that the Secretary of the Interior shall have no jurisdiction to approve the enrollment of any person after such date. Assuming, therefore, that your information is correct, the names of the persons mentioned, not heretofore stricken from the partial rolls, are stricken from such rolls this day notwithstanding any decision that may have been made by the Department in favor of such persons.

As recommended by you, the names of Joe and Dillard Perry have been reinstated upon the Chickasaw freedman roll, opposite Nos. 267 and 268.

The Department concurs in your views relative to the following persons:

Mina Mitchell and Allen Yates Mitchell, opposite Nos. 15655 and 15656, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 1299; no appeal. Patents recorded.

David E. Strickland and Mertie P. Strickland, opposite Nos. 15919 and 15920, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 941; no appeal.

Hettie P. McMurtry and Martha E. McMurtry, opposite Nos. 15448 and 15449, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 1324; no appeal. Homestead patents recorded.

Rufus Satterfield, opposite No. 15930, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 1062- no appeal.

Charles William Thompson, opposite No. 4968, on the final roll of citizens by blood of the Chickasaw Nation. Admitted by Commission in 1896 in case No. 182; admitted by United States court

for southern district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court.

You state that such persons are minor children of duly enrolled citizens by blood of the Choctaw and Chickasaw Nation, and that the names of one parent of each of these children appears upon the final roll of citizens by blood of the Choctaw or Chickasaw Nation approved by the Department prior to March 3, 1905, and that while under the opinion of the Attorney-General of February 19, 1907, it would appear that these children are not entitled to enrollment as citizens by blood of the Choctaw or Chickasaw Nation under the acts of June 28, 1898 (30 Stat., 495), and July 1, 1902 (32 Stat., 641), you believe that such children can be enrolled under a provision of the act of March 3, 1905 (33 Stat., 1060), which is as follows:

"That the Commission to the Five Civilized Tribes is hereby authorized for sixty days after the date of the approval of this Act to receive and consider applications for enrollment of infant children born prior to September twenty-fifth, nineteen hundred and two, and who were living on said date, to citizens by blood of the Choctaw and Chickasaw tribes of Indians whose enrollment has been approved by the Secretary of the Interior prior to the date of the approval of this Act, and to enroll and make allotments to such children."

In this <sup>the</sup> Department concurs, and as you suggest, the



-31-

names of these children will be permitted to stand as they are at present on the rolls of citizens by blood of these two nations.

If by inadvertence the name of anyone has been left on any partial roll after decision adverse to him was made by the Department prior to March 5, 1907, and since the opinion of the Attorney-General referred to, the name of such person will be stricken from the roll as of this date.

A copy of Indian Office letter of March 2, 1907, is inclosed.

Respectfully,

E. A. Hitchcock,

Secretary.

1 inclosure.

DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
WASHINGTON.

March 2, 1907.

C O P Y

The Honorable,

The Secretary of the Interior.

Sir:

Acknowledgement is hereby made of the receipt of Departmental letter of this date, (I.T.D. 6902-1907), enclosing for report copy of letter of February 27, 1907 from the Commissioner to the Five Civilized Tribes, relative to the names of persons who have heretofore been placed on the final rolls of citizens by blood of the Choctaw and Chickasaw nations, who are affected by the opinion of the Attorney General of the United States of February 19, 1907 .

Commissioner Bixby sets out in his letter the names of all the persons now appearing on the rolls who are deemed by him to be without right to enrollment under the opinion of the Attorney General mentioned. In some of these cases patents have been executed and recorded, and in others no patents have been issued.

The Office is of the opinion that the list prepared by the Commissioner contains the names of persons who in the light of the opinion of the Attorney General are not entitled to enrollment, and it is therefore recommended that the action

-2-

of the Commissioner in striking the names of these persons from the roll be approved, and that their names also be stricken from the copies of therolls in the possession of the Department and of this Office.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

EDH-LC..

Muskegee, Indian Territory, June 29, 1907.

Henry Sutherland,

Ardmore, Indian Territory.

Dear Sir:

You are hereby advised that your letter of April 22nd, 1907, addressed to this office relative to the striking of your name from the final roll of citizens by intermarriage of the Choctaw Nation, has been referred to the Department of the Interior for consideration.

Respectfully,

Commissioner.

Muskegee, Indian Territory, June 29, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

On April 23, 1907, this office received a communication from Henry Sutherland of Ardmore, Indian Territory, relative to his right to enrollment as a citizen by intermarriage of the Choctaw Nation. Mr. Sutherland's name appeared upon the approved roll of citizens by intermarriage of the Choctaw Nation opposite number 668, such enrollment having been approved by the Secretary of the Interior on March 26, 1904.

On February 27, 1907, in reply to Departmental telegram of February 23, 1907, and letter from the Department of the same date, (I. T. D. 4564-1907), directing me to inspect the partial rolls of the citizens of the Choctaw and Chickasaw Nations to determine what persons had been enrolled thereon contrary to the views expressed by the attorney general in his opinion of February 19, 1907, and whose names should be stricken therefrom, and also directing me to furnish the Department with a list of such names and their roll numbers and such information as would permit of its being readily determined whether such names should be stricken from the roll, I submitted a report to the Department, on page 15 of which appears the following notation:

(2)

"Henry Sutherland opposite number 668 upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 1381. No appeal. Patents recorded."

Mr. Sutherland in his letter states that he has learned with surprise that his name has been cancelled from the Choctaw roll on account of his failure to take an appeal in 1896; that his ineligibility was due then to his not having married his Choctaw wife in accordance with the tribal laws, but that subsequent to his rejection in 1896 he remarried the same woman in accordance with the laws, customs and usages of the Choctaw Nation. Said letter is herewith transmitted for the consideration of the Department.

From an examination of the records in the enrollment case of Henry Sutherland it appears that he was an applicant before the Commission under the Act of Congress approved June 10, 1896 (29 Stat. L., 321), in the case entitled "Henry Sutherland versus the Choctaw Nation", 1896 Choctaw citizenship docket, case No. 1381, for admission to citizenship in the Choctaw Nation claiming his right thereto by virtue of his marriage to Lena D. Bilbo, and that on December 8, 1896, the said Henry Sutherland was by said Commission denied the right to citizenship in the Choctaw Nation, from which decision no appeal was taken.

It further appears that on the 11th day of September, 1899, he was remarried to the said Lena D. Bilbo under a license procured

(3)

from the county clerk of Boktuko county, Choctaw Nation, and that he continued to live with his said wife from the time of their first marriage which was sometime prior to 1896, up to and including September 25, 1902.

Departmental telegram of February 23, 1907, upon which the report of this office of February 27, 1907, was made, is as follows:

"Washington, D.C., Feb. 23rd, 1907.

Bixby,

Commissioner, Muskogee, I. T.

You are directed to inspect the partial rolls of citizens of the Choctaw and Chickasaw Nations to determine what persons have been enrolled thereon contrary to the views expressed by the attorney general in opinion of February 19 copy sent you this day and whose names should be stricken therefrom. You will furnish the Department a list of such names with roll numbers and give such information that it may readily determine whether such names should be stricken from the rolls. This information should reach the Department before March first. Take like action relative to the rolls of Cherokee and Creek Nations. It was held in such opinion among other things that the decision of the Commission under Act of 1896 not appealed from were final and that the decisions of the Choctaw and Chickasaw citizenship court were final whether claimants names was on tribal rolls or not. Decisions of the Department based upon opinions of the assistant general in favor of claimants in the cases of Loula West et al, William C. Thompson et al, and Richard B. Coleman et al, are rescinded in letter to you of this day. The decision of the Department in the Ethel Pierson case minor child of a Choctaw freedman is sustained in the opinion of the attorney general.

E. A. Hitchcock, Secretary."

The letter of the Department of February 23, 1907, transmitting a copy of the opinion of the attorney general was not received by this office until February 25th. Report was submitted on February 27th in order that it might reach the Department, in accordance with instructions, not later than March first, last.

Owing to the limited time at the disposal of this office in the preparation of said report, it was not possible to enter into detail in the discussion of these cases, and as Mr. Sutherland in his letter of April 22 objects to the construction placed upon the opinion of the attorney general by this office, it is deemed advisable to furnish the Department with a full report in the matter in order that the position taken by this office may be clearly understood.

In this same connection there are certain other cases included in the report of this office of February 27 which have an analagous status to that of Henry Sutherland. They are as follows:

✓ August Klugh	Chootaw by intermarriage	No.	290
✓ Charles A. Woodward	"		662
✓ Virginia P. Mitchell	"		1215
✓ Benjamin B. Gunter	"		1216
✓ Calvin Q. Harris	"	"	1329
✓ Robert A. Travis	"		340
✓ George W. Roberts	"		1219
✓ Ira L. Smith	"		1127
✓ Josiah T. Marshal	"		1341
✓ Hattie A. Perkins	"		1027
✓ Amanda Choate	"		1559
✓ Mattie M. Russell	"		1353
✓ Selden T. Lindsey	"		1150
✓ Gustavus A. Ramsey	Chickasaw by intermarriage		514

All of the persons above named were applicants before the Commission for admission to citizenship by intermarriage in the Chootaw or Chickasaw Nation under the provisions of the Act of Congress of June 10, 1896, were denied either by the Commission or upon appeal to the United States Court, married again in accordance



(5)

with tribal law, and their names were stricken from the final rolls of the Choctaw and Chickasaw Nations by order of the Department of March 4, 1907 (I T D 7794-1907).

Respectfully,

Commissioner.

Through the Commissioner  
of Indian Affairs.

306-1907

7-3665

Muskogee, Indian Territory, August 6, 1907.

Honorable D. H. Johnston,  
Governor of the Chickasaw Nation,  
Emmett, Indian Territory.

Dear Sir:

On March 4, 1907, in accordance with an opinion of the Attorney General of the United States of February 19, 1907, the Secretary of the Interior directed the cancellation of the enrollment of Henry Sutherland as a citizen by intermarriage of the Choctaw Nation for the reason that he was denied citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes in 1896, and no appeal was taken from said decision to the United States Court in Indian Territory.

April 23, 1907, this office was in receipt of a communication from Henry Sutherland of Ardmore, Indian Territory, in which he alleges that subsequent to the date of his denial by the Commission in 1896 he remarried his Choctaw wife in accordance with the laws, customs and usages of the Choctaw Nation. This letter was on June 29, 1907, transmitted to the Secretary of the Interior with the report that thirteen other Choctaws by marriage and one Chickasaw by marriage had been cancelled from the rolls

D. H. J. #2.

all of whom had remarried in accordance with the tribal laws subsequent to the action rejecting their applications under the Act of Congress approved June 10, 1896.

It appears that Charles A. Woodward, one of the persons above referred to, has brought suit to compel the Secretary of the Interior to restore his name to the rolls and this office is requested to report fully as to whether or not these persons names were rightfully placed on the roll and as to whether special legislation should be recommended to Congress to have their names replaced thereon.

In the case of Henry Sutherland it appears that he was married to his Choctaw wife, Lena Sutherland, at Canton, Mississippi, in the year 1884; that his wife was admitted by an Act of council approved April 8, 1891, and that the name of Henry Sutherland was not included in said Act.

September 9, 1896 (in 1896 Choctaw Citizenship Case, No. 1381), Henry Sutherland made original application to the Commission to the Five Civilized Tribes under the Act of Congress approved June 10, 1896, for admission to citizenship in the Choctaw Nation by reason of his marriage with Lena Sutherland, formerly Bilbo, and on December 8, 1896, this application was denied by said Commission. No appeal was taken to the United States Court in Indian Territory within the time provided by the Act of Congress approved June 10, 1896.

D. H. J. #3.

Subsequently on September 11, 1899, Henry Sutherland remarried his Choctaw wife, Lena Sutherland, formerly Bilbo, under a license issued by the County Clerk of Boktuklo county, Choctaw Nation, the license setting up that one hundred dollars had been paid therefor.

Each of the thirteen Choctaw cases and the one Chickasaw case above mentioned present the same facts except that in some cases the applicants were denied by the United States Court on appeal from the decision of the Commission to the Five Civilized Tribes, and subsequent to the judgment of said court were remarried to the Choctaw spouse. The wives and children of the persons above referred to whose names have been cancelled by the Department remain upon the roll, and I am of the opinion that their subsequent marriage to the same Choctaw spouse, after their denial by the Commission or Court, for the purpose of acquiring property rights in the Choctaw and Chickasaw Nations would not warrant the enactment of legislation for the purpose of restoring their names to the Choctaw and Chickasaw rolls. Before reporting to the Department, however, I would be glad to have an expression of opinion from you relative to these persons and the propriety of recommending additional legislation for the purpose of replacing their names upon the rolls.

D. H. J. #4.

I have also addressed a letter to the Principal Chief of the Choctaw Nation upon this subject and have requested an opinion from him relative thereto.

Respectfully,

Commissioner.

366-1907  
7-3665.

Muskogee, Indian Territory, August 6, 1907.

Honorable Green McCurtain,  
Principal Chief of the Choctaw Nation,  
Kinta, Indian Territory.

Dear Sir:

On March 4, 1907, in accordance with an opinion of the Attorney General of the United States of February 19, 1907, the Secretary of the Interior directed the cancellation of the enrollment of Henry Sutherland as a citizen by intermarriage of the Choctaw Nation for the reason that he was denied citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes in 1896, and no appeal was taken from said decision to the United States Court in Indian Territory.

April 23, 1907, this office was in receipt of a communication from Henry Sutherland of Ardmore, Indian Territory, in which he alleges that subsequent to the date of his denial by the Commission in 1896 he remarried his Choctaw wife in accordance with the laws, customs and usages of the Choctaw Nation. This letter was on June 29, 1907, transmitted to the Secretary of the Interior with the report that thirteen other Choctaws by marriage and one Chickasaw by marriage had been cancelled from the rolls

G. McC. #2.

all of whom had remarried in accordance with the tribal laws subsequent to the action rejecting their applications under the Act of Congress approved June 10, 1896.

It appears that Charles A. Woodward, one of the persons above referred to, has brought suit to compel the Secretary of the Interior to restore his name to the rolls and this office is requested to report fully as to whether or not these persons names were rightfully placed on the roll and as to whether special legislation should be recommended to Congress to have their names replaced thereon.

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September 9, 1896 (in 1896 Choctaw Citizenship Case, No. 1381), Henry Sutherland made original application to the Commission to the Five Civilized Tribes under the Act of Congress approved June 10, 1896, for admission to citizenship in the Choctaw Nation by reason of his marriage with Lena D. Sutherland, formerly, Bilbo, and on December 8, 1896, this application was denied by said Commission. No appeal was taken to the United States Court in Indian Territory within the time provided by the Act of Congress approved June 10, 1896.

G. McC. #3.

Subsequently on September 11, 1899, Henry Sutherland remarried his Choctaw wife, Lena Sutherland, formerly Bilbo, under a license issued by the County Clerk of Boktuklo county, Choctaw Nation, the license setting up that one hundred dollars had been paid therefor:

Each of the thirteen Choctaw cases and the one Chickasaw case above mentioned present the same facts except that in some cases the applicants were denied by the United States Court on appeal from the decision of the Commission to the Five Civilized Tribes, and subsequent to the judgment of said court were remarried to the Choctaw spouse. The wives and children of the persons above referred to whose names have been cancelled by the Department remain upon the roll, and I am of the opinion that their subsequent marriage to the same Choctaw spouse, after their denial by the Commission or Court, for the purpose of acquiring property rights in the Choctaw and Chickasaw Nations would not warrant the enactment of legislation for the purpose of restoring their names to the Choctaw and Chickasaw rolls. Before reporting to the Department, however, I would be glad to have an expression of opinion from you relative to the rights of these persons and the propriety of recommending additional legislation for the purpose of replacing their names upon the rolls.



G. McC. #4.

I have also addressed a letter to the Governor of the Chickasaw Nation upon this subject and have requested an opinion from him relative thereto.

Respectfully,

Commissioner.

7-3665.

Muskogee, Indian Territory, November 1, 1907.

Honorable D. H. Johnston,  
Governor of the Chickasaw Nation,  
Ematt, Indian Territory.

Sir:

On August 6, 1907, this office requested an expression of opinion from you relative to the propriety of recommending the enactment of additional legislation by Congress, for the purpose of restoring the names of Henry Sutherland and certain other citizens by marriage, whose names have been stricken from the final roll of the Choctaw Nation.

It does not appear that you have made any reply to the above communication, and this matter is again called to your attention with the request that you address a communication, relative thereto, to this office at an early date for consideration in connection with the report and recommendation to be made to the Secretary of the Interior by this office.

Respectfully,

(LGG).

Commissioner.

C O P Y

DEPARTMENT OF THE INTERIOR,  
WASHINGTON.

Address only  
The Secretary of the Interior.

G W W

January 19, 1909.

The Commissioner to the  
Five Civilized Tribes,  
Muskogee, Oklahoma.

Sir:

November 30, 1908, the Supreme Court rendered decisions in what are known as the Goldsby and Allison cases. These suits were brought to obtain mandates against the Secretary of the Interior to correct the rolls as to said Goldsby and Allisons, on the ground that the Secretary of the Interior after placing their names upon approved rolls of citizenship had attempted to strike them from these rolls without notice and an opportunity to be heard. The decisions of the Supreme Court is that mandate shall issue in these cases.

There are many suits of a similar nature pending against the Secretary of the Interior, and after careful conferences between this Department and the Department of Justice it was decided that judgment should be allowed in all pending mandamus actions in which the relators stand clearly in the same position as Goldsby and the Allisons. Pursuant to these conferences and to the judgments which may be entered on account of the above decisions of the Supreme Court, you are hereby directed to erase the interlineations

and notations which purport to strike any of the following names from the rolls of citizens of the respective nations of the Five Civilized Tribes:

PERSONS WHO HAD PRIOR TO THE GOLDSBY DECISION INSTITUTED SUITS,  
THE PRINCIPLES OF WHICH ARE UNDOUBTEDLY SIMILAR TO THE  
OPINION OF THE SUPREME COURT IN THAT DECISION.

Chickasaws by Blood.

<u>Roll No.</u>	<u>Name.</u>	<u>Suit No.</u>	<u>Court.</u>
4984	Goldsby, John H.	248	U.S.S.C.
4985	Goldsby, Linnial R.	50033	S.C.D.C.
4986	Goldsby, Bessie	50033	S.C.D.C.
4987	Goldsby, Murray M.	50033	S.C.D.C.
4969	Vaughan, Edward A.	372	U.S.S.C.
4970	Vaughan, Grover C.	371	U.S.S.C.
4971	Vaughan, Oscar S.	371	U.S.S.C.

Chickasaws by Intermarriage

621	Adams, John Quincy	50033	S.C.D.C.
621	Lanoster, William T.	50033	S.C.D.C.
606	McCoy, Clay	49358	S.C.D.C.
651	Ragland, James W.	51025	S.C.D.C.
596	St. John, Thomas	50353	S.C.D.C.
605	Vaughan, Benjamin F.	373	U.S.S.C.

<u>Roll No.</u>	<u>Name.</u>	<u>Suit No.</u>	<u>Court.</u>
15027	Adams, Wiley	50033	S.C.D.C.
16048	Autrey, Columbus S.	49722	S.C.D.C.
16040	Beaver, Gertrude	50033	S.C.D.C.
16041	Beaver, Clarence	50033	S.C.D.C.
16042	Beaver, Nellie	50033	S.C.D.C.
16043	Beaver, Myrtle	50033	S.C.D.C.
15917	Beagles, Nellie Y.	50033	S.C.D.C.
15911	Crowder, Van	50033	S.C.D.C.
15910	Crowder, Willie	50033	S.C.D.C.
15909	Crowder, Belsuel	50033	S.C.D.C.
15908	Crowder, Joe	50033	S.C.D.C.
15907	Crowder, Louisa	50033	S.C.D.C.
15906	Crowder, George W.	50033	S.C.D.C.
16050	Green, Teddy	49724	S.C.D.C.
16049	Green, Lenora	49724	S.C.D.C.
16033	Howard, Thomas J.	50033	S.C.D.C.
16034	Howard, Horace	50033	S.C.D.C.
16035	Howard, Lennie	50033	S.C.D.C.
16036	Howard, Emory	50033	S.C.D.C.
16037	Howard, Elmer	50033	S.C.D.C.
16038	Howard, Bettie Pernay	50033	S.C.D.C.
16039	Howard, Dora Lee	50033	S.C.D.C.
15451	James, (Or Richardson) Maggie M.	50033	S.C.D.C.

<u>Roll No.</u>	<u>Name.</u>	<u>Suit No.</u>	<u>Court.</u>
15452	James, Ellis E.	50053	S.C.D.C.
15453	James, Analeurie	50053	S.C.D.C.
15454	James, Evalina	50053	S.C.D.C.
15961	James, Agnes	50053	S.C.D.C.
15394	Kirk, Gabriella	50355	S.C.D.C.
15393	Kirk, Sarah	50355	S.C.D.C.
15953	Shelton, Emma	51240	S.C.D.C.
15952	Shelton, Frank	51240	S.C.D.C.
15645	Sumpter, John	50053	S.C.D.C.
15646	Sumpter, Amanda Isabella	50053	S.C.D.C.
15647	Sumpter, Jim Andy	50053 51240	S.C.D.C.
15648	Sumpter, Scott Taylor	50053 51240	S.C.D.C.
15649	Sumpter, Daman D.	51240	S.C.D.C.
15912	Wright, Betay	50053	S.C.D.C.
15913	Wright, Thomas K.	50053	S.C.D.C.
15914	Wright, Mary M.	50053	S.C.D.C.
15915	Wright, Lenard D.	50053	S.C.D.C.
<u>Children by Marriage.</u>			
1628	Allen, Andrew J.	50053	S.C.D.C.
1409	Atwood, Chester C.	50053	S.C.D.C.
1473	Beal, Andrew	50047	S.C.D.C.
1408	Bowling, Mary M.	51046 50053	S.C.D.C.

Handwritten text in a vertical column, possibly a list or index, with some characters appearing to be in a non-Latin script. The text is arranged in approximately 15 rows, with varying lengths and some characters that resemble numbers or specific symbols. The overall appearance is that of a handwritten record or a list of items.

**MEMORANDUM FOR THE RECORD**

DATE	DESCRIPTION	AMOUNT	BALANCE
1950	Initial deposit	100.00	100.00
1951	Withdrawal	25.00	75.00
1952	Interest	5.00	80.00
1953	Withdrawal	15.00	65.00
1954	Interest	3.00	68.00
1955	Interest	2.00	70.00

The following is a summary of the account activity for the period from 1950 to 1955. The account was opened on 1/1/50 with an initial deposit of \$100.00. Over the period, there were several withdrawals and interest credits. The balance as of 12/31/55 is \$70.00.

1950: Initial deposit of \$100.00 on 1/1/50. Balance: \$100.00.

1951: Withdrawal of \$25.00 on 3/15/51. Balance: \$75.00.

1952: Interest credit of \$5.00 on 6/30/52. Balance: \$80.00.

1953: Withdrawal of \$15.00 on 9/10/53. Balance: \$65.00.

1954: Interest credit of \$3.00 on 12/31/54. Balance: \$68.00.

1955: Interest credit of \$2.00 on 12/31/55. Balance: \$70.00.

Total Deposits: \$100.00  
 Total Withdrawals: \$40.00  
 Total Interest: \$10.00  
 Ending Balance: \$70.00



The correction of the rolls in these cases does not add names to the rolls, but merely erases from the rolls interlineations and notations which the court says the Secretary of the Interior has no power to place there. For these reasons you are hereby directed to erase the interlineations and notations which purport to strike any of the following names from the rolls of citizens of the respective nations of the Five Civilized Tribes:

PERSONS WHO HAD NOT INSTITUTED SUITS PRIOR TO THE GOLDSBY DECISION BUT WHOSE CASES FALL INDUBITABLY UNDER THE PRINCIPLES OF THAT DECISION.

Chickasaw by Blood.

<u>Roll No.</u>	<u>Name</u>	<u>Roll No.</u>	<u>Name.</u>
5013	Ferry, Joe	5014	Ferry, Dillard

Chickasaw by Marriage.

624	Archard, John W.	629	Shanks, Mary A.
626	Margie, Sallie J.	514	Ramsay, Gustavus A.

Chester by Blood.

16103	Allen, Elizabeth	16110	Grutchfield, Loutitia
16112	Bungarnar, George A.	16106	Grutchfield, Everet
16440	Crowder, John A.	16111	Grutchfield, George W.
16424	Crowder, Pinkie B.	16480	James, Alice E.
16425	Crowder, Katie B.	16972	Jennings, Arthur
16421	Crowder, Eli W.	16973	Jennings, Clyde
16422	Crowder, James	16916	Keifer, Ardella
16426	Crowder, Winnie Gertrude	16003	Lang, James S.
16424	Crowder, John F.	16004	Lang, Joseph

<u>Roll No.</u>	<u>Name.</u>	<u>Roll No.</u>	<u>Name.</u>
15903	Crowder, William H.	16008	Long, Forbis,
15902	Crowder, Rosa	921	Long, Josephine LaFlere
15901	Crowder, Maggie	922	Long, Jake Laflere
15900	Crowder, Abigail	9258	Pebworth, Henry
15899	Crowder, William J.	15928	Randall, Grover
16108	Crutchfield, Ida	16104	Ritter, David
16107	Crutchfield, Ina	15856	Robinson, Mary E.
16108	Crutchfield, Louvinia	16951	Shelton, Daisy
16109	Crutchfield, William	15857	Trice, Mary A.

Chootees by Marriage.

1486	Beages, Allen	1414	McClure, Madell
1537	Buckholts, Jeanetta H.	1614	McGahay, Martha J.
1559	Cheate, Amanda	1407	McMurtry, Lucy
1412	Crowder, Lydia Ann	1550	Omo, Julia
1523	Crowder, Josephine	1410	Paxton, William D.
985	Foster, Mary A.	1406	Rabon, Robert L.
1421	Freeny, Mattie	1490	Reding, Ella
1489	Gann, William Newton	1478	Rigney, Rosa E.
1518	Gray, John Calvin	1219	Roberts, George W.
1216	Gunter, Benjamin B.	1531	Robinson, Frederick R.
1480	Kelly, William F.	1353	Russell, Mattie M.
1476	Lewis, Visey	1127	Smith, Ira L.
1150	Lindsey, Selden T.	1428	Staten, John T.

<u>Roll No.</u>	<u>Name.</u>	-9- <u>Roll No.</u>	<u>Name.</u>
1408	Merryman, Sarah	668	Sutherland, Henry
1215	Mitchell, Virginia P.	1470	Tucker, William E.
1519	Mitchell, Mattie S.		
1416	Moran, Mary	1468	Vincent, Charlie S.

Minor Choctaw Citizens.

<u>Roll No.</u>	<u>Name</u>	<u>Roll No.</u>	<u>Name.</u>
724	Braudrick, Jennie Louise	791	Kiefer, Burana
4	Crowder, Rufus Clay	669	Long, Francis
790	Kiefer, Odis A.		

Cherokee by Blood.

31958	Allison, Elmer C.	31959	Allison, Jasper P.
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In order that the action of erasures may be uniform for all names and upon all rolls, you will make such erasures in the following manner: The lines drawn through and purporting to cancel the names from the rolls shall be lined out by drawing across them short transverse lines in red ink. The notations purporting to cancel the names from the rolls shall be lined out by drawing through each line of said notations red horizontal lines. In addition to lining out the interlineations and notations you will insert a note at the foot or side of each page containing any of these corrections, said note to be indicated by stars placed before the names involved. The note shall read as follows:

"Words and lines purporting cancellation erased by authority of departmental letter of January 19, 1909 (File 5-51)."

You will notify all persons, whose status on the rolls

has been recognized as above, of the action taken, and that they have all the rights to allotment and payments enjoyed by other citizens, as though no attempt had ever been made to cancel their names from the rolls.

Except for the Allison's named in above lists, I am not ready to give you a list of the Cherokees and Creeks whose status upon the rolls will be corrected under the principles of the Goldsby decision. Direction concerning them will follow within a week.

There are other names which were upon approved rolls and were erased or stricken therefrom by the Secretary of the Interior without notice. Some of these are already the subject of injunction or mandamus actions against the Secretary of the Interior, and in other cases such action has not been instituted. There are reasons which make it doubtful whether those persons fall indubitably under the principles of the Goldsby decision. Careful consideration of the matter will be given at once, and, according to the decision reached in each case, the persons involved will be left to such court action as they deem wise or will have the rolls corrected by departmental action in the manner indicated for the two lists set forth above.

A sample page is inclosed, showing the method of erasure to be followed by all officers in the correction of the rolls.

Very respectfully,  
(Signed) James Rudolph Carrfield  
Secretary.

7-3665  
B- 668

Muskogee, Oklahoma, February 6, 1909.

Mr. Henry Sutherland,  
Ardmore, Oklahoma.

Sir:

I am instructed by the Department of the Interior that your case falls within the principles of the decision of the Supreme Court of the United States in the case of John E. Goldsby et al., seeking to have their names restored to the rolls of citizens of the Choctaw and Chickasaw Nations, and that the notations striking your name from the roll of citizens by intermarriage of the Choctaw Nation shall be erased and that you have all the rights to allotment and payments enjoyed by other citizens as if no attempt had ever been made to cancel your name from this roll.

Said instructions have been carried out by this office, and you are now advised that the status of your name on the approved roll of citizens of the Choctaw Nation and of your allotment selection in said nation is the same as prior to March 4, 1907, when the Secretary of the Interior directed that your name be stricken from the roll.

Respectfully,

Acting Commissioner.

WHA(CM)

Choc 3666 021e Travis

Dismissed Sept 9, 1904

3666

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Herein is the record in the matter of the application  
for the enrollment as citizens by blood of the Choctaw Nation of:

OZIE TRAVIS, ET AL.,

7-3666  
7-R-306.

-----o-----

Commission to the Five Civilized Tribes,  
Caddo, Indian Territory.

In the application for enrollment of the children of Mrs. Ozie Travis as Choctaws; being sworn and examined by Com'r McFenno she testifies as follows:

Q What is your name? A Mrs. Ozie Travis.

Q How old are you? A Thirty-six.

Q You are the identical person who was admitted by the Choctaw Council, Act #8, approved April 8th 1891 as Mrs. Ozie Travis are you? A Yes sir.

Q You have three children, Robbie Travis, aged 13; William Travis, aged 11 and Marie Travis, aged 9; these children were born prior to your admission to Choctaw citizenship were they?

A Yes sir.

Com'r McFenno: That being so, their names not having been mentioned in the Act by which you were admitted, the Commission holds that they are not entitled to enrollment, notwithstanding the fact that the Act under which the mother was admitted ~~reads~~ adds, "And their descendants be and they are hereby declared citizens of the Choctaw Nation."

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Department of the Interior,  
Commission to the Five Civilized Tribes.  
I hereby certify upon my official oath as  
stenographer to the named Commission, that this  
transcript is a true and correct translation of  
my stenographic notes

*M. G. [Signature]*



DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES,  
Muskogee, Indian Territory, March 1, 1901.

In the Matter of the Application for Enrollment as Citizens of the Choctaw Nation of Robbie, William and Marie Travis, minor children of Ozie Travis.

Applicants represented by Major Z. T. Walrond.

Statement by the Commission: Lena D. Sutherland, Ozie Travis and Mary Missouri Williams were sisters, the daughters of William Bilbo and Henrietta Bilbo. These three sisters were admitted to citizenship in the Choctaw Nation by an act of the National Council, approved April 8, 1891; this act admitted to citizenship these three persons and their descendants. The children in whose behalf this testimony is now taken, were living at the time of the admission of their parents and the contention is that the word "descendants" in the act of the Council above mentioned, does not include the children who were living at the time of the passage of the said act, but was only intended to confer citizenship upon such children as might be born to these persons after the passage of the said act.

Lena D. Sutherland, having been first duly sworn by Acting Chairman Bixby, testified as follows:

Examination by Major Walrond:

- Q Give your name, age, residence and postoffice address?  
A Lena D. Sutherland, Caddo, Indian Territory, I don't know how old I am; I am about 44. I really don't know my age.
- Q You are the wife of Henry Sutherland? A Yes sir.
- Q How long have you resided in the Choctaw country? A For ten or eleven years; ever since the year we were admitted.
- Q State where you moved from to the Choctaw Nation? A From Canton, Mississippi.
- Q State whether or not you were a Mississippi Choctaw when you removed here? A Yes, I was a Mississippi Indian.
- Q Give your maiden name before you were married? A Lena Bilbo.
- Q State whether or not your family moved with you to the Choctaw Nation? A Yes, all of them.
- Q At that time what were the names of your children that moved here?  
A I have only one; her name is Valeria Sutherland.
- Q What is her present age? A 16 years.
- Q Was she ever on the rolls? A Yes, she has always been on the rolls; she has drawn money once; she has been accepted on all the rolls that have been taken within the last ten years. She has been educated by the Choctaw funds.
- Q State how you came to be enrolled? By what act? How you came to be enrolled by the Choctaw Nation? A The first I was enrolled?
- Q Yes, how you were admitted; in other words? How you were admitted?  
A Before the Indian council.
- Q Admitted by an act of the Choctaw council? A Yes, by a resolution admitting me and my sisters.
- Q Give the names of your sisters? A Missouri Williams, Annie Boyd and Ozie Travis. At the time we were admitted I insisted on the lawyer including all the names after he read the bill and he said that it would take a good deal of time to make it over, and the time was short and that that would cover it.
- Q What names? A All the children's given names. He objected to writing it over as it took so much time, and they had only a short time; he said that he would do it, but that this covered

2-Travis.

everything; and that if there should be any children born afterwards it would include them.

Q Do you refer to the act of council that admitted your sisters and yourself? A Yes sir.

Q That is the way the act read? A Yes, "and their descendents."

By Mr. Bixby: How did the act read? You have got a copy of it, havnt you?

By Major Walrond: I did have, but I can't find it. I loaned the book out.

By Mr. Bixby: The act is certainly in existence? A Yes.

By the Witness: Yes, it is in some large book; I have seen it recently.

By Mr. Bixby: You had better introduce the act itself.

Examination by Major Walrond:

Q At that time had your sisters removed to the Choctaw country in the Indian Territory? A All except Mrs. Travis; she came shortly afterwards; I came before she did and went to the council, and they admitted us all at once.

Q You have given the name of your daughter as constituting a member of your family that you have considered as embraced under the term "descendents"? A Yes sir.

Q Will you give the names of the children of your sisters, Mrs. Boyd, Mrs. Williams and Mrs. Travis? A Mrs. Boyd has two children, Tom and Lewis Boyd.

Q Give the names of Mrs. Williams' children? A Earnestine, Royal, Kelsey, Travis, Annie and Boyd.

By Mr. Bixby: They all have the same surname? A Yes, Williams.

Q Give the names of the Travis children? A Robbie, William and Marie. They have middle names; I don't suppose it is necessary to put them in.

Q You might explain what names Earnestine Williams now bears, and when she was married? A She was married three years ago; married Mr. James Bower.

Q State, in that connection, whether he is a Choctaw? A He is a Choctaw by blood; he is a citizen.

Q State whether or not all of these children emigrated to the Indian Territory with their parents? A Yes, all of them; came when they were small.

Q Have any children been born to these four sisters that were admitted, since they came to the Territory? A No, not any.

Q State whether or not all of these children were enrolled as Choctaws after the passage of that act? A Yes, all of them.

Q To what extent did that passage extend them priveleges of Choctaw citizens? A They have all been educated in Choctaw schools and all drew money at the distribution of the lease district funds; they have had advantages of all the Choctaw priveleges; these two are all I think of; if there are any others, they had the advantage of them.

Q State whether or not they have all, through their parents, sought enrollment through the Commission to the Five Civilized Tribes?

A Yes, gave their names in.

Q Are these sisters all living now? A No, all dead except myself.

Q Where have these children and their descendents resided since the passage of that act of the Choctaw council? A Some of them-- they have all been in these boarding schools; one of them was raised in the orphan school.

Q I mean whether they have resided in the Indian Territory? A Yes.

Q Have they resided in the Indian Territory or in Mississippi?

A In Indian Territory; they have been in the schools except their vacations when they have been with us.

3-Travis.

Q State whether any of them resided in the Chickasaw country?

A Two of them in the Chickasaw country--the boy's children--the others in the Choctaw.

Q If there is any particular fact--you say you were present when this act was passed in the Choctaw council? Is there any particular fact explanatory as to the manner in which this instrument was made, or regarding the privileges to these children, you can explain that? A Not that I know of.

N. V. Ainsworth, having been first duly sworn, testified as follows:

By Major Walrond:

Q State your name, age and residence? A N. V. Ainsworth, 44. I live in McAlester in the Choctaw nation.

Q What is your occupation? A Lawyer.

Q State whether or not you are an enrolled, regular citizen by blood of the Choctaw nation? A I am.

Q Are you acquainted with the claimants in this case? A Yes sir.

Q How long have you resided in the Choctaw nation? A I was born and raised in the Choctaw nation.

Q State whether or not you are related to the other witness here, Mrs. Sutherland, and if so, what relation? A She is first cousin; our mothers were sisters

Q Of Indian blood? A Yes, our Indian blood comes on our mother's side.

Q Were these other sisters in this act sisters of the same blood? A Yes sir.

Q How many years have you been engaged in the practice of law in the Indian Territory. A Since '83

Q Have you ever been a member of the council and present when these citizenship matters were considered by the council?--Are you familiar with the practice of procedure? A Yes, I am familiar with the practice; I have been a member once or twice.

Q Please explain from your experience as an expert in this line what construction the Indians of the Choctaw council have put upon the term "descendents"? A I cannot say that we have ever had a decision on that.

Q What has been the usage and custom of the Choctaws in regard to that term. A Well, the Choctaw law and the custom and usage has been that the word descendent would mean the children.

Q Is there any distinction between the children born and unborn in regard to the application if it among the Choctaws? A There has been none in practice; that is, persons admitted to citizenship, and in the course of two or three years give birth to a child, that child has always been recognized as a citizen.

By Mr. Bixby: You don't seem to answer his question. What he wants to know is whether there has ever been any difference made between the enrollment of children born prior to the admission of parents and children born after their admission? A Not that I know of-- no difference or distinction.

By Major Walrond:

Q You are familiar with the terms of the patent that runs from the Government of the United States to the Choctaws? A Yes,--if you will excuse me, I think we went fully into that thing when I was here before. I think my testimony was full on that point and would only be a repetition. I think I called Mr. Bixby's attention that that word was used in the patent.

By Mr. Bixby: Are there any additional facts? A The only additional fact, I took occasion to inquire of Tom, my brother, the author of the bill; I asked him what his intention was in the matter, and he told me it was to include the children. As she said this morning, he put the word "descendents" in in order to save time in writing. That is all the additional information I have received since I last testified here.

4-Travis.

By Mr. Bixby:

Q Do you know whether or not, Mr. Ainsworth, the Choctaw Nation and the Chickasaw Nation are now contesting the applications for enrollment of citizens who claim through acts of the council admitting their parents, and not naming the children in the bill?

A I can't say. I have not had time to keep up with citizenship-- with the laws. They have a special commission for that.

Q You don't know that the Choctaws and Chickasaws claim that a party to be entitled to citizenship by adoption through act of the council, must be named in the act? A No, I didn't know that.

Q You have no information then? A No, I have not followed this business.

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Frances R. Brown having been first duly sworn upon her oath states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 1st day of March, 1901, and that the above and foregoing is a full, true and correct transcript of her stenographic notes, of said proceedings on said date.

*Frances R. Brown*

Subscribed and sworn to before me this 2d day of March, A. D., 1901.



Acting Chairman.

7-3666 ✓

IN RE  
THE DEATH OF

INDEXED

*Eric Travis*  
a citizen of the

*Choctaw* Nation.

Approved **NOV 26 1902** 1902

*C. H. [Signature]*  
Commissioner.

NOV 26 1902  
ACTING CHA

CHOCTAW #3666,

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Ozias Travis  
(Here insert name of deceased)

a citizen of the Choctaw Nation, who formerly resided at or near

Caddo, Ind. Ter., and died on the 31 day of

(Here insert name of post office)

Dec., 1900

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Central District.

I, Robert A. Travis, on oath state that I am 49

years of age and a citizen, by marriage, of the Choctaw Nation;

that my post office address is Caddo, Ind. Ter.; that I am

(Here insert name of post office)

husband of Ozias Travis,  
(State relationship as the father, an uncle, a cousin, etc.) (Here insert name of deceased)

who was a citizen, by blood, of the Choctaw Nation;

and that said Ozias Travis died on the 31 day of

(Here insert name of deceased)

Dec., 1900

Robert A. Travis

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 31 day of November 1900

R. H. Smebaugh

Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Central District.

I, Robert C. Greany, on oath state that I am 52

years of age, and a citizen, by blood, of the Choctaw Nation;

that my post office address is Caddo Ind. Ter.;

(Here insert name of post office)

that I was personally acquainted with Ozias Travis,  
(Here insert name of deceased)

who was a citizen, by blood, of the Choctaw Nation;

and that said Ozias Travis died on the 31 day of

or about

(Here insert name of deceased)

Dresden, 1900

Robert C. Greany

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 31 day of November 1900

R. H. Smebaugh

Notary Public.

INDEXED.

COMMISSION TO FIVE TRIBES.		
No.	Received	APPROVED Given Page
8940		
1912		

CHOCTAW

Beall, Fred,  
Washington, D. C.,  
May 30, 1902.

States that he is attorney  
for minor children of Ozie Travis  
and asks to be notified of all  
actions of the Commission in ref-  
erence to this application.

*Filed with Choctaw R. # 306,*

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
**FILED**  
JUN 4 1902



ACTING CHAIRMAN.

FRED BEALL.  
Attorney and Counselor.  
624 F STREET N.W.  
Washington, D. C.

May 30-1902.

In re

Robbie Travis et al.

The Honorable, the

Commission to the Five Civilized Tribes

Muskogee

I. T.

Sirs:-

I have the honor hereby to enter my appearance as attorney for Robbie, William, and Marie Travis, minor children of Ozie Travis, who are applicants for enrollment as citizens by blood, of the Choctaw Nation, and to request that I be notified of all actions had by the Commission in reference to said application, and also of all papers filed by any one therein.

Very respectfully,

*Fred Beall*

Attorney for Robbie Travis et al.




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... these ... laws ... benefits of the evidence ...  
... the ... of the ... of laws ... as ...  
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... to the ...  
... of the ...

DEPARTMENT OF THE INTERIOR  
COMMISSION TO THE FIVE CIVILIZED  
**FILED**  
AUG 30 1902

  
ACTING CHAIRMAN

Department of the Interior,  
Commission to the Five Civilized Tribes.

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In the matter of the application of Mrs. Ozella P. Travis,  
and her three minor children, Robbie, William B. and Marie McBride  
Travis.

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Application to Have Case Considered with the  
case of James M. Buckholts, et al.,  
as to that evidence of the  
laws and customs of  
the Choctaw Na-  
tion.

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Come now Robbie Travis, William B. Travis, and Marie McBride  
Travis, minors, by their attorneys, Z. T. Walrond and J. G. Ralls, and  
move the commission here to consider the application of these minors  
with that of the application of James M. Buckholts, et al., so that  
these said minors may have the benefit of the evidence introduced  
in the case of the said James M. Buckholts, et al., as to the laws,  
customs and usages of the Choctaw Nation.

Your petitioners show that the identical question involved  
in said Buckholts case is involved in their case, to a certain extent.  
That is to say that the contention urged against the applicants in  
the case of the said minors is that their names should have been specif-  
ically mentioned in the Act of the Choctaw Council admitting their  
mother, Mrs. Ozella P. Travis to citizenship in the Choctaw Nation,  
and the same question is involved in the case of James M. Buckholts  
et al., wherein it is urged that the names of the children should have  
been mentioned in the judgment of the Supreme Court of the Choctaw  
Nation, admitting William Buckholts and John Null and R. T. Jones to  
citizenship in the Choctaw Nation; and the contention being on the  
part of the applicants that under the usages and customs of the Choc-  
taw Nation, in admitting persons to citizenship, either by judgment  
of courts or acts of the Choctaw Council, it was not necessary to  
name specifically the descendants of the old heads of families, but  
that upon the admission of such old heads their descendants were re-  
garded, treated and recognized as members of the Nation.

*Z. T. Walrond & J. G. Ralls*  
Attys. for Minor Applicants.

To The Honorable Secretary of the Interior.

On Appeal from

Before the Commission to the Civilized Tribes, In Re.

Robert A. Travis, William B. Travis  
and Marie McBride Travis, minor chil-  
dren of Robert Travis and Ozie P.  
Travis. Claimants.

*Citizenship*

vs.

No. \_\_\_\_\_

Chectaw Nation.

.....

#### BRIEF OF CLAIMANTS.

There is no issue as to the facts in this cause. In fact, we do not understand that the Chectaw Nation is resisting the enrollment of these children. Their mother was a Mississippi Chectaw, and the children were born in the State of Mississippi respectively in the years 1886, 1888 and 1890. Soon after the birth of the youngest, the parents with their children removed to Gado in the Chectaw Country, Indian Territory, where they have ever since resided.

The brother of Mrs. Travis, Mr. C. A. Bilbo, had preceded this family to the Indian Country, obtained recognition as a member and citizen of the Chectaw Nation; was an office holder in the tribe and fully enrolled.

In 1891 the Chectaw Council, by a special act, admitted to citizenship, Mrs. Ozie P. Travis and her sisters, Mrs. Em Williams, Mrs. Lena Southerland and Mrs. Anna Boyd "and their descendants" The children of these parties named as such descendants at once went into all of the rights and privileges of citizenship of the Chectaw Nation. They

attended the schools of said tribe as Indian children; their names were placed upon the pay rolls of the tribe, and in the year 1893, they drew their per capita of the funds paid out by the Tribal authorities to the citizens by blood of the tribe. In 1896, when the tribal census was re-taken, their names were enrolled as Choctaws again, and in every respect they have been regarded as tribal members.

The Honorable Commission, has, however, declined to enroll these children because being in existence at the time of the passage of said Act of the Choctaw Council, and residents of the Choctaw Nation, their names were not given in the Act, and that only their mother's were thereby admitted.

It does not appear to have been the practice of the Choctaw Council when admitting to citizenship families who came from the State of Mississippi to give the names of all of the members thereof. For instance, a year after the admission of the claimants in this cause, they passed Bill No. 39 of the session of 1892, recognizing the citizenship of Tom York, et al, "and their children" late arrivals from Mississippi. In this Act three families are admitted, but merely the name of the head of the family is given, and not the names of the wife and children.

It was evidently the intent of the Council to recognize the citizenship of the children of Mr. and Mrs. Travis, including them under the term "descendants". Otherwise, there would have been no occasion to use the term in the Act. It would have been meaningless. We contend that placed in the Act, the term can bear no other construction than that given to it by the Choctaws themselves, viz: That it applied to the living resident children of the mothers whose names were given.

The term, "Descendant" is defined by Webster as follows: "One who descends as offspring, however remotely: - Correlative to ancestor"

"The defection of our first parents and their descendants" - Hale.

*See also Bouvier's Law Dictionary.*

The legal definition of "Descendants" is given by Mr. Redfield in the following language, viz: " The word "descendants" is a term which does not seem susceptible of much variation by way of construction. In

its general sense it must include all in the direct descending line from the person named as the ancestor."

Redfield Law of Wills, Vol. II. *Page 77*

This was the meaning that the Choctaws themselves gave to the term in their grant of citizenship in this Act, and it could have no other meaning in this case, as these three children are the only descendants of Mrs. Ozie P. Travis.

Hence we conclude that the Commission have erred in refusing to enroll the claimants, and ask a review of their action in the premises, and pray their enrollment by the Commission as Choctaw citizens.

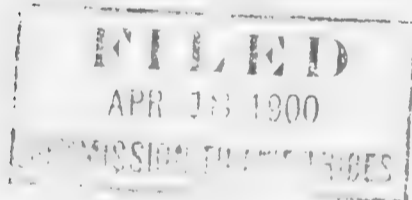
Respectfully submitted,

*J. T. Walrond*

Attorney for Claimants

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Before  
Interior Department  
From  
Commission to  
Civilized Tribes  
Robert P. Travis <sup>et al</sup>  
Minor Children of  
Mrs. Ozie P. Travis  
vs  
Choctaw Nation  
Citizenship No \_\_\_\_\_  
Claimants' Brief.



J. J. Walcott  
Atty.

Before the Commission to the Five civilized Tribes:

Written brief or Argument, in behalf of ~~my~~ *Robbie* Travis, ~~et al~~ *et al*  
*Children of Ozic J. Travis*  
~~and Annie Williams and Ernestine Down~~, for final enrollment by the  
Commission on the Choctaw Citizenship rolls by blood. This being an  
amendment to the Argument now on file with said Commission.

These claimants hold that under act of Congress of June 7th. 1897  
the Commission had the authority to contest the legality or right  
of any names found on said rolls, within six months claimants names  
were found thereon and no contest was made by the Commission within  
the prescribed time, hence they acquiesced in their names remaining  
thereon.

Under act of Congress of June 28th. 1898 the Commission was directed  
to make a correct roll of the Indians, and to eliminate all who were  
on the rolls placed there by fraud or without authority of law.

That under the above cited Acts claimants' names were entitled to *be*  
placed on said rolls by the Commission, for the reason that their  
names were found on the rolls at the passage of said Acts, as they  
were also at the passage of the Act of Congress of June 10th. 1896.

There can be no shadow of fraud, nor can there be any reason to  
believe that their names were placed there without authority of law.

That the rolls of 1893 and 1896, as accepted by the Commission as the  
last authenticated rolls, were submitted to the only constituted en-  
rolling authorities of the Choctaw Nation, and were passed upon and  
confirmed by said Nation. At the passage of the Act of Congress of  
June 10th. 1896 claimants' names appeared on the Choctaw rolls and they  
were confirmed as Choctaw citizens by said Act, because the Act ex-  
plicitly states that the rolls of the Choctaw Nation as they existed  
in 1896 were confirmed by said Act, and hence, there was no necessity  
for their making application for citizenship, for they were then  
acknowledged citizens of the Choctaw Nation, both by the United States  
and by the Choctaw Nation.

That Sec. 21 of the Curtis Bill gives minor children of the Cherokee  
Nation, who were born at the time of the adoption of their parents  
by the Cherokee Authorities, gives the children the same right to  
citizenship as that of the parents. Undoubtedly this is the key to  
the construction of all laws on this line that pertains to the ~~civil-~~  
~~ized~~ Five Tribes for it can not be presumed that the Cherokees are  
the chosen people of the United States, that whatever law governs

Before Commission to  
Five Civ. Tribes.  
*Robert Travis*  
~~et al.~~ et al.

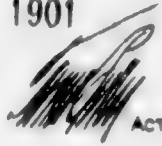
vs.

Choctaw Nation.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

**FILED**

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ACTING CHAIRMAN.



in their citizenship rights is applicable alike to the Choctaws, and we cite the "Prather case" of the Cherokee Nation, of which the Commission will take judicial notice, the case exactly in point with the claimants.

Aside from the authorities cited and reasons above cited showing the claimants' right to enrollment, we further cite Section 9 of the Naturalization Laws of the United States as confirmatory of the view we hold which is, that where the parents have become naturalized, the minor children of said parents are acknowledged as being United States citizens the same as the parents, the identical point we insist on in this case.

As to the word descendant occurring in act of Choctaw Council 1891 ~~and~~

which admitted the mother of the claimants to citizenship, for its construction see Black's Law Dictionary and also Section 6502 Mansfield's Digest of the Laws of Arkansas 1884. Also article Third of the treaty of 1866 between the United States and the Choctaw and

Chickasaw Nations. *We do not regard the Act known as the Curtis Law as repealing the former Acts of Congress empowering the Commission to accept the Rolls of the Indian Tribes as a basis of enrollment.*

Henry Sutherland

*and* *J. Walrond* Atty's for Claimants.

Department of the Interior,  
Commission to the Five Civilized Tribes,  
Atoka, I.T. December 4th, 1900.

In the matter of the application of James M. Buckholt et al.  
for enrollment as Choctaw citizens.

Choctaw Card D. 330.

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James S. Standley, being duly sworn and examined, testified as follows:

- Mr. A. Telle, attorney for applicants: Capt Standley, I will ask if you are a Choctaw Indian by blood? A Yes sir.
- Q What is your age? A 59 years of age.
- Q Your residence? A Choctaw Nation, I claim Atoka as my headquarters, my home, I have no domicile in the town but I am at home here.
- Q I will ask you how long have you been in the Choctaw Nation? A I came here in 1873.
- Q I will ask you whether or not you are acquainted with the laws and customs and usages of the Choctaw people with reference to citizenship? A Yes sir, I think I am.
- Q Did you ever occupy any position at the Choctaw council where they have passed on these questions of citizenship? A Yes.
- Q I will ask you if you have ever acted in the capacity of draftsman for the council? A Yes.
- Q Where citizenship cases were passed upon? A Yes, many a time.
- Q I believe you state that you are well acquainted with the laws of the Choctaw Nation? A Yes sir.
- Q I will ask you if you know of any law of the Choctaw Nation previous to the Act of 1888 wherein it was required that the names of the applicants should be presented to the council, all of the names, other than the heads of families? A No, I do not.
- Q Then as I understand, it has been the custom of the council to admit people by simply admitting the heads of families? A Yes, I will say that is my understanding, some have been.
- Q Admitted the heads of families and the others all came in? A That has been the custom.
- Q I will ask you if you know William Buckholt? A Yes.
- Q And R. T. James? A Yes.
- Q I will ask you whether or not you know John Null? the old John Null? A I knew of him, simply as a matter of record, and a matter of common knowledge in the country.
- Q I will ask you if you know of any statutes authorizing the Supreme Court to pass on cases in the Choctaw Nation; any law of the Choctaw Nation authorizing the Supreme Court to pass on citizenship cases. A The Supreme Court of the Choctaw Nation, there used to be an old law years ago, that was the law when I came here.
- Q You were not present when the Supreme Court passed on the case of William Buckholt and others? A No.
- Q I will ask you if you were attorney in the case of one J. R. Plumer when he was admitted to citizenship by the citizenship Commission of the Choctaw Council? A Yes.
- Q I will ask you if there was any expression of the committee as to what their intention was at the time that he was admitted to citizenship? A There was no question raised by the Commission that I know of with reference to the necessity of having his entire family incorporated in the bill.
- Q Did the applicant himself ask the question? A Yes, the question was raised by him.
- Q And what was the answer of the Commission to his question as

to whether he ought to name the children or not? A It has been a good long time ago, but my recollection is it wasn't necessary.

Q That the admission of the parents carried with it the rights to the children? A Yes.

Q The same far as your experience goes and observation with reference to Choctaw affairs, it has been the custom of the Choctaw Nation when the parents were admitted to citizenship, that the children took their status without naming them?

A Let me answer that in my own way, and I will state my experience to you. I was attorney for Plumer, I was the attorney for Stewart, I was the attorney for Marsh, and I can't call to my mind other cases now, and in all those cases, if it had been my understanding that it didn't carry all of them with the head of the family, it would have been an easy matter you understand for me to insert the name. The fact that we didn't do so and I was the attorney in the case is sufficient for the Commission to understand what my understanding of the law was and what the custom was at the time as I understood it.

Q I will ask you whether or not the Choctaws have recognized the children of William Buckholt, R. T. James and John Null, as far as exercising the rights of citizenship goes, since that time?

Q As to the Buckholt and James I know more about in a general way than I do about the Null family. I will say that as far as my information goes, they have always been recognized, I have never heard anything to the contrary.

Q I will ask you if it is not true with reference to other cases where they were admitted by act of the council and the children not named?

A I think so, yes; Plumer's children went ahead here and were admitted by the laws, and that other case and the Marshalls.

Mr. Cornish: You spoke of two or three cases, the Marsh and Plumer case and what other cases? A Mrs. Nancy Stewart.

Q Were those cases where the heads of family only were named in the acts of admission? A In the Nancy Stewart case that was different from the others.

Q I am inquiring if you did represent certain cases wherein only certain heads of families were named in the act? A Yes.

Q What other case in addition to the Buckholt? A The Marshall case and the Plumer case; the Stewart case went beyond the council.

Q These are two cases wherein only the heads of families were named. A Yes.

Q Are there any descendants of these persons claiming and asserting rights in the Choctaw Nation? A That is my understanding, I know some of Plumer's children are here and some not here, and Marshalls, Marshall was a mixed blood.

Q Is it not a fact then that the Plumers after they were admitted by naming the head of the family, that by subsequent act of the council the members of the family were named in that? A I don't really now that.

Q That is your understanding is it? A Yes.

Q So that leaves only the Marshall case? A Yes, but mind you I don't remember about that subsequent act of the Plumers.

Q Isn't that your understanding, that it was done? A No I don't remember it; it might have been done, I don't say it wasn't done, and I might have been called upon to testify in reference to the other.

Q Is it Henry Marshall that you speak of? A Yes, Henry Marshall.

Q Captain Standley, how many acts of the Choctaw Council do you think have been passed since they commenced to admit persons many years ago, about how many cases? A I can't hardly tell.

Q There have been at least 100? A Yes.

Q Perhaps 200? A Yes I don't know how many.

Q Something perhaps 100 and 200? A That would be a good guess.

Q Isn't it a fact that so far as your information goes that only in these three cases were only the heads of families mentioned?

A I can't say, because many of those cases I had nothing to do with

- Q Do you know of any other cases wherein persons claim through acts of the council wherein only the heads of families were named?
- A Of my own knowledge, no I do not; I haven't been attorney for many cases.
- Q I supposed you might be familiar with the various acts from going through the old books? A I would not know from drafting an act, who was in and who wasn't in.
- Q Is it not a fact that the proportion would be fifty to one or perhaps 100 to one as regards cases wherein only the heads of families were named and the cases wherein all persons claiming admission would be? A It might be, my knowledge of it isn't sufficient to justify mein answering that question; these cases that I single out I know of personally; the other cases wherein I was simply serving as draftsman of the council, there might have been only the heads and might have been all the families.
- Q Since Mr. Telle wanted to get your opinion and general information as to the custom I thought I might go farther and get the benefit of your general knowledge of Choctaw affairs as well. A Very well, and tiy will see from my action ~~from~~ at the time of the admission of these parties that it was my general understanding and the understanding of my associate, Colonel Nelson, and he was a much older man than I am and had lived here all his life and was more familiar with the laws than i was, and that was his understanding, and he guided me largely.
- Q This custom, would that warrant the recognition by the Choctaws of the brothers of a person admitted and the sisters, was that your knowledge of the customs? A I wouldn't say that, I don't know that there has ben any custom on that subject.
- Q Do you know of any brothers and sisters of persons admitted by acts who have without any specification by the council been recognized as Choctaw citizens? A Yes.
- Q You know of cases where one person was admitted and the brother of that person, never having been admitted, has been by the Choctaws recognized, but never was admitted by any act of council, and carried on the rolls? A Yes.
- Q What case? A I don't know of but one, and that is my own brother.
- Q You don't know of any other case? A I can't call to mind any other case, but if I were to talk around among the people and get my memory refreshed I might think of some.
- Q Is your brother living? A No sir.
- Q So far as you know, this custom would not extend to collateral relatives, brothers and sisters? A No, I can't say as to what the custom has been about that, I have had no other experience; there has been no way of obtaining information on that line.
- Q The only acts of the Choctaw council then of which you have a personal knowledge, wherein only heads of families were admitted and in which the relatives sought to be recognized as Chocsaaw citizens, were those three cases that you spoke of, the Buckholt case, the Marshall case, and the Plumer case? A Yes sir, and the Stewart case Attorney J. G. Balls, for applicatn: In the Stewart case before the council, the petition only mentioned the name of Mrs. Stewart, did it? A Yes ~~xxx~~.
- Q That case it went to the Indian Agent under the special act of the Choctaw Council and there the Agent inserted the names of the descendants? A Yes.
- Q And required them to be inserted there? A Yes.
- Q And they were admitted there by the Indian Agent, that was approved by the Secretary of the Interior, was it? A Yes.
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J. M. B. -4.

Bruce C. Jones, being duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and complete transcript of his stenographic notes thereof.

(signed) Bruce Jones.

Sworn to and subscribed before me this the 6th of December, 1900.

John G. Lieber.

(SEAL)

Notary Public.

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
ATOKA, I. T. December 7, 1900.

The Choctaw Nation :  
vs : D 357.  
James M. Buckholtes. :

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A P P E A R A N C E S.

For the Choctaw Nation, Melvin Cornish Esq.  
For the applicant, J. G. Ralls, Esq.

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William Buckholtes being duly sworn by Acting Chairman Bixby,  
testified as follows:

Examination by Mr. Ralls:

- Q State your name? A Just William, no middle name.  
Q William Buckholtes? A Yes sir, Buckholtes.  
Q How old are you, Mr. Buckholtes? A I lack about one month of being  
eighty three years old.  
Q How long have you lived in the Choctaw Nation? A Well, I moved  
here across Red River the first day of March, 1872 and being here ever  
since.  
Q 1872? A Yes sir.  
Q Who came with you to this country? Well, my children all come but  
one.  
Q Which one was that? A That was Fate. W. L. Buckholtes.  
Q Are you acquainted with R. T. Jones? A Yessir.  
Q When did he come to this Country? A He come here when I did.  
Q Were you acquainted with John Null during his lifetime? A Yes sir.  
Q When did he come to this country? A He come shortly after I did.  
I suppose in ten days, I don't know exactly  
Q What relation were they of yours? A John Null married my oldest  
sister, Sarah H. Buckholtes.  
Q What relation was Mr. Jones to you? A He married my oldest daugh-  
ter, Laura Elizabeth Buckholtes.  
Q Did their children come with them at the time they came here? A all  
they had.  
Q The other children have been born in the Nation, have they? A yes  
sir.  
Q Do you remember being before the Supreme Court of the Choctaw  
Nation in 1872? A Yessir.  
Q Who were the supreme Justices? A There was--I don't know the ir  
given names- there was Garvin, Everidge and Fulsom. I think Fulsom lived  
at Skullyville. I have forgotten their given names.  
Q Were you and Mr. Jones and Mr. Null admitted to citizenship in the  
Choctaw Nation by judgment of that court? A Yes sir.  
Q What year was that and what month? A That was in- well it was at  
the regular Council in October but it might have been in November before  
the Court decided on it.  
Q And what year? A That was in '72, 1872.

William Buckholts 2.

Q Now Mr. Buckholts, just you and R. T. Jones and Joh Null were mentioned in the judgment were you? A That was all that was in the duplicate they gave us.

Q Do you know why it was that your children were not mentioned in the judgment? A Well I don't know that I could tell you. While I was on the witness stand I told the Court that I thought my and my sisters children ought to be in the petition.

By Mr. Cornish.

Q Does the Commission think it proper for him to repeat the statement he made at that time, a self serving declaration?

Mr. Ralls: It is not going to be a self serving declaration.

Mr. Cornish: I should think it would be Mr. Ralls. It is a statement that he made in his own interest.

Mr. Bixby: Let us see what the question is first.

By Mr. Ralls:

Q Go ahead. A In regard to naming the children, I told them I thought all our childrens names ought to be in the petition and judge Garvin, Chief Justice, said "Mr. Buckholts there is no use of it. If we recognize your older ones that includes all your descendants." I hushed, of course, I could say no more.

Q Speaking as the Chief Justice of the court, he informed you that?

A The Chief Justice, yes sir.

Q Now, where have you all lived since you came to the Nation. I mean in the Nation or have you lived out of the Nation? A We aint lived out of it, we have lived here, have been out only on a visit or on business.

Q Been out just temporarily? A Yes sir.

Q Now since the Supreme Court admitted you three older ones, state whether or not the Choctaw authorities have recognized the children as citizens of the Nation? A Well, we have been recognized, the children and all, ever since, until the last year or such a matter.

Q After this question was raised? A Yes sir. There was no objection before.

Q Well have the Choctaw authorities themselves ever made any objections to you? A None that I know of. Not a particle.

Q They have always voted, have they? A Yes sir.

Q Owned farms? A Yes sir.

Q Enjoyed the schools and privileges of Choctaws? A Yes sir, and served on juries, worked the roads, acted as judges of election and all likes.

Q Been placed on the various rolls made by the Choctaws have you?

A Yes sir.

By Mr. Bixby:

You are referring to himself or his children?

Mr. Ralls, to all of them.

By Mr. Ralls:

Q And they were paid Leased District money were they by the Choctaw authorities? A Yes sir.

Q Several of the defendants have married white persons have they?

A Yes sir.

Q Have those white persons been recognized by the Choctaws as members of the Nation? A Well, I think so. I never heard anything to the reverse at all.

Q And ever since 1872, the Choctaws have always recognized you, Mr. Jones and Mr. Null and all of your children? A Yes sir.

Q And have recognized Mr. Jones children? A Yes sir.

Q And Null's children? A Yes sir.

Q As members of the Choctaw Nation and you have enjoyed all

William Buckholts 3.

the privielges and benefits as other Choctaws. A Well with one excep-  
tion.

Q What was that Mr. Buckholts? A That is my sister died and  
Uncle John I always called him uncle, he married a white woman and has  
one child by her. Well they were included in the petition but they knew  
they had no blood and they just withdrew.

Q They are not claiming citizenship are they? A No sir, not al  
all.

Q One other thing. Do all of you own farms here in the Choctaw  
Nation, and Chickasaw together i mean? A Yes sir.

Q All that you have then is in the Choctaw and Chickasaw Nations?

A Yes sir.

Q They have nothing anywhere else? A If any of them have anything  
outside I don't know it. I don't think they have though.

CROSS EXAMINATION BY MR. CORNISH.

Q You say this was in October or November of 1872 Mr. Buckholts-  
it was in October or November was it not that you appeared before the  
Supreme Court? A Yes sir.

Q Did John Null and Mr. Jones appear there with you? A Yes sir.

Q The three of you went to council? A Yes sir. Well, some of  
our children were there.

Q Some of your children were there? A Yes sir.

Q You say you stated to the Supreme Court that you thought the  
names of the children ought to be included in their judgment? A Yes sir.

Q What led you to think so? A Well, I don't know as I could tell  
you that. I just thought they all ought to be there.

Q You thought they all ought to be there didn't you? A Now I can  
tell you why. When I first-- I spoke to old Governor Walker, Tandy  
Walker, and asked him who would be a suitable man to write up a petition.  
They told me I would have to make a petition. Well, he just pointed me  
out to Tom Ainsworth. I knew he was a pert boy but I didn't know he was  
a lawyer and he was taking all the names down and Null and Jones got off  
a little piece and talked a little and they called me out there and said  
'We think we had better get a lawyer to tend to it if it does cost some-  
thing' I said all right. Well if I had known that Ainsworth was a lawyer  
I never would have gone to another.

Q Who did you go to? A Campbell Leflore.

Q Campbell Leflore was a citizen of the Choctaw Nation? A yes sir.

Q Practising law before the Choctaw courts and council? A Oh yes.

Q Did you have any witnesses before the Supreme Court Mr. Buckholts?

A Yes sir.

Q Who appeared before the Supreme Court as your witnesses?

Q I had old Null, Robert Jones and old Tandy Walker and Mrs. Flack.  
She only sent her testimony, and Mrs. William Gardner.

Q Did you have any children who lived in Texas after you came here?

A One.

Q How long did he remain there? A Well squire, it has been so  
long I can't tell you.

Q He came here several years afterwards did he? A Yes sir.

Q He was not living here when this act of admission was rendered?

A No sir.

Q Did not live here until several years afterwards? A Yes sir.

Q Is he claiming rights of citizenship? A Yes sir.

Q When he moved here several years after that time, did he go be-  
fore council to be admitted? A No sir.

Q Then he was not admitted by act of council when he moved here?

A No he went to the officers, I don't know which one only Gardner  
and he said just associate with the leading characters here and let them  
know who you are.



- Q What is his name? A William Lafayette.
- Q Is he living now? A Yes sir, he was a short time ago.
- Q Was he a married man when he moved to the Indian Territory?
- A Yes sir.
- Q Has he grand children or just children? A He has only one grand child and two living children.
- Q Has one grand child and two children? A Yes sir.
- Q They are now claiming citizenship, of course they are now claiming to be Choctaw Indians? A Yes sir.
- Q What about the children of Mr. Jones. What children did Mr. Jones have at that time? A I think they had seven children when they came and five born afterwards.
- Q Seven children when they came and five born afterwards? A I think that is it.
- Q Did the seven all come with him? A Yes sir.
- Q They have all lived here since that time? A All lived here since that time.
- Q What about Mr. Null's children. What children did he have at that time? A Two single and some of them come the year before and they all, I think come with him. Them that was married come with him.
- Q Well, the Null was your sister's husband is not now living? A No sir.
- Q He is not the John Null who is now applying? A No sir.
- Q This is his son? A Yes sir.

ALINTON TELLE being duly sworn by acting Chairman Bixby testified as follows:

By Mr. Halls:

- Q State your name? A A. Telle
- Q What is your age, Mr. Telle? A Forty one years.
- Q Are you a Choctaw Indian by blood? A Yes sir.
- Q Born and raised in the Choctaw Nation, were you? A Yes sir.
- Q What official positions have you held in the Choctaw Nation?
- A I have held several positions. The longest position I have held was National Secretary.
- Q Have you held the position of National Attorney for the Choctaw Nation? A Yes sir.
- Q You have been a practising attorney in the Choctaw Courts for how long? A For nineteen years.
- Q During this time you have examined the laws of the Choctaw Nation on various questions and especially in regard to the question of citizenship have you, Mr. Telle? A Yes sir.
- Q Now, state Mr. Telle, if prior to October, 1872, there was any law of the Choctaw Nation requiring Choctaws coming to this country to be admitted in order to enjoy the benefits as Choctaws?
- Q What was the date?
- Q October, 1872? A My recollection is there was not. The law that you refer to - I think the law that is on file there with the Commission - is the first law and I think it was passed at a special term in 1872 earlier than October.
- Q What time in 1872? A I think in April. I have forgotten the date exactly.
- Q Then prior to that act they had no law requiring persons to be admitted by the Choctaw council or by the courts or in any other manner in order to enjoy the privileges as Choctaws? A I have never been able to find any law that required Choctaws to be admitted by any act of council.
- Q If a Choctaw came to this country and the officials of the Choctaw Nation recognized him as a Choctaw prior to that act, then he took the privileges as a Choctaw and was duly recognized was he?
- A That is my understanding.
- Q As a matter of fact a great many of the Choctaws that are now in the Choctaw Nation have come here and have never been

William Buckholts 5.

admitted by any act at all have they Mr. Telle, and are now recognized?

A Yes sir, a great many of them, possibly four or five hundred, I mean by that people that did not come at the time of the emigration provided by the treaties but who simply emigrated; simply came out here afterwards. They came all the way from the time of the emigration in the thirties up to this time in 1872 when the law was passed.

Q Were you a member of the Commission that made the rolls of the Choctaws in 1893? A Not in the Choctaw Nation.

Q Were you in the Chickasaw Nation? A I made the roll in the Chickasaw Nation of Choctaws residing in the Chickasaw Nation.

Q Were you a member of the Commission that made the roll in the Choctaw Nation in 1896, I believe it was, or 1897? A No sir, not in the making of the rolls.

Q What position did you hold in that regard, in connection with the citizenship business? A No connection with it at all in 1896 or 1897 either.

Q Now being acquainted with the laws and customs of the Choctaw Nation, Mr. Telle, in the preparation of the Leased District roll were persons of white blood put on as Choctaws or were only Choctaws by blood placed on the roll? A Only Choctaws by blood.

Q Your Commission determined the question of blood? A That is we enrolled them. Then there was a kind of revisory board that passed on all of them. I think from the rolls that we made in the Chickasaw Nation of Choctaws residing there, possibly they cut out four or five.

Q And then the Leased District payment was made to those remaining on the roll after the revisory board had gone over it?

A Yes sir.

CROSS EXAMINATION BY MR. CORNISH:

Q Mr. Telle, you stated that you were National Attorney of the Choctaw Nation? A Yes sir.

Q How long have you been National Attorney? A About a year and a half.

Q You were a member of the citizenship commission of the Choctaw Nation appearing before the Dawes Commission, were you not?

A I was simply clerk of the Commission.

Q How long were you clerk of the Commission before the Dawes Commission? A I have been figuring that up

Q Since the fall of 1898? A Either the fall of 1897 or 1898. It was the first -o

Q Yes- well - you have given a construction as you understand it of the laws, customs and usages of the Choctaw Nation as to citizenship matters? A Yes sir.

Q You are an attorney in this case are you not? A I am, yes sir.

Q Do you know of any other act of Choctaw council through which persons claiming Choctaw citizenship, that does not specifically mention the names of all the persons living at that time upon whom it is desired to confer citizenship? A No sir, I know of no act specifically on the statute books. Now there is one- there are possibly one or two that allowed people to stay here;

Q Possibly one or two? A Yes sir, I remember that in the old J. P. Folsom code. Code made in 1869 by J. P. Folsom. I see there that they allowed a white man to stay here on account of his marriage - or during good behavior I believe.

Q That is an exception or two I believe? A And then there was a band of what they called Biluksha. It seems that they were really Choctaws and in attempting to come to this country, not knowing the geography of the country went south of here and finally stopped up in the Caddo country and what is known as the Leased District. They spoke the Choctaw language and had the customs of the Choctaws and some time long ~~after~~ about the year 1857 I believe, -I simply speak from memory,

they allowed those Bilukshas to come down here as Choctaws.

Q Now those Buckholts and Jones people don't claim to be Bilukshas do they? A No sir.

Q Going back to the question. Do you know of any other act of the Choctaw Council that assumes to confer citizenship on persons that don't specifically name those upon whom it is desired to confer Choctaw citizenship? A No sir.

Q You don't know of any other act? A No sir.

Q You stated that you are familiar with the laws of the Choctaw Nation, have held various positions and practise law before the Choctaw courts? A Yes sir.

Q You are reasonably familiar with the Choctaw laws are you not?

A Reasonably so, yes sir.

Q About how many acts would you say there are of the Choctaw Council that have been passed since they began that business, about how many acts? A I don't know.

Q You could guess at it couldn't you? A I have copies of the pamphlets and could refer to them.

Q They are exceeding one hundred are they not? A I could not say as to that.

Q I would like to have you give me an idea. If you will let me get my books.

Q There are a great many acts are they not? A Yes sir.

Q Would you give your opinion that they would exceed fifty acts especially conferring citizenship. I suppose you would not hesitate to say they exceed fifty would you? A I would not say as a matter of fact I don't believe they go over fifty. There are a great many acts referring to citizenship but most of them refer to rejected cases.

Q There are a great many. You would not care to fix the number?

A No sir.

Q Now, of all that number, be it fifty, sixty, forty or two hundred, you don't know of any act that assumes to confer citizenship that doesn't name the parties specifically do you, except this act of Buckholts, Jones and Null, do you? A Well sir, to tell the truth, I don't know any act that requires it at all.

Q My question is this. You state there are a great many acts?

A Yes sir.

Q Ranging it may be from forty, fifty or two hundred, there are a great many acts? A I don't say so.

Q This is my question. Of that number of acts, now do you know of any other act that assumes to confer citizenship upon persons that does not specifically name the persons upon whom it is desired to confer citizenship that does not specifically name the persons in it? A Yes sir I do.

Q Well mention them? A I know one or two. One is a case of Henry Marshall.

Q Henry Marshall? What other? A J. R. Plumer.

Q What other? A In the acts of 1884 you will find a list passed on that didn't name anyone but the claimants. Sometimes had the word 'family' and sometimes not.

Q Are those the only ones you know? A Well, there are several names included in this list. The council made a general list and where John Smith appeared, maybe said husband and children, or wife and children.

Q What act is that now? A I think about the year 1884.

Q Who were those persons? A I couldn't say.

Q Were they Mississippi Choctaws who had just joined the people here? A No.

Q Were they not Mississippi Choctaw people? A No sir.

William Buckholts 7.

Q Where did they come from? A They appeared at council.

Q Well, where did they come from? A They lived here.

Q How long had they lived here. A I don't know.

Q How long have they been from Mississippi? A They were not Mississippi Choctaws.

Q But you didn't know that they were Indians who had come from Mississippi. A I could not say. I know some of the people have been living here as long as I could remember.

Q But you are not able to state that they did not come direct from Mississippi to the Choctaw Nation? A I think I am in some of the cases.

Q Are you able to state in all the cases? A No sir, I am not.

Q Is it not a fact that in the Plumer case after an act had been passed naming the heads of the families that those parties appeared before the council and all parties naming were mentioned?

A Yes sir, I prepared the act myself.

Q Why did you prepare the act? A The reason for that is this: One of the Plumer boys had been elected to the Council. He had gone through the election and was elected to ~~the~~ council and had a seat as a member of the council and it seems that some one suggested the idea that they could not find his name admitted by act of council.

Q Some one suggested that? A Yes sir, who it was I could not say.

Q Suggested that as a reason why he should not be elected to Council? A I could not say.

Q There was a question raised though? A Yes sir.

Q Why was the act amended? Well, I heard it and I had been one of their supporters and I wanted no question raised. Of course with my information I could see the possibility of a question being raised so I filed a supplemental petition to the original, setting forth that they had been recognized and one of them was at that time sitting as a member of Council, and I thought it was safer for the family. And filed the act and admitted the whole family.

Q Were you one of the ones who raised this question? A No sir.

Q Who raised it? A I don't remember.

Q There was a question raised? A I heard it.

Q Raised in Council? A It was outside talk.

Q It was in response to the question that was raised that you drew the act was it not? A Indirectly you might say it was.

Q You were a practising attorney at that time? A Yes sir.

Q And were familiar at that time with the laws, customs and usages of the Choctaw Nation? A Yes sir, I knew it was no matter but simply did it as a matter of precaution.

Q As a matter of precaution you drew the act and had it passed.

A Yes sir.

Q When did the Choctaw Council pass a law requiring the names of all persons upon whom it was desired to confer citizenship presented to the Supreme Court? A I don't remember any such law sir. There is no law to that effect.

Q My understanding was from Mr. Ralls that in 1872, - he asked you that prior to that time there if there was any law requiring anyone to be admitted? A There was no law before them.

By Mr. Bixby: Is this evidence or not.

Mr. Cornish: I don't know.

Mr. Bixby: Is it in reply to your question? A I presume it is.

A There were some people living here who never were here until that time, some of the most prominent families, come in fifty or sixty. They never had to be admitted to citizenship and that act in 1872 was the first act that was ever recognized.

- Q Do you state that as your opinion or as a fact? A A fact. A matter of law and record.
- Q That is the first act of the Choctaw Council admitting specific persons to Choctaw citizenship? A Yes sir. Now there was another act passed later on. It didn't relate specifically to the method of making applications except one part of it. That was that it required a receipt from the National Treasurer of a payment of one hundred dollars for each name asked to be enrolled.
- Q When was that? A In 1888, I think.
- Q Considerably later than that? A Yes sir.
- Q Then you stated as a matter of law and fact that this Buckholts, Jones and Null act was the first act of the National Council admitting persons to Choctaw citizenship? A This was not an act of Council.
- Q Well an act of the Choctaw authorities? A Yes sir, in 1872.
- Q Do I understand now as a matter of law and fact, that it is the first act of the Choctaw authorities specially granting Choctaw citizenship to persons? A Under the law, yes sir. They were the first people. It was the first case that come up under the new law.
- Q Under the new law? A Under the law of 1872.
- Q Conferring this jurisdiction on the Supreme Court? A Yes, sir.
- Q Then you state there is no act of Choctaw Council prior to that time specifically conferring citizenship upon applicants? A I know of none.
- Q Didn't you state, Mr. Telle -- I don't believe you were quite accurate in your statements -- your opinion as a lawyer or do you state it as a matter of law that there wasn't any law prior to the law of 1872? A There was no Choctaw law requiring citizens to prove their right to Choctaw citizenship prior to this act of 1872. That's the law.
- Q Here is what I understand your answer to mean. I understand that you stated that there was no law prior to 1872 of the Choctaw Council or the Choctaw authorities prior to the admission of these Buckholts, Jones and Null families that conferred or assumed to confer citizenship upon individual persons? A Oh, I would like to understand you first. I gave you some exceptions and you said these exceptions did not apply.
- A As I understood you to state a minute ago, this was the first act of Choctaw authorities conferring or assuming to confer citizenship and before that time did not confer citizenship.
- By Mr. Ralls: I would like to understand you myself.
- Mr. Cornish: I am not mixed at all. If you understand English you will understand this.
- Q Is this the first act of the Choctaw Council or the Choctaw authorities conferring citizenship upon specific persons, upon persons naming them. A No, sir, it is not. There are those exceptions I spoke of.
- Q Prior to the admission of the Buckholts people? A Yes, sir.
- Q Then there are acts of the Choctaw tribal authorities specifically conferring citizenship upon persons prior to that time, are they not? A No cases of this kind.
- Q Perhaps there are different cases, different persons and people but they are persons, people admitted prior to this time?
- Q I could not say they were admitted. You use a word there that was not known to the statute at that time.
- Q I will amend the word. A There were some permitted to live here. They were white people or people of no real descent but they allowed them to stay here.
- Q That was prior to the Buckholts admission? A Yes sir.
- Q Those Bilukehas you speak of? A Yes sir, those were specific acts.
- Q Those people were specifically named in the act were they not? A Who? A Those people that were permitted to stay here? A You

William Bucknole E.

were the Biddings?

I know all persons who were permitted to stay here. They were in the act, were they not? I know all of them. Just heads of families.

Q. Is that a short recollection of the act of June as you remember it? A. My recollection as I have seen that. One of the last occupants is living up here in Downing County in the name of King Post, the English name is Charles Keel.

Q. Now these Biddings was given of being permitted to live here, were they not allowed to be employed? A. I could not say. I would not say that the work of employment appeared or later now.

Q. Now these Biddings people shall be the full rights of citizenship? A. Yes.

Q. Now if there are any of the Biddings people who are not yet in the admission of citizenship shall they confer of course to confer, full citizenship to persons, specifically named?

A. No sir, none of them.

Q. Now:

A. As I understand you, the first of the Biddings was the first act of the Council. The first of the Biddings was the first act of the Council. The first of the Biddings was the first act of the Council.

Q. Now prior to the Biddings, the Council had passed any specific act in regard to persons residing in the Biddings? A. No, sir, none of them.

SINO A. LEVIN was the name of the Biddings Council.

Q. Now:

A. The Biddings was the first act of the Council. The Biddings was the first act of the Council. The Biddings was the first act of the Council. The Biddings was the first act of the Council. The Biddings was the first act of the Council.

Q. Now:

A. The Biddings was the first act of the Council. The Biddings was the first act of the Council. The Biddings was the first act of the Council. The Biddings was the first act of the Council. The Biddings was the first act of the Council.

Q. Now:

A. The Biddings was the first act of the Council. The Biddings was the first act of the Council. The Biddings was the first act of the Council. The Biddings was the first act of the Council. The Biddings was the first act of the Council.







William Buckholts 12.

Q How long had you lived in Mississippi, Mr. Buckholts?

A I lived in Mississippi about eight years.

Q About eight years? A Yes sir.

Q Where did you come from to the state of Mississippi?

A Well let me go back and start and come forward.

Q Well. A I was born in Emet County, Mississippi, near the Louisiana line and when I was about six years old my parents moved to the old Choctaw Nation which is now Sumpter County. Lived there until I was twenty four years old. Started to Texas and stopped in Louisiana.

Q How long did you live in Louisiana? A From the first of May to the first of November when I come back to Mississippi and staid there eight years and then I started to Texas again.

Q You say you were born in Mississippi? A Yes sir.

Q Now, did your father move out of Mississippi? A Yes sir.

Q Where did he move to? A To the old Choctaw Nation.

Q From this county where you were born up to the Choctaw Nation?

A Oh no, he moved from Emet County to the old Choctaw Nation.

Q And you lived there until you were how old? A Twenty four.

Q Now you and Mr. Null and Mr. Jones lived in the state of Texas many years before moving to the Indian Territory? A Yes sir.

Q Owned property there and voted there? A Yes sir.

Q And were citizens of the state of Texas? A Yes sir.

Q How did you come to move to the Indian Territory? A Well, I can give you the history of it if you want it. When the niggers were set free I knew that I could not furnish homesteads for all my children, and I just told them, I had been up here about '57, 1857, I had been up here and I told them, says I, I have plenty of relatives there and I know I can prove it and if you will just all agree, we will pull up and sell out and you can get homes for yourselves.

Q Then you come here to get homes for yourself and family?

A I came because I knew I was a Choctaw.

Q You come here to get homes for yourself and family?

A Yes sir, of course.

RE)DIRECT EXAMINATION BY MR. RALLS.

Q Then did you all sell out in Texas and come over here?

A Ye sir.

Q Did these witnesses that you had before the Court know you when you were in Mississippi? A Yes sir, they knew me in Alabama.

Q What family of the Choctaws did you come from? A Zadoc Brasheers.

By Mr. Telle:

Q That Sumpter County you spoke of is in Mississippi or Alabama?

A Alabama.

Q The state lines have been made since that time have they? A Yes sir, a little of the Old Nation runs into Alabama and it was in Sumpter county.

RE-CROSS EXAMINATION BY MR. CORNISH.

Q This county in which you were born was not in the old Choctaw Nation in Mississippi? A Oh up next to Louisiana line.

Q And after you were born your father with you moved into the old Choctaw Nation? A Yes sir.

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Myra Young having first been duly sworn states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full

William Buckholts 13.

all proceedings had in the above entitled cause on the 7th day of December, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

(Signed) Myra Young.

Subscribed and sworn to before me this 11th day of December, 1900.

Tams Bixby,

Acting Chairman.

DEPARTMENT OF THE INTERIOR  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
Atoka, I. T. Dec. 7, 1900.

The Choctaw Nation :  
: :  
vs : : D 355.  
: :  
Francis M. Jones. :  
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APPEARANCES.

For the Choctaw Nation, Melvin Cornish, Esq.  
For the applicant, J. G. Balls, Esq.

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Joseph R. Plummer being duly sworn by Acting Chairman  
Bixby, testified as follows:

Examination by Mr. Cornish.

Q What is your name? A Joseph R. Plummer.  
Q What is your age? A Sixty seven.  
Q You are a citizen of the Choctaw Nation, are you? A Yes sir.  
Q Admitted to citizenship by the Choctaw Council? A Yes sir, by  
blood.  
Q I want to get a statement from you for the information of the  
Commission regard to your admission to citizenship. When were you ad-  
mitted? A 1883.  
Q Now what persons were named in that act of admission?  
A I only petitioned to be recognized myself.  
Q What children did you have living at that time? A Well all of  
the children.  
Q How many? A Eight.  
Q All living at that time? A All living, no sir.  
Q Some born since? A No sir, the oldest one married Butler and  
was dead. The youngest girl died since.  
Q After that act of admission the Choctaws recognized you as a  
citizen? A Yes sir.  
Q Immediately after your admission to Choctaw citizenship the  
Choctaws recognized you? A Yes sir.  
Q Immediately after that did they also recognize your children,  
your family at that time? A Well, they did they got the Leased District  
money, three of the boys.  
Q Three of the boys got the Leased District money? A Yes sir.  
Q When was the second act passed? A I think in 1895. Possibly  
1894. I have the papers with me.  
Q How many of your children did not get the Leased District money?  
A Walter G. Plummer and Mollie G. Ragen.  
Q And her children? A Yes sir.  
Q Did Walter G. Plummer have children also? A Yes sir.  
Q The children were your grand children? A Yes sir.  
Q Any others? A I think Franklin E. Plummer.  
Q And his children? A He had no children.  
Q Was he your son? A Yes sir.  
Q Why did they fail to get the Leased District money?  
A Because they failed to be here the year before the Choctaw lease.  
All the citizens who were not within the bounds of the Choctaw Nation,  
would not be counted in the leased District payment.

Francis M. Jones 2

Q Then these people you have mentioned were not living in the Indian Territory in 1893 were they. Is that your statement? A Yes sir. They were here but they came in 1892. I think that act was passed in April. In 1893 the payment was.

Q The payment made in 1893 on the rolls made in 1892?

A Yes sir.

Q They were not living in the Choctaw Nation in 1892? A No sir, they came after the Roll was made up except three that received their money.

Q Did all of your children who were living here at the time the roll was made up, receive their Leased District money? A Yes sir.

Q And those who did not reside here when the roll was made did not receive the money? A No sir.

Q Where did they live? A They had moved to Texas.

Q When did they move back? A I think in the fall and winter of 1892.

Q They had lived here, however, from the time you were originally admitted up to the time they moved to Texas? A Yes sir.

Q This second act was passed in 1895? A '94 or '95.

Q Whose names were included in that act? A All included except those who were living out there. I asked them to come here and live with me and if they would not come here their names would not be in there.

Q Then in the second act of admission the names of all your children who were then in the Indian Territory and living with you, were mentioned? A Yes sir.

Q Why did you have that second act passed? A I believed it was right. I wanted the act passed. I wanted to be fair with the Nation.

Q You felt that if this second act, stating their names was not passed, there might be some question as to their citizenship? A Yes sir. Brazell Leflore told me to have my children recognized as soon as I could.

Q By the Council? A Yes sir.

Q And in obedience to that advice you had this act passed in order that there might be no question? A I did, sir.

Q Who else did you talk with about that? A Several of my friends. J. B. Jackson, was the man I first had a conference with. He was then National Secretary.

Q You talked quite generally among your friends? A Yes sir.

Q Did you advise with Mr. Telle about it? A Yes sir, he drew the petition.

Q And Telle represented you before the Council by which the second act was passed? A No sir, just drew the bill upon my direction. I placed the matter before the Council myself.

Q Mr. Telle drew the bill? A Yes sir, I dictated it.

Q Did you ask his advice? A I just asked him to draw the bill. He was an attorney and of course knew about it, I told him I wanted the bill to place before the citizenship committee and wanted my children that was here recognized and those who would not come here would not be in

Q You understand that this does not affect your citizenship? A I will just say, my daughter Fannie Seals, I asked her why she would not live in the Indian Territory.

Q You understand this does not affect your citizenship but another question before the Commission.

Examination by Mr. Ralls.

Q It wouldn't make any difference if it did apply to your case, you would answer the same way, wouldn't you? A I am pretty sound on it.

Q as I understand you then, you only mentioned your own name in the petition to be admitted as a member in 1883. You were admitted

Francis M. Jones 3.

and as soon as you were admitted your children who were here with you were recognized by the Choctaws? A Yes sir.

Q They got all the benefits as other Choctaws and afterwards in order that there might be no question at all, you had an act passed specifically naming all the children who were then here?

A Yes sir.

Q And I also understood you to say that your children who were residing here- in regard to the payment of the Leased District money- were placed on the Leased District roll? A Yes sir, three of them.

Q Now isn't it a fact that your son Charley Plummer was elected to Council before he was specifically named in any act of admission?

A Yes sir.

Q In every way your children were regarded as Choctaws?

A Those that were here.

Q That was on the theory that you being the father, your children were entitled to recognition as Choctaws? A Yes sir, he was on the Indian Police for nine years. I heard him say so yesterday.

Q They didn't have any one on the Indian Police but Indians?

A No sir.

Q And as I understand you those that did not draw Leased District money were not here at the time the act for the payment of that money was passed, and under the act they could not draw the money, not being residents? A They could not receive the payment but did not affect their property rights.

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Myra Young being first duly sworn upon her oath states that as Stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 7th, day of December, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

(Signed) Myra Young.

Subscribed and sworn to before me this 18th day of December, 1900.

Tams Bixby,

Acting Chairman.

BEFORE THE COMMISSION TO THE FIVE CIVILIZED TRIBES.  
IN THE MATTER OF THE APPLICATION OF JAMES M. BUCKHOLTS ET AL  
TO BE ENROLLED AS MEMEBERS OF THE CHOCTAW NATION.

The deposition of Joel Everidge taken at the residence of Joel Everidge about nine miles east of the town of Grant, in the Central District of the Indian Territory, between the hours of eight o'clock in the forenoon and six o'clock in the afternoon on the 8th day of January A. D. 1901, to be used as evidence in behalf of the above named applicants and all the descendants of William Buckholts, John Null and R. T. Jones and in behalf of all persons having married any of such descendants, pending before the Commission to the Five Civilized Tribes.

Joel Everidge after being duly sworn deposes and says: I am 72 years old, a citizen of the Choctaw Nation by blood and a resident of Kiamitia County, Choctaw Nation. I am one of the Supreme Judges of the Choctaw Nation. I was first elected to the office in the year 1868 and have served in that capacity every year since that year with the exception of four years, during which time Judge J. R. Turnbull served. I was on the bench when the application for citizenship in this Nation was presented by William Buckholts, R. T. Jones and John Null. The court took up the case and examined the witnesses thoroughly. The witnesses were all Choctaws by blood and perfectly reliable. The court being satisfied that Wm. Buckholts was a Choctaw by blood and that R. T. Jones was entitled to inter-married rights by virtue of his marriage to the daughter of Wm. Buckholts and that John Null was entitled to inter-married rights by virtue of his marriage with a sister of the said William Buckholts, rendered a decision in their favor, naming only the heads of families. This was the first case of this kind ever passed on by the Court. At that time it was not considered necessary that the children should be named. I remember that William Buckholts asked if it was necessary to name the children and the Chief Justice, I. L. Garvin informed him that if the parents were Choctaws the children certainly were Choctaws. This case was decided under authority conferred on the Court by an act of the General Council passed in 1872. Previous to this act there was no law of the Choctaw Nation requiring persons to prove up their citizenship. Citizenship at that day and time was not considered as being of the value that was placed on it in after years and at the present time. Even to this day there is no law specifically requiring the children to be named but the practice of late years by the Citizenship Committees of Council, has been to have them named, owing to the great number of applicants, for its information.

JOEL EVERIDGE.

United States of America,  
Indian Territory.

I, William Beadles, a Notary Public within and for the Central District of the Indian Territory, do hereby certify that the foregoing deposition of Joel Everidge, was taken before me and was read to and subscribed by him in my presence, at the time and place and in the action mentioned in the caption. The said Joel Everidge having been first sworn by me, that the evidence he should give in the matter should be the truth, the whole truth and nothing but the truth: I further certify that his statements were reduced to writing in his presence, the applicants not being present in person and being represented by A. Telle, one of their attorneys, and the Choctaw and Chickasaw Nations not being represented by their attorneys although properly served with a notice as evidenced by the return hereto attached.

Given under my hand and official seal at the above named place within the Central District of the Indian Territory this the 8th day of January A. D. 1901.

(SEAL)

Wm. BEADLES.  
Notary Public.

BEFORE THE COMMISSION TO FIVE CIVILIZED TRIBES.

In the matter of the application of  
James M. Buckholts et al, to be enrolled as members of the Choctaw Nation. Notice to take depositions.

To Mansfield, McMurray and Cornish, attorneys for the Choctaw and Chickasaw Nations:

You are hereby notified that the applicants, James M. Buckholts et al, will take the deposition of Judge Joel Everidge at the residence of said Judge Joel Everidge about eight miles nearly east of Grant in the Central District of the Indian Territory, between the hours of nine o'clock in the forenoon and six o'clock in the afternoon, on the eighth day of January A. D. ~~1891~~ 1901, the said deposition when taken to be used before the Commission to the Five Civilized Tribes, by the said applicants in their application to be enrolled as members of the Choctaw Nation and to be used in behalf of all of the descendants of William Buckholts, R. T. Jones and John Null, and in behalf of all persons claiming to be enrolled as intermarried citizens who have married any of said descendants. And if the taking of said deposition be not completed on said day, the taking thereof will be continued from day to day at the same place and between the same hours until completed.

J. G. RALLS,  
TALLE & CHAMBERS  
Attorneys for applicants.

United States of America,  
Indian Territory ss  
Central District.

I, Jasper P. Grady, United States Marshal for the Central District of the Indian Territory, do hereby certify that I received the above and foregoing notice at the hour of 8.30 o'clock A. M. on the 24th day of December, 1900, and that I served the same at the hour of 4.20 o'clock P. M. in the town of South McAlester in said District and Territory, by delivering a true copy thereof to Melvin Cornish a member of the law firm of Mansfield, McMurray & Cornish.

Witness my hand this the 24th day of December, 1900.

J. P. Grady,  
U. S. Marshal as aforesaid  
By Robt. Fortune, Deputy.

Fee for serving 50 cts.  
paid by J. G. Ralls,  
J. P. Grady,  
U.S. Marshal.

United States of America,  
Indian Territory,  
Central District.

I, WM. BEADLES, a Notary Public within and for the Central District of the Indian Territory, with office at Grant, I.T., do hereby certify that the above and foregoing is a true and correct copy of the deposition of Joel Everidge taken before me on the 8th day of January, A. D. 1901, and that the copy of the notice thereto attached is a true and correct copy of the original notice attached to said deposition.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of said Notary Public aforesaid, at Grant, in said District and Territory this 9th day of December, A. D. 1901.

WM. BEADLES,  
Notary Public Aforesaid.

(SEAL)





719  
P. 10. 10

7-1-666.  
7-R-306.

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Ozie Travis and her three minor children, Robbie Travis, William Travis and Marie Travis, as citizens by blood of the Choctaw Nation.

--: D E C I S I O N :--

It appears from the census card record in this case that on August 22, 1899, Ozie Travis appeared before the Commission and made personal application for the enrollment of herself and her three minor children, Robbie Travis, William Travis and Marie Travis, as citizens by blood of the Choctaw Nation. Further proceedings were had in this case at Muskogee, Indian Territory, on March 1, 1901.

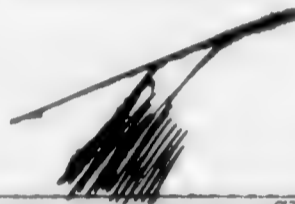
It appears from the record herein that the principal applicant, Ozie Travis, and her "descendants" were admitted to citizenship in the Choctaw Nation by an act of the General Council of said nation approved April 8, 1891; and that the applicants herein claim their rights as citizens by blood of the Choctaw Nation by virtue of the said admission of the said Ozie Travis and her "descendants" and of their subsequent recognition as citizens by blood of the Choctaw Nation by the tribal authorities of said nation.

It appears from an examination of the tribal rolls in the possession of the Commission that the applicants, Ozie Travis, Robbie Travis, William Travis and Marie Travis, are identified upon the 1893 Choctaw Leased District Payment Roll, Blue County, numbers 1108, 1111, 1109 and 1110, respectively, and also upon the 1896 Choctaw Census Roll, Blue County, numbers 12403, 12404, 12405 and 12406, respectively, enrolled on said rolls as citizens by blood of said nation.

It further appears that all of the applicants herein were residents in good faith of Indian Territory on June 28, 1896, all applicants listed upon census cards in 1899 having been first examined as to such fact although their testimony was not reduced to writing; and that the principal applicant, Ozie Travis, died on December 31, 1900.

It is, therefore, the opinion of this Commission that the application for the enrollment of Ozie Travis as a citizen by blood of the Choctaw Nation should be dismissed and that, following the ruling of the Department in the case of James M. Fuchholts, et al., (I. T. D. 8490-1903), Robbie Travis, William Travis and Marie Travis should be enrolled as citizens by blood of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 20, 1898 (30 Stat., 496) and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.



Chairman.



Commissioner.



Commissioner.

Muskogee, Indian Territory.

SEP 9 1904

7-3666  
7-R-306

COPY.

Muskogee, Indian Territory, September 9, 1904.

Robert A. Travis,  
Caddo, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 9, 1904, granting the application for the enrollment of your three minor children, Robbie, William and Marie Travis, as citizens by blood, and dismissing the application of Ozie Travis for enrollment as a citizen by blood of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling said children as citizens of the Choctaw Nation. If at the expiration of said time no protest has been filed, their names will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

*Tame Bixby.*

Chairman.

Registered.

Incl. 7-3666  
7-R-306

7-3666

7-B-306

COPY

Muskogee, Indian Territory, September 9, 1904.

Fred Beall,

Attorney at Law, 624 F. Street, N. W.,

Washington, D. C.

Dear Sir:

You are hereby notified that the Commission to the Five Civilized Tribes, on September 9, 1904, rendered its decision granting the application of Robert A. Travis for enrollment of his three minor children, Robbie, William and Marie Travis as citizens by blood, and dismissing the application of Ozie Travis for enrollment as a citizen by blood of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of said decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling said children as citizens of the Choctaw Nation. If at the expiration of said time no protest has been filed, their names will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

*James Bixby*

Chairman.

Registered.

7-3686  
7-R-306

COPY:

Muskogee, Indian Territory, September 9, 1904.

J. G. Ralls,

Attorney at Law,

Atoka, Indian Territory.

Dear Sir:

You are hereby notified that the Commission to the Five Civilized Tribes, on September 9, 1904, rendered its decision granting the application of Robert A. Travis for the enrollment of his three minor children, Robbie, William and Marie Travis as citizens by blood, and dismissing the application of Ozie Travis for enrollment as a citizen by blood of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of said decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling said children as citizens of the Choctaw Nation. If at the expiration of said time no protest has been filed, their names will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

*Tams Bixby.*

Chairman.

Registered.

7-3666  
COPY. 7-R-306

Muskogee, Indian Territory, September 9, 1904.

Z. T. Waldron,  
Attorney at Law,  
Muskogee, Indian Territory.

Dear Sir:

You are hereby notified that the Commission to the Five Civilized Tribes, on September 9, 1904, rendered its decision granting the application of Robert A. Travis for enrollment of his three minor children, Robie, William and Marie Travis as citizens by blood, and dismissing the application of Ozie Travis for enrollment as a citizen by blood of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of said decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling said children as citizens of the Choctaw Nation. If at the expiration of said time no protest has been filed, their names will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

*James Dixey.*

Chairman.

Registered.

7-3666  
7-R-306

COPY.

Muskogee, Indian Territory, September 9, 1904.

Manfield, McMurray & Cornish,  
Attorneys for Choctaw and Chickasaw Nations,  
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of this Commission, rendered September 9, 1904, granting the application for the enrollment of Robbie, William and Marie Travis as citizens by blood, and dismissing the application of Ozie Travis for enrollment as a citizen by blood of the Choctaw Nation.

You are hereby notified that you will be allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling said children as citizens of the Choctaw Nation. If at the expiration of said time no protest has been filed, their names will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

*Tame Bixby.*  
Chairman.

Registered.  
Incl. 7-3666

7-R-306.

*See 7-4219 for registry receipt for this letter*



Department of the Interior.  
Commission to the Five Civilized Tribes.

In the matter of the application of  
Rufus Tolbert for enrollment as a citizen  
by blood of the Choctaw Nation.

---D 375---

On the first day of March, 1902, the applicant was notified by registered mail, and on the sixth day of March, 1902, the attorneys for the Choctaw and Chickasaw Nations were notified by registered mail, that the application of Rufus Tolbert for enrollment as a citizen of the Choctaw Nation would be taken up by the Commission to the Five Civilized Tribes at its office in Muskogee, Indian Territory, on the 9th day of April, 1902, for final consideration.

Now, on this 9th day of April, 1902, this cause coming on to be heard pursuant to said notice, the applicant failed to appear either in person or by attorney, and the Choctaw Nation appeared by its attorneys, Mansfield, McMurray and Cornish, and submits this case up on the record.

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Harry C Risteen, being first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 9th day of April, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

*Harry C Risteen*

Subscribed and sworn to before me this 11th day of April, 1902.

*Wm. M. Wood*

Notary Public.

Commission to the Five Civilized Tribes,

South McAlester, Ind. Ter.

In the application of Robert A. Travis for enrollment as an intermarried Choctaw, being sworn and examined by Com'r McPherson he testifies as follows:

Q What is your name? A Robert A. Travis.

Q How old are you? A Forty-six.

Q You present here a license issued by the County and Probate Clerk of Boltoklo county, Choctaw Nation, dated September 4th 1899 to marry Osie Bilbo, with a certificate of marriage dated September 11th 1899, were you married to her before? A Yes sir.

Q When? A In 1883

Q You were not separated from or divorced from her? A No sir.

Q Her name then was not Bilbo when you married her the last time, but it was Travis? A Yes sir.

Q This then was a second marriage? A Yes sir.

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Department of the Interior,

Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

*M. D. Green*

Copy.

MARRIAGE LICNESE.

~~~~~

CHOCTAW NATION )  
(  
County of Boktuklo. )

TO WHOM IT MAY CONCERN.

~~~~~

Know ye that Robert A. Travis, a white man and a citizen of the United States, having made application to this office for a license to marry Ozie Bilbo, a member of the Choctaw tribe of Indians, and having presented to this office a certificate of good moral character, signed by ten respectable Choctaw citizens by blood, and having paid into the Country Treasury the sum of \$100.00 ( One hundred dollars ) the receipt whereof is hereby acknowledged, and having taken the oath of allegiance to the Choctaw Nation, as required by law, I the undersigned, a County and Probate Clerk of Boktuklo County, Choctaw nation, by virtue of the authority vested in me by the laws of said Nation, do grant unto the said Robert A. Travis, a license to marry the said Ozie Bilbo, according to the laws of the Choctaw Nation.

Now, therefore, any Judge of this nation, or any regularly ordained Minister of the Gospel is hereby authorized to join together in the Holy estate of Matrimony Mr. Robert A. Travis and Miss Ozie Bilbo.

Witness my hand and County seal, this the 4th day of September A.D. 1899.

L. B. Sampson.  
County and Probate Clerk  
Boktuklo County, C.N.

~~~~~

CERTIFICATE

This is to certify that Robert A. Travis a United States citizen, and Miss Ozie Bilbo, a Choctaw citizen by blood, are duly married according to the laws of this Choctaw Nation. This the 11th day of September, A.D. 1899.

By, Rev. Calvin Robinson,  
A Minister of the Gospel.

\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$

Copy

TO THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

\*\*\*\*\*

Robert A. Travis,)  
vs ( )  
Choctaw Nation. )

The Choctaw Nation through its attorneys question Claimants right to enrollment as an intermarried citizen: on the Ground of his second Marriage. Every white person who having married a Choctaw or Chickasaw and resides in said Choctaw or Chickasaw Nation is to be deemed a member of said Nation and shall be subject etc., Act 28 Treaty of 1866. " The treaty makes every white man who may marry a Choctaw or Chickasaw woman a citizen in all respects as though he was a native Choctaw or Chickasaw. By this provision of the treaty there is to be no difference between a citizen by virtue of this marriage and a native Choctaw, of course the latter marriage must be in accordance with the laws of the Choctaw Nation. " This is the language of Judge Clayton in the case of T. R. Robinson, v Choctaw Nation affirming action of Commission.

See Report of Commission to the Five Civilized Tribes, Claimant was married the second time in accordance with the laws of the Choctaw Nation to which there is no contention, the license and certificate of which are in the possession of the Commission.

In the above named report of the Commission to the Five Civilized Tribes we cite the decision of Judge Clayton in the Case of William N. Tucker v the Choctaw Nation. A case exactly in point to this of claimants in which judgement of Commission in enrolling said Tucker was affirmed upon the interpretation of the Treaty and the Choctaw laws by the above decision Claimant insists on his rights to be enrolled.

Robert A. Travis,  
Claimant.

\*\*\*\*\*

Recorded on back.

Robert A. Travis,  
vs  
Choctaw Nation.

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Department of the Interior.  
COMMISSION TO THE FIVE CIVILIZED TRIBES  
Filed  
March 14-1901.  
Tams Bixby.  
Acting Chairman.

Department of the Interior.  
Commission to the Five Civilized Tribes.  
Atoka, I. T., November 21st, 1902.

Choctaw D-484  
Intermarried

-----oOo-----

In the matter of the application of Robert A. Travis for enrollment as an intermarried citizen of the Choctaw Nation.

Robert A. Travis being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Robert A. Travis.  
Q How old are you? A Forty-nine.  
Q What is your post office address? A Caddo.  
Q How long have you been a resident of the Choctaw Nation?  
A Five years.  
Q Lived here continuously for the past five years? A Yes sir.  
Q Do you claim intermarried rights in the Choctaw Nation?  
A Yes sir.  
Q What is the name of your Choctaw wife through whom you claim these rights? A Bilbo was her maiden name.  
Q What is her first name? A Ozella.  
Q Is she a recognized citizen of the Choctaw Nation? A Yes sir.  
Q Her rights have never been disputed? A No sir.  
Q When were you first married to Ozella Bilbo? A In '83.  
Q Where was this marriage ceremony performed? A Canton, Mississippi.  
Q At that time were both you and your wife residents of Mississippi?  
A Yes sir.  
Q When did you remove to this country? A '97, at least, my family moved here in '97, the first day of December they arrived here, and I moved in January, '98.  
Q Were you an applicant before this Commission in '96 for admission to citizenship in the Choctaw Nation? A I wasn't living here; my wife made application for me.  
Q What action was taken on your application at that time?  
A I don't know sir.  
Q Have you since remarried your wife? A Yes sir.  
Q When were you married the second time? A September, '99.  
Q Where was this marriage ceremony performed? A Calvin Robinson's residence five miles from Caddo.  
Q At the time of this second marriage were both you and your wife residents of the Choctaw Nation? A Yes sir.  
Q Were you married in accordance with the Choctaw tribal law?  
A Yes sir.  
Q From whom did you get your license? A Mr. McPherran got my license.  
Q How much did you pay for the license? A I think they cost \$60.

Robert A. Travis---2

- Q Who performed the marriage ceremony? A Calvin Robinson.  
Q Since your first marriage to your wife have you lived with her continuously up to the present time? A Up to her death.  
Q When did she die? A Nearly two years ago.  
Q Have you remarried since her death? A No sir.  
Q Were you ever married before your first marriage to this woman?  
A No sir.  
Q Was she ever married before her marriage to you? A No sir.  
Q Was she ever a recognized citizen of the Choctaw Nation?  
A Yes sir.  
Q Was she on the tribal rolls? A Yes sir.

-----

Albert G. McMillan being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 21st day of November, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

*Albert G. McMillan*

Subscribed and sworn to before me this 14<sup>th</sup> day of January, 1903.

*Charles H. Sawyer*

Notary Public.

Wes

LGD  
7- D- 484

DEPARTMENT OF THE INTERIOR  
COMMISSION TO THE FIVE CIVILIZED TRIBES

COPY:

In the matter of the application for the enrollment of  
Robert A. Travis as a citizen by intermarriage of the Choctaw Nation

-----DECISION-----

It appears from the Census Card and other records in this case that Robert A. Travis appeared before the Commission at South McAlester, Indian Territory, on September 12, 1899, and made personal application for enrollment as a citizen by intermarriage of the Choctaw Nation. Further proceedings were had in the matter of this application at Atoka, Indian Territory, on November 21, 1902.

It further appears from the records in the possession of the Commission that on September 7, 1896, in the case entitled "Robt. A. Travis vs. the Choctaw Nation" (1896 Choctaw Citizenship Docket Case No. 438) the applicant herein made original application to this Commission under the provisions of the Act of Congress approved June 10, 1896 (29 Stats. 321), for admission to citizenship in the Choctaw Nation, claiming his right thereto by virtue of his marriage in the State of Mississippi, in 1883, with Ozie Travis, who was admitted to Choctaw citizenship by an act of the Choctaw General Council approved April 8, 1891 (Durant's Digest, page 320), whose name is also identified upon the 1896 Choctaw Census Roll, No. 12403; that on December 2, 1896, the said Robert A. Travis was by this Commission denied admission to citizenship in the Choctaw Nation as a citizen by intermarriage, from which decision of the Commission no appeal was taken.

The record herein further shows that the applicant was subsequently, on September 11, 1899, remarried to the said Ozie Travis in accordance with the laws, customs and usages of the Choctaw Nation; that at the time of said last marriage both persons above mentioned were residents in good faith of the Choctaw Nation and that they lived together continuously in said nation as husband and wife, from the date of said marriage up to the death of the said Ozie Travis on December 31, 1900, since which time the applicant, Robert A. Travis, had not again married up to and including September 25, 1902.

It is therefore the opinion of this Commission that Robert A. Travis should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stats. 495) and July 1, 1902, (32 Stats. 641) and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES

Chairman.  
  
C. R. ...  
COMMISSIONER  
  
W. E. ...  
COMMISSIONER

Muskogee, Indian Territory

APP 22 1902

Muskogee, Indian Territory

Chootaw-D-484

Muskogee, Indian Territory, April 22, 1903.

Robert A. Travis,  
Caddo, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission, rendered April 22, 1903, granting your application for enrollment as a citizen by intermarriage of the Chootaw Nation.

The attorneys for the Dhootaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Chootaw Nation. If at the expiration of that time, no protest has been filed, your name will be placed upon the final rolls of the citizens of the Chootaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,  
(SIGNED).

*Tamo Birby.*  
Chairman.

Registered.

Enc. I.B.S. 45



Choctaw-D-484

Muskogee, Indian Territory, April 22, 1903

Mansfield, McMurray & Cornish,  
Attorneys for the Choctaw and Chickasaw Nations,  
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered April 22, 1903, granting the application of Robert A. Travis for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed, the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED).

*Tarce Kirby.*

Chairman.

Registered?

Enc. I.B.S. 46

Choctaw R 306

Muskogee, Indian Territory, May 26, 1902.

Fred Reall,

Attorney at Law, 624 F Street, N. W.,  
Washington, D. C.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 21st instant, in which you desire to be informed as to the present status of the three children of Mrs. Ezio Travis, of Caddo, Indian Territory, if the Commission has rendered a decision in the case and if so, when it was rendered and the effect thereof, and if a copy thereof was sent Mrs. Travis or any one representing her children and also if the case has been reported to the secretary of the Interior for review.

Replying to your communication you are informed that it appears from our records that Robbie, William and Marie Travis, the minor children of Ozio Travis, of Caddo, Indian Territory, are applicants to this Commission for enrollment as citizens by blood of the Choctaw nation.

It appears from the record in this case that Mrs. Travis was a resident of the state of Mississippi up to the year 1891 and that prior to that time she had married a white man by the name of Robert A. Travis in the state of Mississippi.

On April 8, 1891, by an act of the National Council of the Choctaw Nation, "Mrs. Ozie S. Travis and her sisters, Mrs. Ma Williams, Mrs. Lena Sutherland and Mrs. Anna Boyd 'and their descendants'" were admitted to citizenship in the Choctaw Nation.

At the time of this act of admission Mrs. Travis had living with her by her white husband, three children, namely, Robbie, William and Marie Travis.

After the act of admission of the Choctaw Council above referred to and prior to the Leased District payment made to the citizens by blood of the Choctaw Nation in 1893, Ozie Travis and her husband, Robert A. Travis and their three minor children removed to the Choctaw Nation, Indian Territory, where the children were admitted to the Choctaw schools and when the Leased District payment was made in 1893 to the citizens by blood of the Choctaw Nation, Ozie Travis drew for herself and her three minor children, \$103.00 each as recognized members of the Choctaw Nation, and their names are also found upon the census roll of the citizens of the Choctaw Nation prepared by the tribal authorities in 1896.

The Choctaw Nation is now contesting the final right to enrollment of these children on the ground that the words 'and their descendants' appearing in the act of the Choctaw Council of April 8, 1891, could only be construed to mean the descendants of Mrs. Travis born since the date of the approval of that act and did not include her minor children who were living at the time

P B 3

of its approval and whose names were not mentioned therein.

The Commission has not up to this time rendered any decision or opinion in this case but will do so at as early a date as practicable and when such decision is rendered, Mrs. Travis will be furnished with a copy thereof and also be advised of the forwarding of the record in the case to the Secretary of the Interior for his review.

If you have been employed by Mrs. Travis to represent her children in this matter and will so advise the Commission, your appearance as attorney for these applicants will be noted and when the decision of the Commission is rendered you will be furnished with a copy thereof.

Yours truly,

Acting Chairman.

Muskogee, Indian Territory, June 4, 1900.

Fred Beall,

Attorney at Law, 624 F. Street, N. W.,

Washington, D. C.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 31st ultimo, in which you advise that you have been engaged to represent the three children of Mrs. Ozie Travis in the matter of their application for enrollment as citizens of the Choctaw Nation and enclose a formal appearance in their behalf which you desire to be filed with the other papers in this case.

You also request that you be allowed reasonable time within which to file a brief in support of of this application before this case is taken up for final consideration by the Commission.

Your appearance as attorney for the applicants, Robbie, William and Marie Travis the minor children of Ozie Travis for enrollment as citizens of the Choctaw Nation has this day been entered of record.

You are further advised that you will be granted thirty days from the date hereof within which to file a brief in support of the application of these persons for enrollment as citizens

F B I

of the Bureau Indian.

After the expiration of the said thirty days the Commission will render its decision relative to the rights to enrollment of these children of which decision you will be furnished with a copy and also advised of the forwarding of the record in the case to the Secretary of the Interior for his review.

Yours truly,

Acting Chairman.

7-3666  
7-R-306.

Muskogee, Indian Territory, August 30, 1902.

J. G. Ralls,

Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 2nd instant, enclosing a petition signed by Z. T. Walron and J. G. Ralls attorneys for the minor applicants, Robbie, William B. and Marie McBride Travis, in the matter of their application for enrollment as citizens by blood of the Choctaw Nation, in which petition request is made that the evidence introduced in the application of James M. Buckholts, et al., for enrollment as citizens of the Choctaw Nation be also considered in the application of the above mentioned minor children.

It appears from the records of the Commission that in August, 1899, application was made to the Commission for the enrollment of Robbie, William and Marie Travis, as citizens by blood of the Choctaw Nation. No final action has been taken by the Commission in the matter of the enrollment of these children.

The petition forwarded by you has this date been filed with the records in their case, and the testimony referred to will be duly

J. G. R., 2.

considered when the matter of the enrollment of these children is taken up for final consideration by the Commission.

You are further advised that on August 25, 1902, Z. T. Wal-  
road filed with the Commission in person, an identical copy of the  
petition above referred to.

Yours truly,

Acting Chairman.



Choctaw 3846  
Choctaw D464  
Choctaw R306

Muskogee, Indian Territory, September 24, 1902.

L. C. Leflore,

Caddo, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of September 21, asking whether James M. Goddard and Robert Travis are listed for enrollment as citizens of the Choctaw Nation.

In reply to your letter you are advised that it appears from our records that James M. Goddard, twenty eight years of age, of Caddo, Indian Territory, was, on August 24, 1899, listed for enrollment as an intermarried citizen of the Choctaw Nation.

It further appears from our records that Robert A. Travis forty six years of age, of Caddo, Indian Territory, on September 12, 1899, made application to this Commission for enrollment as a citizen by intermarriage of the Choctaw Nation. No decision has yet been reached relative to his rights as such intermarried citizen, and he is listed among the doubtful claimants to enrollment in the Choctaw Nation.

It further appears from our records that Robbie Travis, son of Ozie Davis, thirteen years of age, is an applicant to this Commission for enrollment as a citizen by blood of the Choctaw Nation, but no decision has been rendered by the Commission relative to his

L.C.L. 2

final right to enrollment as such citizen of the Choctaw Nation. It is not known which of the Travisese named above is the person referred to in your letter.

Respectfully,

Acting Chairman.

Choctaw R306  
Choctaw D484

Muskogee, Indian Territory, February 18, 1903.

George H. Bartlett,  
Caddo, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of February 13, in which you ask if Robbie Ozella Travis, Marie McBride Travis, William Bilbo Travis, and Robert A. Travis are enrolled as Choctaw citizens.

In reply to your letter you are advised that it appears from our records that Robbie, William and Marie Travis, children of Ozie Travis, are applicants to this Commission for enrollment as citizens by blood of the Choctaw Nation, and their final right to such enrollment has not yet been determined.

It further appears from our records that Robert A. Travis has been listed among the doubtful claimants to enrollment as an intermarried citizen of the Choctaw Nation, and his final right to enrollment has not yet been passed upon by this Commission.

Respectfully,

Acting Chairman.

Chocotaw R 306

Muskogee, Indian Territory, March 28, 1904.

Will R. McBride,  
Caddo, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of March 19, asking the status of the enrollment of Robbye Travis, and in reply you are advised that the Commission has not yet passed upon the application for the enrollment of Robbie, William and Marie Travis, children of Ozie Travis. As soon as a decision is reached in this case they will be notified of the action taken therein.

The stamped envelope inclosed with your letter is herewith returned.

Respectfully,

Commissioner in Charge.

AB 1-28

Choctaw R-306.

Muskogee, Indian Territory, May 20, 1904.

J. G. Ralls,  
Attorney at Law,  
Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 10, in which you call attention to the children of Robert A. Travis, Robbie, William and Marie Travis, and state that these children have the same status as Valeria Sutherland who has been approved by the Secretary of the Interior. You therefore request that the names of these children be placed upon the schedules submitted to the Secretary of the Interior for approval.

In reply to your letter, you are informed that the Commission will, as early as practicable, take up for consideration and determination the application for the enrollment of Robbie, William, and Marie Travis, children of Robert A. and Ozie Travis, as citizens by blood of the Choctaw Nation, and as soon as a decision is reached herein you will be notified of the action taken.

Respectfully,

Commissioner in Charge.

IN RE Citizenship Case of  
Robert O. Travis  
et al Children of Mrs.  
Ozie P. Travis a  
Choctaw Indian

NO. \_\_\_\_\_

OFFICE OF

Z. T. WALROND,  
ATTORNEY AND  
COUNSELLOR AT LAW.

Muskogee, Ind. Ter.

6/1/14

1904

In reply to yours of \_\_\_\_\_ inst.

Hon. James Commissioner  
Muskogee Ind Ter

Dear Sir:

Has decision yet been rendered  
in the above styled cause?

Z. T. Walrond  
Atty. for Claimants

7-R-306

Huskogee, Indian Territory September 1, 1904.

J. G. Ralls,

Attorney at Law.

Atoka, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of the 25th ult., requesting to be advised relative to the status of application for enrollment as a citizen by blood of the Choctaw Nation, of Marie, Robbie, and William Travis minor children of Robert A. and Ozie Travis.

You are advised that the application for the enrollment of Robbie, William and Marie Travis is now under consideration by the Commission and it is probable that a decision will be reached in a short time and notice of action taken therein forwarded to you.

Respectfully,

Chairman.

7-R-306

Muskogee, Indian Territory, September 7, 1904.

W. R. McBride,

Cade, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of August 29, 1904 requesting information relative to the enrollment of Robbye Travis.

You are advised that the application for the enrollment of Robbie Travis and her brother and sister William and Marie Travis is now being considered by the Commission and it is probable that a decision will be reached within a short time and due notice of the action taken therein forwarded to the applicants at their present post-office address.

Respectfully,

Chairman.



*Substitute*

7-R-306

Muskogee, Indian Territory, September 14, 1904.

Z. T. Waldron,

Attorney at Law.

Muskogee, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of the 6th inst., requesting information relative to the status of the application for enrollment of the minor children of Ozie P. Travis.

On September 9, 1904 you were notified that the Commission rendered its decision granting the application of Robert A. Travis for enrollment of his three minor children Robbie, William and Marie Travis as citizens by blood and dismissing the application of Ozie Travis for enrollment as a citizen by blood of the Choctaw Nation. You were advised that the Attorneys for the Choctaw and Chickasaw Nations had been furnished a copy of said decision and been allowed fifteen days from the date of notice within which to file protest against the action of the Commission in enrolling said children as citizens of the Choctaw Nation, and if at the expiration of that time no protest should be filed their names would be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

7-R-300

Mustoge, Indian Territory, September 14, 1904.

R. A. Travis,  
Caddo, Indian Territory.

Dear Sir:-

We are hereby acknowledged of your letter of the 2nd inst., requesting to be advised if the Commission has passed upon your application for the enrollment of your children as citizens by blood of the Choctaw Nation.

You are informed that on September 9, 1904 the Commission rendered its decision granting the application of Robert A. Travis for the enrollment of his three minor children Robbie, William and Marie Travis as citizens by blood and dismissing the application of Ozie Travis for enrollment as citizen by blood of the Choctaw Nation, and due notice of such action forwarded to I. J. Ralls, Attorney at Law, Atoka, Indian Territory as attorney for the applicants.

Respectfully,

Chairman.

Choctaw 3846  
Choctaw D464  
Choctaw R306

Muskogee, Indian Territory, September 24, 1902.

L. C. Teflore,

Caddo, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of September 21, asking whether James M. Goddard and Robert Travis are listed for enrollment as citizens of the Choctaw Nation.

In reply to your letter you are advised that it appears from our records that James M. Goddard, twenty eight years of age, of Caddo, Indian Territory, was, on August 24, 1898, listed for enrollment as an intermarried citizen of the Choctaw Nation.

It further appears from our records that Robert A. Travis forty six years of age, of Caddo, Indian Territory, on September 12, 1899, made application to this Commission for enrollment as a citizen by intermarriage of the Choctaw Nation. No decision has yet been reached relative to his rights as such intermarried citizen, and he is listed among the doubtful claimants to enrollment in the Choctaw Nation.

It further appears from our records that Robbie Travis, son of Ozie Davis, thirteen years of age, is an applicant to this Commission for enrollment as a citizen by blood of the Choctaw Nation, but no decision has been rendered by the Commission relative to his

L.C.L/ 2

final right to enrollment as such citizen of the Choctaw Nation. It is not known which of the Travises named above is the person referred to in your letter.

Respectfully,

Acting Chairman.

7-3666

Muskogee, Indian Territory, December 16, 1904.

Z. T. Walroni,

Attorney at Law.

Muskogee, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of December 14, 1904, asking if the Attorneys for the Choctaw and Chickasaw Nations appealed as to R. O. Travis, et al., children of Robert A. and Ozie P. Travis.

In reply to your letter you are advised that no protest having been filed by the attorneys for the Choctaw and Chickasaw Nations to the action of the Commission in granting the application for the enrollment of Robbie, William and Marie Travis as citizens by blood of the Choctaw Nation, their names were placed upon a schedule of citizens by blood of said Nation which was forwarded to the Department and on October 21, 1904, the Secretary of the Interior approved their enrollment, their names appearing upon the final roll of citizens by blood of the Choctaw Nation, opposite numbers 15635, 15636 and 15637 respectively.

Copies of this roll have been forwarded to the Choctaw and Chickasaw Land Offices so that selection of allotment may now be made in behalf of the above named persons.

Respectfully,

Chairman

DEPARTMENT OF THE INTERIOR,  
WASHINGTON.

JP

ILB

I.T.D. 7794-1907.

March 4, 1907.

LRS

FLC

Commissioner to the Five Civilized Tribes,  
Muskogee, Indian Territory.

Sir :

In answer to Departmental telegram of February 23, 1907, and letter of the same date, you reported in letter of February 27, 1907, after inspection of the partial rolls of the Choctaw and Chickasaw Nations, prepared under the act of June 28, 1898 (30 Stat., 495), and subsequent legislation, the persons whose names have been placed on such partial rolls, in your opinion, contrary to the views expressed in the Attorney-General's opinion of February 19, 1907, in the case of Myrtle Randolph and others, copy of which was transmitted to you with letter of February 23, 1907, and which names you recommend be stricken from the partial rolls, opposite the numbers mentioned by you.

Your list is as follows:

**CHOCTAWS BY BLOOD AND INTERMARRIAGE.**

Charley S. Vincent, opposite No. 1468, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 231; no appeal. Patents recorded.

John Calvin Gray, opposite No. 1518, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No. 80, and denied by the United States court for the central district of Indian Territory on appeal; no appeal to the Choctaw and Chickasaw Citizenship Court.

Daisy Shelton, Frank Shelton, Emma Shelton, opposite Nos. 15951, 15952, 15953, respectively, upon the final roll of citizens by blood of the Choctaw Nation. All denied by Commission in 1896 in case No. 1407; admitted by United States court for southern district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court. Patents for No. 15951 recorded.

John Shelton, opposite No. 1495, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 1407; admitted by United States court for southern district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court.

Jacob D. Supter, opposite No. 1466, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 1073; no appeal. Patents recorded.

John Supter, Amanda Isabella Supter, Jim Andy Supter, and Scott Taylor Supter, opposite Nos. 15645, 15646, 15647, and 15648, respectively, upon the final roll of citizens by blood of

The Chester Station. Listed by Registrar in 1905 in case No. 1078; as agreed. Returns for No. 1078 recorded; amended return for No. 1078 recorded.

Wm. T. Taylor, applicant No. 1001, upon the final roll of citizens of State of the Chester Station. Son of Henry Taylor, deceased, who was listed by Registrar in 1905 in case No. 1078, and as agreed. Born in 1877.

Arthur E. Stewart, applicant No. 1121, upon the final roll of citizens of Commonwealth of the Chester Station. Listed by Registrar in 1905 in case No. 1078, as agreed.

George W. Smith, applicant No. 1122, upon final roll of citizens of Commonwealth of the Chester Station. Listed by Registrar in 1905 in case No. 1078, applicant to Chester Station upon the final roll of citizens of Commonwealth of the Chester Station, listed in the Chester Station and Chester Station. Returns of Registrar of October 2, 1905, granted, applicant returned to Registrar November 27, 1905 (T.R.S. 1078-1078).

The Registrar upon, applicant No. 1123, upon the final roll of citizens of State of the Chester Station. Listed by Registrar in 1905 in case No. 1078, applicant to Chester Station upon the final roll of citizens of Commonwealth of the Chester Station, listed in the Chester Station and Chester Station. Returns of Registrar of October 2, 1905, granted, applicant returned to Registrar November 27, 1905 (T.R.S. 1078-1078).



Commissioner October 1, 1906; affirmed by Department November 17, 1906 (I.T.D. 22526-1906).

J. V. Kirk, opposite No. 1399, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 948; appeal to United States district court dismissed.

Mary Kirk and Mariella Kirk, opposite Nos. 15393 and 15394, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 948; appeal to United States district court dismissed. Patents recorded.

William J. Crowder, Abigail Crowder, Maggie Crowder, Rosa Crowder, William F. Crowder and John F. Crowder, appeal to Nos. 18999, 18999, 18999, 18999, 18999 and 18999, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Denied by the Commission in 1896 in case No. 948; no appeal. Patents for all these reserved.

Misses Martha Crowder, Mary Fane Crowder, opposite Nos. 18999 and the final roll of citizens by blood of the Choctaw Nation. Daughters of William J. Crowder, who was denied by Commission in 1896 in case No. 948; no appeal.

Josephine Crowder, opposite No. 1523, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 953; no appeal. Wife of William J. Crowder opposite No. 15099.

George V. Crowder, Louisa Crowder, Joe Crowder and Helmeri Crowder, opposite Nos. 15006, 15007, 15008 and 15009, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 712; no appeal. Patents for Nos. 15006, 15007 and 15008 recorded.

Willie Crowder, born October 16, 1868, opposite No. 15010, upon the final roll of citizens by blood of the Choctaw Nation. Son of George V. Crowder, who was denied by Commission in 1896 in case No. 712, no appeal. Patents recorded.

Parise C. Crowder, opposite No. 15005; upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 619; no appeal.

Van Crowder, opposite No. 15011, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 900; no appeal. Patents recorded.

Andrew L. Crow, opposite No. 15004, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 488; no appeal. Patents recorded.

Betsy Wright, Thomas H. Wright, Opposite Nos. 15912 and 15913, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 507; no appeal. Patents recorded.

Mary M. Wright and Leonard Daleo Wright (both born since 1896), opposite Nos. 15914 and 15915, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Children of Betsy Wright, who was denied by Commission in 1896 in case No. 507; no appeal. Patents recorded.

Andrew J. Allen, opposite No. 1623, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No. 428; admitted by United States court for central district of Indian Territory; no appeal to the Choctaw and Chickasaw Citizenship Court.

Elizabeth Allen, opposite No. 16103, upon the final roll of citizens by blood of the Choctaw Nation. Admitted by Commission in 1896 in case No. 428; admitted by United States court for central district of Indian Territory; no appeal to the Choctaw and Chickasaw Citizenship Court.

William E. Parker, opposite No. 1470, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No. 241; admitted by United States court for central district of Indian Territory; no appeal to the

Choctaw and Chickasaw Citizenship Court. Patents recorded.

Arthur Jennings and Clyde Jennings, opposite Nos. 15972 and 15973, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 1048; admitted by United States court for Southern district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court.

William Reichert, opposite No. 1491, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 1117; no appeal. Patents recorded.

Ella Reding, opposite No. 1490, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No. 1243; admitted by United States court for central district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court.

Ardella Kiefer, opposite No. 15916, upon the final roll of citizens by blood of the Choctaw Nation. Admitted by Commission in 1896 in case No. 1243; admitted by United States Court for central district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court.

Angeline White, opposite No. 1403, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 950; no appeal. Marcellant

ordered by Department February 3, 1905 (I.T.D.1130-1905).

David Ritter, opposite No.16104, upon the final roll of citizens by blood of the Choctaw Nation. Admitted by Commission in 1896 in case No. 483; denied by Commission in 1896 in case No. 1107; admitted by United States Court for central district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court.

Ida Crutchfield, Ina Crutchfield, Louvinia Crutchfield, William Crutchfield and Loutitia Crutchfield, opposite Nos. 16105, 16107, 16108, 16109 and 16110, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Admitted by Commission in 1896 in case No. 488; admitted by United States court for central district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court.

Everet Crutchfield, opposite No. 16106, upon the final roll of citizens by blood of the Choctaw Nation. Born in 1887, and son of Ida Crutchfield, above mentioned. Was not before the Commission in 1896, and possesses no tribal status.

George W. Crutchfield, opposite No. 16111, upon the final roll of citizens by blood of the Choctaw Nation. Born since 1896, and child of Ida Crutchfield, opposite No. 16105.

James T. Leard, opposite No. 16264 upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by

Commission in 1896 in case No. 1223; admitted by United States court for the central district of Indian Territory; denied by the Choctaw and Chickasaw Citizenship Court.

Robert L. Baben, opposite No. 1406, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 1017; no appeal. Patents recorded.

Sarah Merryman, opposite No. 1405, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 345; no appeal.

Willie F. Reagles, opposite No. 15917, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 11; no appeal. Patents recorded.

August Klugh, opposite No. 290, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 223; no appeal. Patents recorded.

Henry Pebworth, opposite No. 9258, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 1376; no appeal. Patents recorded.

Mary M. Bowling, opposite No. 1408, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 1031; no appeal. Patents recorded.

Alice E. James, Maggie M. James, Ellis E. James,

Analaurie James and Evalena James, opposite Nos. 15450, 15451, 15452, 15453, and 15454, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 1031; no appeal. Patents for Nos. 15450, 15451, 15453, and 15454, recorded.

Chester C. Atwood, opposite No. 1409, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 1127; no appeal. Patents recorded.

William D. Paxton, opposite No. 1410, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 582; No appeal. Patents recorded.

Charles A Woodward, opposite No. 662, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No. 322; denied by United States court for central district of Indian Territory; no appeal to the Choctaw and Chickasaw Citizenship Court. Homestead patent recorded.

Frederick R. Robinson, opposite No. 1531, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No. 675; admitted by United States court for central district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court.

Virginia P. Mitchell, opposite No. 1215, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by

Commission in 1896 in case No.389; no appeal. Patents recorded.

Andrew Deal, opposite No.1473, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.77; no appeal.

Benjamin B. Gunter, opposite No.1216, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No.267; denied by United States court for central district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court. Patents recorded.

Calvin Q. Harris, opposite No.1329, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No.423; denied by United States court for central district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court. Homestead patent recorded.

Lydia Ann Crowder, opposite No.1412, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.742; no appeal.

Madell McClure, opposite No.1414, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.1326; no appeal.

Mary E. Robinson and Mary A. Trice, opposite Nos.15856 and 15857, respectively, upon the final roll of citizens by bleed



of the Choctaw Nation. Denied by Commission in 1896 in case No.661; no appeal. Patents for No.15856 recorded.

Lucy McMurtry, opposite No.1407, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.1324; no appeal.

Eli W. Crowder, James Crowder, Katie B. Crowder and Pinkie B. Crowder, opposite Nos.15921, 15922, 15923 and 15924, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No.762; no appeal.

John A. Crowder, opposite No.15925, upon the final roll of citizens by blood of the Choctaw Nation. Born in 1897, and son of Eli W. Crowder, opposite No.15921. Patents recorded.

Henry Southerland, opposite No.668, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.1381; no appeal. Patents recorded.

Robert A. Travis, opposite No.340, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.438; no appeal.

Mary Moran, opposite No.1416, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.350; no appeal. Patents recorded.

George W. Roberts, opposite No.1219, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No.659; denied by United States court for central district of Indian Territory; no appeal to the Choctaw and Chickasaw Citizenship Court. Patents recorded.

Viccy Lewis, opposite No.1476, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No.1239; admitted by United States court for central district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court. Patents recorded.

Ira L. Smith, opposite No.1127, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.790; denied by United States court for central district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court. Patents recorded.

Mattie Freeny, opposite No.1421, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.468; no appeal. Patents recorded.

Rosa E. Rigney, opposite No.1478, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No.708; admitted by United States court for central district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court. Patents recorded.

Jesiah T. Marshal, opposite No.1341, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No.372; denied by United States court for the central district of Indian Territory; appeal to Choctaw and Chickasaw Citizenship court dismissed on May 4, 1903, on general demurrer, in case No.3 upon the McAlester docket.

Fannie Shults, opposite No.1423, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.1067; no appeal. Patents recorded.

Hattie A. Perkins, opposite No.1027, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.654; no appeal. Patents recorded.

John T. Staton, opposite No.1428, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.1072; no appeal. Patents recorded.

Amanda Choate, opposite No.1559, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.757; no appeal.

Eva Coleman, opposite No.1586, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.871; no appeal.

William F. Kelly, opposite No.1480, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No.1198; admitted by United States court for central district of Indian Territory; no appeal to the Choctaw and Chickasaw Citizenship Court.

Mattie M. Russell, opposite No.1353, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.1116; no appeal.

Grover Randall, opposite No.15928, upon the final roll of citizens by blood of the Choctaw Nation. Admitted by Commission in 1896 in case No.667; admitted by United States court for central district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court.

Agnes James, opposite No.15961, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No.1019; no appeal.

Martha Hyden, opposite No.1609, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.1344; admitted by United States court for Southern district of Indian Territory; denied by Choctaw and Chickasaw Citizenship Court.

Wiley Adams, opposite No.15027, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No.1128; no appeal.

Mary A. Foster, opposite No.985, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.437; no appeal.

Jeannetta H. Buckholts, opposite No.1537, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.943; no appeal.

Selden T. Lindsey, opposite No.1150, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No.25; denied by United States court for central district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court. Patents recorded.

Henry A. Cummings, opposite No.1464, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No.983; admitted by United States court for central district of Indian Territory; no appeal to the Choctaw and Chickasaw Citizenship Court. Ordered enrolled by Department April 1, 1905 (I.T.D. 3131-1905). Patents recorded.

Allen Beagles, opposite No.1486, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.11; no appeal. Patents recorded.

William Newton Gann, opposite No.1488, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No.1010; admitted by United States court for central district of Indian Territory; no appeal to the Choctaw and Chickasaw Citizenship Court.

John W. Carter, opposite No.1543, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.992; no appeal.

Julia Owo, opposite No.1550, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.1407; admitted by United States court for southern district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court.

Robert C. LeLenden, opposite No.16032, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No.1329; no appeal. Directed to be enrolled by Department April 5, 1906 (I.T.D. 5932-1904).

Martha J. McGahey, opposite No.1614, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.1268; no appeal. Decision of Commissioner of June 5, 1906, granting application affirmed by Department October 30, 1906 (I.T.D. 21238-1906).

Mattie L. Armstrong, Layton B. Armstrong and Bennie D. Armstrong, opposite Nos. 16054, 16055 and 16056, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in cases No. 477 and 478; admitted by United States Court for southern district of Indian Territory; denied by Choctaw and Chickasaw Citizenship Court. Decision of Commissioner of July 9, 1906, granting application affirmed by Department August 11, 1906 (I.T.D. 13700-1906).

Rebecca K. Armstrong, opposite No. 16057, upon the final roll of citizens by blood of the Choctaw Nation. Born in 1898 and child of Mattie L. Armstrong, opposite No. 16054.

Thomas J. Howard, Horace Howard, Lonnie Howard, Emery Howard and Elmer Howard, opposite Nos. 16033, 16034, 16035, 16036 and 16037, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 1354; no appeal. Directed to be enrolled by Department April 6, 1906 (I.T.D. 5364-1904).

Bettie Perney Howard and Dora Lee Howard, opposite Nos. 16038 and 16039, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Born in 1897 and 1899, respectively, children of Thomas J. Howard, opposite No. 16033.

Carrie Howard, opposite No. 1578, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Com-

mission in 1896 in case No.1354; no appeal. Wife of Thomas J. Howard, opposite No.16033.

Gertrude Beaver, Clarence Beaver, Nellie Beaver and Myrtle Beaver, opposite Nos. 16040, 16041, 16042 and 16043, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Nos.16040 and 16041 denied by Commission in 1896 in case No.1354; no Appeal. Nos.16042 and 16043 born in 1896 and 1900, respectively, and children of Gertrude Beaver, opposite No.16040. Ordered enrolled by Department April 6, 1906 (I.T.D. 8364-1904).

Burrell F. McLendon, John B. McLendon, Thomas McLendon, Ida M. McLendon, Ralph McLendon, Harry McLendon and Fannie McLendon, opposite Nos. 16025, 16026, 16027, 16028, 16029, 16030 and 16031, respectively, upon the final roll of citizens by blood of the Choctaw Nation. All but Nos. 16030 and 16031 denied by Commission in 1896 in case No. 1271; no appeal. Nos. 16030 and 16031 born in 1896 and 1898, respectively, and children of No.16025. Directed to be enrolled by Department April 6, 1906 (I.T.D. 6372-1904).

Corneal McLendon, opposite No.1577, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.1271; no appeal. Wife of Burrell F. McLendon, opposite No.16025.

George A. Bumgarner, opposite No.16112, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No.620; no appeal.



James S. Long, Joseph Long, Forbis Long, opposite Nos. 16003, 16004, and 16005, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Placed on 1896 Choctaw Census Roll by Choctaw Revisory Board without authority of law, as in William C. Thompson case. Ordered enrolled by Department January 19, 1906 (I.T.D. 3192-1905).

Columbus B. Autry, Lenora Green and Teddy Green, opposite Nos. 16048, 16049 and 16050, respectively. Nos. 16048 and 16049 placed on 1896 Choctaw Census Roll by Choctaw Revisory Board without authority of law as in William C. Thompson case. No. 16050 born February 14, 1901; son of 16049. Record transmitted to Department December 21, 1906, for consideration in case of Heskiah Enoch Autry.

CHOCTAW MINORS, ACT OF CONGRESS APPROVED

APRIL 26, 1906 (34 Stats., 137).

Nettie Myrl Crowder, opposite No. 674, child of George W. Crowder, opposite No. 15906, upon the final roll of citizens by blood of the Choctaw Nation, and Parlee C. Crowder, opposite No. 1524, upon the final roll of citizens by intermarriage of the Choctaw Nation.

Rufus Clay Crowder, opposite No. 4, child of William J. Crowder, opposite No. 15889, upon the final roll of citizens by blood of the Choctaw Nation, and Josephine Crowder, opposite

No.1523, upon the final roll of citizens by intermarriage of the Choctaw Nation.

Fannie Jane Wright, opposite No.253, child of J. W. Wright, non-citizen, and Betsy Wright, opposite No.15912, upon the final roll of citizens by blood of the Choctaw Nation.

Lee Green, opposite No.685, child of W. F. Green, non-citizen, and Lenora Green, opposite No.16049, upon the final roll of citizens by blood of the Choctaw Nation.

Ruth McLendon, opposite No.706, child of Robert C. McLendon, opposite No.16032, upon the final roll of citizens by blood of the Choctaw Nation, and Ennis McLendon, a non-citizen.

Roy D. McLendon, opposite No.268, child of Burrell F. McLendon, opposite No.16025, upon the final roll of citizens by blood of the Choctaw Nation, and Corneal McLendon, opposite No. 1577, upon the final roll of citizens by intermarriage of the Choctaw Nation.

Jennie Louise Braudrick, opposite No.724, child of Mary A. Trice, opposite No.15857, upon the final roll of citizens by blood of the Choctaw Nation, and William M. Braudrick, non-citizen.

Hazel Calvin Beaver, Claud Dawson Beaver and Herbert Howard Beaver, opposite No. 457, 458, and 459, respectively, children of Gertrude Beaver, opposite No.16040, upon the final roll

of citizens by blood of the Choctaw Nation, and Calvin Beaver, a non-citizen.

Effie Barnett, Opposite No.367, child of Amanda Isabella Sumpter, opposite No.15646, upon the final roll of citizens by blood of the Choctaw Nation, and A. F. Barnett, a non-citizen.

Odis A. Kiefer and Durana Kiefer, opposite Nos.790 and 791, respectively, children of Ardella Kiefer, opposite No.15916, upon the final roll of citizens by blood of the Choctaw Nation, and Charles Kiefer, a non-citizen.

Josephine Laflore Long, Francis Long and Jane Laflore Long, opposite Nos. 921, 609 and 922, respectively, children of Forbis Long, opposite No.16005, upon the final roll of citizens by blood of the Choctaw Nation, and Lumaie Long, a non-citizen.

#### CHICKASAWS BY BLOOD AND INTERMARRIAGE.

Gustavus A. Ramsey, opposite No.514, upon the final roll of citizens by intermarriage of the Chickasaw Nation. Admitted by Commission in 1896 in case No.123; denied by United States court for southern district of Indian Territory; no appeal to the Choctaw and Chickasaw Citizenship Court. Patents recorded.

Sallie J. Hargis, opposite No.626, upon the final roll of citizens by intermarriage of the Chickasaw Nation; denied by Commission in 1896 in case No.281; no appeal.

John E. Goldsby, Linniel E. Goldsby and Bessie Goldsby, opposite No. 4984, 4985, and 4986, respectively, upon the final roll of citizens by blood of the Chickasaw Nation. All admitted by Commission in 1896 in case No. 254; admitted by United States court for southern district of Indian Territory; no appeal to the Choctaw and Chickasaw Citizenship Court. Decision of Commission of May 23, 1905, granting application affirmed by Department October 6, 1905 (I.T.D. 3148-1905).

Murray Milton Goldsby, opposite No. 4987, upon the final roll of citizens by blood of the Chickasaw Nation. Born in 1898, and son of John E. Goldsby, opposite No. 4984.

Joe Perry and Dillard Perry, opposite Nos. 5013 and 5014, respectively, upon the final roll of citizens by blood of the Chickasaw Nation. Denied by Commission in 1896 in case No. 116; no appeal. Ordered enrolled as citizens by blood of the Chickasaw Nation by Department on October 10, 1906 (I.T.D. 18962-1906). The names of these persons formerly appeared opposite Nos. 267 and 268 upon the roll of Chickasaw freedmen, approved by the Secretary of the Interior December 12, 1902; and in the event their names are stricken from the approved roll of citizens by blood of the Chickasaw Nation, their names should be re-instated upon the Chickasaw freedmen roll.

Benjamin J. Vaughan, opposite No. 605, upon the final roll of citizens by intermarriage of the Chickasaw Nation.

Admitted by Commission in 1896 in case No.92; admitted by United States court for southern district of Indian Territory; no appeal to the Choctaw and Chickasaw Citizenship Court. Patents recorded.

Edward A. Vaughan, Grever Cleveland Vaughan and Oscar S. Vaughan, opposite Nos. 4969, 4970 and 4971, respectively, upon the final roll of citizens by blood of the Chickasaw Nation.

Admitted by Commission in 1896 in case No.92; affirmed by United States court; no appeal to Choctaw and Chickasaw Citizenship Court. Patents recorded.

William T. Lancaster, opposite No.612, upon the final roll of citizens by intermarriage of the Chickasaw Nation. Admitted by Commission in 1896 in case No.202; appealed to United States Court and affirmed; no appeal to Choctaw and Chickasaw Citizenship Court. Patents recorded.

John W. Archerd, opposite No.622, upon the final roll of citizens by intermarriage of the Chickasaw Nation. Admitted by Commission in 1896 in case No.178; appealed to United States court for southern district of Indian Territory and affirmed; no appeal to Choctaw and Chickasaw Citizenship Court.

James V. Bagland, opposite No.631, upon the final roll of citizens by intermarriage of the Chickasaw Nation. Denied by Commission in 1896 in case No.55; appealed to United States court for southern district of Indian Territory, and appeal dismissed.

Action of the Commissioner of October 25, 1905, enrolling applicant affirmed by the Department January 9, 1906 (I.T.D. 17408-1905).

Thomas St. John, opposite No. 596, upon the final roll of citizens by intermarriage of the Chickasaw Nation. Denied by Commission in 1896 in Choctaw case No. 1059; no appeal. Patents recorded.

John Quincy Adams, opposite No. 21, upon the final roll of citizens by intermarriage of the Chickasaw Nation. Admitted by Commission in 1896 in case No. 2; denied by United States court for southern district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court.

Mary A. Shanks, opposite No. 629, upon the final roll of citizens by intermarriage of the Chickasaw Nation. Denied by Commission in 1896 in case No. 219; admitted by United States court for southern district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court.

Clay McCoy, opposite No. 606, upon the final roll of citizens by intermarriage of the Chickasaw Nation. Admitted by Commission in 1896 in case No. 141; admitted by United States court for southern district of Indian Territory; no appeal to the Choctaw and Chickasaw Citizenship Court. Directed to be enrolled by Department April 1, 1905 (I.T.D. 3128-1905).

The Indian Office, to which was referred your letter of the 27th ultimo for report, concurs in letter of March 2, 1907, in your recommendation that such names be stricken from the rolls.

The Department is compelled to rely upon your investigation, as the act of April 26, 1906 (34 Stat., 137), provides in section 2 that the rolls of the Choctaw and Chickasaw Nations shall be completed on or before the 4th day of March, 1907, and that the Secretary of the Interior shall have no jurisdiction to approve the enrollment of any person after such date. Assuming, therefore, that your information is correct, the names of the persons mentioned, not heretofore stricken from the partial rolls, are stricken from such rolls this day, notwithstanding any decision that may have been made by the Department in favor of such persons.

As recommended by you, the names of Joe and Millard Perry have been reinstated upon the Chickasaw freedman roll, opposite Nos. 267 and 268.

The Department concurs in your views relative to the following persons:

Enna Mitchell and Allen Yates Mitchell, opposite Nos. 15655 and 15656, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 1299; no appeal. Patents recorded.

David E. Strickland and Mertie P. Strickland, opposite Nos. 15919 and 15920, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 941; no appeal.

Hettie P. McMurtry and Martha E. McMurtry, opposite Nos. 15448 and 15449, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 1324; no appeal. Homestead patents recorded.

Rufus Satterfield, opposite No. 15930, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 1062, no appeal.

Charles William Thompson, opposite No. 4968, on the final roll of citizens by blood of the Chickasaw Nation. Admitted by Commission in 1896 in case No. 162; admitted by United States court for southern district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court.

You state that such persons are minor children of duly enrolled citizens by blood of the Choctaw or Chickasaw Nation, and that the names of one parent of each of these children appears upon the final roll of citizens by blood of the Choctaw or Chickasaw Nation approved by the Department prior to March 3, 1906, and that while under the opinion of the Attorney-General of February 19, 1907, it would appear that these children are



not entitled to enrollment as citizens by blood of the Choctaw or Chickasaw Nation under the acts of June 28, 1898 (30 Stat., 495), and July 1, 1902 (32 Stat., 641), you believe that such children can be enrolled under a provision of the act of March 3, 1906 (33 Stat., 1060), which is as follows:

"That the Commission to the Five Civilized Tribes is hereby authorized for sixty days after the date of the approval of this Act to receive and consider applications for enrollment of infant children born prior to September twenty-fifth, nineteen hundred and two, and who were living on said date, to citizens by blood of the Choctaw and Chickasaw tribes of Indians whose enrollment has been approved by the Secretary of the Interior prior to the date of the approval of this Act, and to enroll and make allotments to such children."

In this the Department concurs, and as you suggest, the names of these children will be permitted to stand as they are at present on the rolls of citizens by blood of these two nations.

If by inadvertence the name of anyone has been left on any partial roll after decision adverse to him was made by the Department prior to March 3, 1907, and since the opinion of the Attorney-General referred to, the name of such person will be stricken from the roll as of this date.

A copy of Indian Office letter of March 2, 1907, is inclosed.

Respectfully,

(Signed) E. A. Hitchcock,

Secretary.

1 inclosure.

DEPARTMENT OF THE INTERIOR  
OFFICE OF INDIAN AFFAIRS,  
WASHINGTON.

March 2, 1907.

C O P Y.

The Honorable,

The Secretary of the Interior.

Sir:

Acknowledgment is hereby made of the receipt of Departmental letter of this date, (I.T.D. 6902-1907), enclosing for report copy of letter of February 27, 1907 from the Commissioner to the Five Civilized Tribes, relative to the names of persons who have heretofore been placed on the final rolls of citizens by blood of the Choctaw and Chickasaw Nations, who are affected by the opinion of the Attorney General of the United States of February 19, 1907.

Commissioner Bixby sets out in his letter the names of all the persons now appearing on the rolls who are deemed by him to be without right to enrollment under the opinion of the Attorney General mentioned. In some of these cases patents have been executed and recorded, and in others no patents have been issued.

The office is of the opinion that the list prepared by the Commissioner contains the names of persons who in the light of the opinion of the Attorney General are not entitled to enrollment, and it is therefore recommended that the action of

-2-

the Commission in striking the names of these persons from the roll be approved, and that their names also be stricken from the copies of the rolls in the possession of the Department and of this office.

Very respectfully,

G. F. Larrabee,

Acting Commissioner.

REN-16

C O P Y

DEPARTMENT OF THE INTERIOR,  
WASHINGTON.

Address only  
The Secretary of the Interior.

C V W

January 19, 1909.

The Commissioner to the  
Five Civilized Tribes,  
Muskogee, Oklahoma.

Sir:

November 30, 1908, the Supreme Court rendered decisions in what are known as the Goldsby and Allison cases. These suits were brought to obtain mandates against the Secretary of the Interior to correct the rolls as to said Goldsby and Allisons, on the ground that the Secretary of the Interior after placing their names upon approved rolls of citizenship had attempted to strike them from those rolls without notice and an opportunity to be heard. The decisions of the Supreme Court is that mandate shall issue in those cases.

There are many suits of a similar nature pending against the Secretary of the Interior, and after careful conferences between this Department and the Department of Justice it was decided that judgment should be allowed in all pending mandamus actions in which the relators stand clearly in the same position as Goldsby and the Allisons. Pursuant to these conferences and to the judgments which may be entered on account of the above decisions of the Supreme Court, you are hereby directed to erase the interlineations

and notations which purport to strike any of the following names from the rolls of citizens of the respective nations of the Five Civilized Tribes:

PERSONS WHO HAD PRIOR TO THE GOLDSBY DECISION INSTITUTED SUITS,  
THE PRINCIPLES OF WHICH ARE UNDOUBTEDLY SIMILAR TO THE  
OPINION OF THE SUPREME COURT IN THAT DECISION.

Chickasaws by Blood.

| <u>Roll No.</u> | <u>Name.</u>        | <u>Suit No.</u> | <u>Court.</u> |
|-----------------|---------------------|-----------------|---------------|
| 4984            | Goldsby, John E.    | 248             | U.S.E.C.      |
| 4985            | Goldsby, Linniel E. | 50033           | S.C.D.C.      |
| 4986            | Goldsby, Bessie     | 50033           | S.C.D.C.      |
| 4987            | Goldsby, Murray M.  | 50033           | S.C.D.C.      |
| 4969            | Vaughan, Edward A.  | 372             | U.S.E.C.      |
| 4970            | Vaughan, Grover C.  | 371             | U.S.S.C.      |
| 4971            | Vaughan, Oscar S.   | 371             | U.S.S.C.      |

Chickasaws by Intermarriage

|     |                       |       |          |
|-----|-----------------------|-------|----------|
| 621 | Adams, John Quincy    | 50033 | S.C.D.C. |
| 621 | Lancaster, William T. | 50033 | S.C.D.C. |
| 606 | McCoy, Clay           | 49358 | S.C.D.C. |
| 631 | Ragland, James W.     | 51025 | S.C.D.C. |
| 596 | St. John, Thomas      | 50353 | S.C.D.C. |
| 605 | Vaughan, Benjamin F.  | 373   | U.S.S.C. |

| <u>Roll No.</u> | <u>Name.</u>                     | <u>Suit No.</u> | <u>Court.</u> |
|-----------------|----------------------------------|-----------------|---------------|
| 16027           | Adams, Wiley                     | 50033           | S.C.D.C.      |
| 16048           | Autrey, Columbus B.              | 49722           | S.C.D.C.      |
| 16040           | Beaver, Gertrude                 | 50033           | S.C.D.C.      |
| 16041           | Beaver, Clarence                 | 50033           | S.C.D.C.      |
| 16042           | Beaver, Nellie                   | 50033           | S.C.D.C.      |
| 16043           | Beaver, Myrtle                   | 50033           | S.C.D.C.      |
| 15917           | Beagles, Nellie Y.               | 50033           | S.C.D.C.      |
| 15911           | Crowder, Van                     | 50033           | S.C.D.C.      |
| 16910           | Crowder, Willie                  | 50033           | S.C.D.C.      |
| 15909           | Crowder, Balsooi                 | 50033           | S.C.D.C.      |
| 15908           | Crowder, Joe                     | 50033           | S.C.D.C.      |
| 15907           | Crowder, Louisa                  | 50033           | S.C.D.C.      |
| 15906           | Crowder, George W.               | 50033           | S.C.D.C.      |
| 16050           | Green, Teddy                     | 49724           | S.C.D.C.      |
| 16049           | Green, Lenora                    | 49724           | S.C.D.C.      |
| 16033           | Howard, Thomas J.                | 50033           | S.C.D.C.      |
| 16034           | Howard, Herase                   | 50033           | S.C.D.C.      |
| 16035           | Howard, Lennie                   | 50033           | S.C.D.C.      |
| 16036           | Howard, Emory                    | 50033           | S.C.D.C.      |
| 16037           | Howard, Elmer                    | 50033           | S.C.D.C.      |
| 16038           | Howard, Bettie Pernay            | 50033           | S.C.D.C.      |
| 16039           | Howard, Dora Lee                 | 50033           | S.C.D.C.      |
| 16451           | James, (Or Richardson) Maggie M. | 50033           | S.C.D.C.      |

| <u>Roll No.</u>            | <u>Name.</u>             | <u>Suit No.</u> | <u>Court.</u> |
|----------------------------|--------------------------|-----------------|---------------|
| 15452                      | James, Ellis E.          | 50033           | S.C.D.C.      |
| 15453                      | James, Analaurie         | 50033           | S.C.D.C.      |
| 15454                      | James, Eyalina           | 50033           | S.C.D.C.      |
| 15961                      | James, Agnes             | 50033           | S.C.D.C.      |
| 15394                      | Kirk, Gabriella          | 50355           | S.C.D.C.      |
| 15393                      | Kirk, Sarah              | 50355           | S.C.D.C.      |
| 15953                      | Shelton, Emma            | 51240           | S.C.D.C.      |
| 15952                      | Shelton, Frank           | 51240           | S.C.D.C.      |
| 15645                      | Sumpter, John            | 50033           | S.C.D.C.      |
| 15646                      | Sumpter, Amanda Isabella | 50033           | S.C.D.C.      |
| 15647                      | Sumpter, Jim Andy        | 50033<br>51240  | S.C.D.C.      |
| 15648                      | Sumpter, Scott Taylor    | 50033<br>51240  | S.C.D.C.      |
| 15649                      | Sumpter, Dixan D.        | 51240           | S.C.D.C.      |
| 15912                      | Wright, Betsy            | 50033           | S.C.D.C.      |
| 15913                      | Wright, Thomas E.        | 50033           | S.C.D.C.      |
| 15914                      | Wright, Mary M.          | 50033           | S.C.D.C.      |
| 15915                      | Wright, Leonard D.       | 50033           | S.C.D.C.      |
| <u>Cheats by Marriage.</u> |                          |                 |               |
| 1628                       | Allen, Andrew J.         | 50033           | S.C.D.C.      |
| 1409                       | Atwood, Chester C.       | 50355           | S.C.D.C.      |
| 1473                       | Beal, Andrew             | 50947           | S.C.D.C.      |
| 1408                       | Bowling, Mary M.         | 51086<br>50033  | S.C.D.C.      |

| <u>Roll No.</u> | <u>Name.</u>              | <u>Roll No.</u> | <u>Name.</u> |
|-----------------|---------------------------|-----------------|--------------|
| 1543            | Carter, John V.           | 50034           | E.C.D.C.     |
| 1564            | Cummins, Henry A.         | 50033           | E.C.D.C.     |
| 1584            | Crowder, Parlee C.        | 50032           | E.C.D.C.     |
| 1589            | Harris, Calvin Q.         | 49783           | E.C.D.C.     |
| 1576            | Howard, Carrie            | 50035           | E.C.D.C.     |
| 1599            | Kirk, J. V.               | 50354           | E.C.D.C.     |
| 290             | Klugh, August             | 50033           | E.C.D.C.     |
| 1027            | Parkins, Mattie A.        | 50355           | E.C.D.C.     |
| 1491            | Reichert, William         | 50036           | E.C.D.C.     |
| 1400            | Rice, Ambrose L.          | 574             | E.C.D.C.     |
| 1423            | Shultz (or Shultz) Dennis | 51026           | E.C.D.C.     |
| 1495            | Shelton, John             | 50946           | E.C.D.C.     |
| 1469            | Supter, Jacob D.          | 50033           | E.C.D.C.     |
| 340             | Trovis, Robert A.         | 50948           | E.C.D.C.     |
| 1403            | White, Angelina           | 52086           | E.C.D.C.     |
| 662             | Woodard, Charles A.       | 49894           | E.C.D.C.     |

Minor Students.

Act of Congress Approved April 24, 1906.

|     |                      |       |          |
|-----|----------------------|-------|----------|
| 367 | Barnett, Effie       | 50032 | E.C.D.C. |
| 457 | Beaver, Hazel Calvin | 50032 | E.C.D.C. |
| 456 | Beaver, Claude D.    | 50032 | E.C.D.C. |
| 459 | Herbert, Howard      | 50032 | E.C.D.C. |
| 674 | Crowder, Nettie Myrl | 50032 | E.C.D.C. |
| 686 | Green, Lee           | 50034 | E.C.D.C. |
| 823 | Wright, Dennis James | 50032 | E.C.D.C. |



Persons by Name.

| <u>Roll No.</u> | <u>Name</u>         | <u>Suit No.</u> | <u>Court.</u> |
|-----------------|---------------------|-----------------|---------------|
| 2140            | Allison, John       | 49434           | S.C.D.C.      |
| 2141            | Allison, Johnnie S. | 49436           | .C.D.C.       |
| 2142            | Allison, Frankie P. | 49437           | S.C.D.C.      |
| 2143            | Allison, Edn B.     | 249             | U.S.S.C.      |
| 2144            | Allison, George A.  | 250             | U.S.S.C.      |

A careful investigation of these names concerning which no suits were brought, but which, after being upon an approved roll of citizens or freedmen of any of the Five Civilized Tribes, were citizens hereafter without notice and an opportunity to be heard, has thus far developed a list which undoubtedly falls within the principles expressed by the Supreme Court in the Goldsby decision. All these persons are in the same position as those named in the above list of those who had filed suits prior to that decision. It follows necessarily that, if suits were instituted in these cases, judgment must be allowed as was done in the case of the cases on the above list. For this reason I have decided that it would be improper to delay the correction of the rolls as far as these persons are concerned. Such delay would continue the rolls in an imperfect condition according to the opinion of the Supreme Court, would bring hardship and expense upon the citizens and freedmen involved, and would delay completion of the work of the Commission to the Five Civilized Tribes.

The correction of the rolls in these cases does not add names to the rolls, but merely erases from the rolls interlineations and notations which the court says the Secretary of the Interior has no power to place there. For those reasons you are hereby directed to erase the interlineations and notations which purport to strike any of the following names from the rolls of citizens of the respective nations of the Five Civilized Tribes:

PERSONS WHO HAD NOT INSTITUTED SUITS PRIOR TO THE GOLDSBY DECISION BUT WHOSE CASES FALL INDUBITABLY UNDER THE PRINCIPLES OF THAT DECISION.

Chickasaws by Blood.

| <u>Roll No.</u> | <u>Name</u> | <u>Roll No.</u> | <u>Name.</u>   |
|-----------------|-------------|-----------------|----------------|
| 5013            | Perry, Joe  | 5014            | Perry, Dillard |

Chickasaws by Marriage.

|     |                   |     |                     |
|-----|-------------------|-----|---------------------|
| 622 | Archerd, John W.  | 629 | Shanks, Mary A.     |
| 626 | Hargis, Sallie J. | 514 | Ramsay, Gustavus A. |

Cheetaws by Blood.

|       |                          |       |                        |
|-------|--------------------------|-------|------------------------|
| 16103 | Allen, Elizabeth         | 16110 | Crutchfield, Loutitia  |
| 16112 | Bungarner, George A.     | 16106 | Crutchfield, Bveret    |
| 15925 | Crowder, John A.         | 16111 | Crutchfield, George W. |
| 15924 | Crowder, Finkie B.       | 15450 | James, Alice E.        |
| 15923 | Crowder, Katie B.        | 15972 | Jennings, Arthur       |
| 15921 | Crowder, Eli W.          | 15973 | Jennings, Clyde        |
| 15922 | Crowder, James           | 15916 | Keifer, Ardella        |
| 15905 | Crowder, Winnie Gertrude | 16003 | Long, James S.         |
| 15904 | Crowder, John F.         | 16004 | Long, Joseph           |

| <u>Roll No.</u> | <u>Name.</u>          | <u>Roll No.</u> | <u>Name.</u>            |
|-----------------|-----------------------|-----------------|-------------------------|
| 15903           | Crowder, William H.   | 16005           | Long, Ferbis,           |
| 15902           | Crowder, Rosa         | 921             | Long, Josephine LaFlore |
| 15901           | Crowder, Maggie       | 922             | Long, Jake Laflora      |
| 15900           | Crowder, Abigail      | 9258            | Peabworth, Henry        |
| 15899           | Crowder, William J.   | 15928           | Randall, Grover         |
| 16105           | Crutchfield, Ida      | 16104           | Ritter, David           |
| 16107           | Crutchfield, Ima      | 15856           | Robinson, Mary E.       |
| 16108           | Crutchfield, Louvinia | 15951           | Shelton, Daisy          |
| 16109           | Crutchfield, William  | 15857           | Trice, Mary A.          |

Choctaws by Marriage.

|      |                        |      |                        |
|------|------------------------|------|------------------------|
| 1486 | Beuges, Allen          | 1414 | McClure, Madell        |
| 1537 | Buckholts, Jeanetta H. | 1614 | McGahey, Martha J.     |
| 1559 | Choate, Amanda         | 1407 | McMurtry, Lucy         |
| 1412 | Crowder, Lydia Ann     | 1550 | Omo, Julia             |
| 1523 | Crowder, Josephine     | 1410 | Paxton, William D.     |
| 985  | Foster, Mary A.        | 1406 | Rabon, Robert L.       |
| 1421 | Freeny, Mattie         | 1490 | Reding, Ella           |
| 1489 | Gann, William Newton   | 1478 | Rigney, Rosa E.        |
| 1518 | Gray, John Calvin      | 1219 | Roberts, George W.     |
| 1216 | Gunter, Benjamin B.    | 1531 | Robinson, Frederick R. |
| 1480 | Kelly, William F.      | 1353 | Russell, Mattie M.     |
| 1476 | Lewis, Vissy           | 1127 | Smith, Ira L.          |
| 1150 | Lindsey, Selden T.     | 1428 | Staten, John T.        |

| <u>Roll No.</u> | <u>Name.</u>          | -9- | <u>Roll No.</u> | <u>Name.</u>        |
|-----------------|-----------------------|-----|-----------------|---------------------|
| 1405            | Herryman, Sarah       |     | 668             | Sutherland, Henry   |
| 1215            | Mitchell, Virginia P. |     | 1470            | Tucker, William N.  |
| 1519            | Mitchell, Mattie S.   |     |                 |                     |
| 1416            | Moran, Mary           |     | 1468            | Vincent, Charlie S. |

Minor Choctaw Citizens.

| <u>Roll No.</u> | <u>Name</u>              | <u>Roll No.</u> | <u>Name.</u>   |
|-----------------|--------------------------|-----------------|----------------|
| 724             | Braudrick, Jennie Louise | 791             | Kiefer, Eurana |
| 4               | Crowder, Rufus Clay      | 669             | Long, Francis  |
| 790             | Kiefer, Odis A.          |                 |                |

Cherokee by Blood.

|       |                   |       |                    |
|-------|-------------------|-------|--------------------|
| 31958 | Allison, Elmer C. | 31959 | Allison, Jasper P. |
|-------|-------------------|-------|--------------------|

In order that the action of erasures may be uniform for all names and upon all rolls, you will make such erasures in the following manner: The lines drawn through and purporting to cancel the names from the rolls shall be lined out by drawing across them short transverse lines in red ink. The notations purporting to cancel the names from the rolls shall be lined out by drawing through each line of said notations red horizontal lines. In addition to lining out the interlineations and notations you will insert a note at the foot or side of each page containing any of these corrections, said note to be indicated by stars placed before the names involved. The note shall read as follows:

"Words and lines purporting cancellation erased by authority of departmental letter of January 19, 1909 (File 8-51)."

You will notify all persons, whose status on the rolls

has been recognized as above, of the action taken, and that they have all the rights to allotment and payments enjoyed by other citizens, as though no attempt had ever been made to cancel their names from the rolls.

Except for the Allison named in above lists, I am not ready to give you a list of the Cherokees and Creeks whose status upon the rolls will be corrected under the principles of the Goldsby decision. Direction concerning them will follow within a week.

There are other names which were upon approved rolls and were erased or stricken therefrom by the Secretary of the Interior without notice. Some of these are already the subject of injunction or mandamus actions against the Secretary of the Interior, and in other cases such action has not been instituted. There are reasons which make it doubtful whether those persons fall indubitable under the principles of the Goldsby decision. Careful consideration of the matter will be given at once, and, according to the decision reached in each case, the persons involved will be left to such court action as they deem wise or will have the rolls corrected by departmental action in the manner indicated for the two lists set forth above.

A sample page is inclosed, showing the method of erasure to be followed by all officers in the correction of the rolls.

Very respectfully,  
(Signed) James Rudolph Garfield  
Secretary.

7-3666  
B- 340

Muskogee, Oklahoma, February 6, 1909.

Mr. Robert A. Travis,  
Caddo, Oklahoma.

Sir:

I am instructed by the Department of the Interior that in accordance with the decision of the Supreme Court of the United States in the suit instituted by you against the Secretary of the Interior seeking to have erased from the final roll of citizens by intermarriage of the Choctaw Nation any notations indicating an attempt to strike your name from said roll, said notations shall be erased and that you have all the rights to allotment and payments enjoyed by other citizens as if no attempt had ever been made to cancel your name from this roll.

Said instructions have been carried out by this office, and you are now advised that the status of your name on the approved roll of citizens by intermarriage of the Choctaw Nation and of your allotment selection in said nation is the same as prior to March 4, 1907, when the Secretary of the Interior directed that your name be stricken from the roll.

Respectfully,

Commissioner.

WHA(CM)

MEMORANDA.

*we*

(Date) *Nov 21* 1899.

Name *Rufus Talbert*  
Choctaw?  County *Blaine* Year *18* No. *12129*  
Chickasaw?  County \_\_\_\_\_ Year \_\_\_\_\_ Page *331*  
Citizen by blood?  Mother's citizenship *Choctaw*  
Intermarried citizen? \_\_\_\_\_

Married under what law? \_\_\_\_\_

License filed this day, \_\_\_\_\_

Wife's name, \_\_\_\_\_

Choctaw? \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ No. \_\_\_\_\_

Chickasaw? \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_

Citizen by blood? \_\_\_\_\_ Mother's citizenship \_\_\_\_\_

Intermarried citizen? \_\_\_\_\_

Married under what law? \_\_\_\_\_

License filed this day \_\_\_\_\_

Names of children:

| County | Year  | Page  | No.   |
|--------|-------|-------|-------|
| _____  | _____ | _____ | _____ |
| _____  | _____ | _____ | _____ |
| _____  | _____ | _____ | _____ |
| _____  | _____ | _____ | _____ |
| _____  | _____ | _____ | _____ |
| _____  | _____ | _____ | _____ |
| _____  | _____ | _____ | _____ |
| _____  | _____ | _____ | _____ |
| _____  | _____ | _____ | _____ |
| _____  | _____ | _____ | _____ |

*Mary Talbert, wife of Rufus Talbert, Choctaw, Blaine Co. Ala. since the 18th of Nov. 1899. See testimony of \_\_\_\_\_*

*P 15/13*

# MEMORANDA.

(Date) ..... 1899.

Name .....

Choctaw? ..... County ..... Year ..... No. ....

Chickasaw? ..... County ..... Year ..... Page .....

Citizen by blood? ..... Mother's citizenship .....

Intermarried citizen? .....

Married under what law? .....

License filed this day, .....

Wife's name, .....

Choctaw? ..... County ..... Year ..... No. ....

Chickasaw? ..... County ..... Year ..... Page .....

Citizen by blood? ..... Mother's citizenship .....

Intermarried citizen? .....

Married under what law? .....

License filed this day .....

### Names of children:

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

5 484



Commission to the Five Civilized Tribes,  
Caddo, Indian Territory.

In the application for enrollment of the children of Mrs. Ozie Travis as Choctaws; being sworn and examined by Com'r McKennon she testifies as follows:

Q What is your name? A Mrs. Ozie Travis.

Q How old are you? A Thirty-six.

Q You are the identical person who was admitted by the Choctaw Council, Act #8, approved April 8th 1891 as Mrs. Ozie Travis are you? A Yes sir.

Q You have three children, Robbie Travis, aged 13; William Travis, aged 11 and Marie Travis, aged 9; these children were born prior to your admission to Choctaw citizenship were they?

A Yes sir.

Com'r McKennon: That being so, their names not having been mentioned in the Act by which you were admitted, the Commission holds that they are not entitled to enrollment, notwithstanding the fact that the Act under which the mother was admitted reads, "And their descendants be and they are hereby declared citizens of the Choctaw Nation."

Department of the Interior,

Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

*M. J. Green*

C O P Y

DEPARTMENT OF THE INTERIOR,

WASHINGTON.

Address only  
The Secretary of the Interior.

C W W

January 19, 1909.

The Commissioner to the  
Five Civilized Tribes,

Muskogee, Oklahoma.

Sir:

November 30, 1908, the Supreme Court rendered decisions in what are known as the Golsby and Allison cases. These suits were brought to obtain mandates against the Secretary of the Interior to correct the rolls as to said Golsby and Allisons, on the ground that the Secretary of the Interior after placing their names upon a proved rolls of citizenship had attempted to strike them from those rolls without notice and an opportunity to be heard. The decisions of the Supreme Court in that mandate shall issue in those cases.

There are many suits of a similar nature pending against the Secretary of the Interior, and after careful conference between this Department and the Department of Justice it was decided that judgments could be allowed in all pending mandamus actions in which the relators stand clearly in the same position as Golsby and the Allisons. Pursuant to these conferences and to the judgments which may be entered on account of the above decisions of the Supreme Court, you are hereby directed to erase the interlineations

and notations which purport to strike any of the following names from the rolls of citizens on the respective actions of the Five Civilized Tribes:

PERSONS WHO HAD BEFORE THE GOLDEN DECISION ASSIGNED CASES,  
THE PRINCIPLES OF WHICH ARE UNDOUBTEDLY SIMILAR  
TO THE OPINION OF THE SUPREME COURT IN THE  
DECISION.

Choctaws by Marriage.

| <u>Roll No.</u> | <u>Name</u>               | <u>Serial No.</u> | <u>Court.</u> |
|-----------------|---------------------------|-------------------|---------------|
| 1328            | Allen, Andrew T.          | 50089             | S.C.D.C.      |
| 1401            | Anderson, Charles J.      | 50089             | S.C.D.C.      |
| 1373            | Baker, A. J.              | 50087             | S.C.D.C.      |
| 1400            | Berling, Mary M.          | 51026<br>50081    | S.C.D.C.      |
| 1407            | Casper, John W.           | 50351             | S.C.D.C.      |
| 1454            | Chadwick, Henry A.        | 50053             | S.C.D.C.      |
| 1524            | Chadwick, Philip C.       | 50053             | S.C.D.C.      |
| 1339            | Harris, Charles J.        | 49785             | S.C.D.C.      |
| 1378            | Howard, Carrie            | 50080             | S.C.D.C.      |
| 1399            | Kirk, J. W.               | 50354             | S.C.D.C.      |
| 1400            | Klugh, August             | 50083             | S.C.D.C.      |
| 1027            | Lerline, Charles A.       | 50353             | S.C.D.C.      |
| 1491            | Reichert, William         | 51026             | S.C.D.C.      |
| 1400            | Rice, Ambrose L.          | 374               | S.C.D.C.      |
| 1423            | Shults (or Shultz) Fannie | 51026             | S.C.D.C.      |
| 1495            | Shelton, John             | 50946             | S.C.D.C.      |

| <u>Roll No.</u> | <u>Name</u>         | <u>Suit No.</u> | <u>Court.</u> |
|-----------------|---------------------|-----------------|---------------|
| 1469            | Sumpter, Jacob D.   | 50033           | S.C.D.C.      |
| 340             | Travis, Robert A.   | 50948           | S.C.D.C.      |
| 1403            | White, Angelina     | 51026           | S.C.D.C.      |
| 662             | Woodard, Charles A. | 49494           | S.C.D.C.      |

MEMORANDA.

Waddo

(Date) Aug 22 1899.

Name .....

Choctaw ? ..... County ..... Year ..... No. ....

Chickasaw ? ..... County ..... Year ..... Page .....

Citizen by blood ? ..... Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day, .....

36

Wife's name, Ozie .....

Choctaw ? ..... County Blount ..... Year 1899 ..... No. 12401

Chickasaw ? ..... County ..... Year ..... Page 373

Citizen by blood ? ..... Mother's citizenship Blount .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day .....

Names of children:

|               |                    |                      |                  |                 |                  |
|---------------|--------------------|----------------------|------------------|-----------------|------------------|
| <del>13</del> | <del>William</del> | County <u>Blount</u> | Year <u>1899</u> | Page <u>373</u> | No. <u>12401</u> |
| <del>11</del> | <del>William</del> | County <u>Blount</u> | Year <u>1899</u> | Page <u>373</u> | No. <u>12405</u> |
| <del>4</del>  | <del>William</del> | County <u>Blount</u> | Year <u>1899</u> | Page <u>373</u> | No. <u>12406</u> |
|               |                    | County .....         | Year .....       | Page .....      | No. ....         |
|               |                    | County .....         | Year .....       | Page .....      | No. ....         |
|               |                    | County .....         | Year .....       | Page .....      | No. ....         |
|               |                    | County .....         | Year .....       | Page .....      | No. ....         |
|               |                    | County .....         | Year .....       | Page .....      | No. ....         |
|               |                    | County .....         | Year .....       | Page .....      | No. ....         |

3666

Choc 3667 John m. Pearce

3667

n

Commission to the Five Civilized Tribes,  
Gadde, Indian Territory.

In the enrollment of Thornton D. Pearce as an inter-married  
Choctaw; being sworn and examined by Comr McKennon he states:

- Q What is your name? A Thornton D. Pearce.  
Q How old are you? A Forty-three.  
Q You were married to Mrs. P. A. Folsom, a citizen of the Choctaw  
Nation, in 1863 were you? A Yes sir.  
Q You lived with her until she died? A Yes sir.  
Q You have since that time married a white woman, non-citizen  
of the Choctaw Nation and a United States citizen?  
A Yes sir.

-----  
Department of the Interior,

Commission to the Five Civilized Tribes.

I hereby certify upon my official oath as  
stenographer to above named Commission, that this  
transcript is a true, full and correct translation of  
my stenographic notes.

*M. D. Lee*

(Copy)

CHOCTAW NATION, )  
Blue Co. )

TO ALL WHOM THESE PRESENTS MAY COME, G R E E T I N G :

KNOW YE that T. D. Pearce, a citizen of the U. S., have this day made application for license for the express purpose of being united in the holy bond of matrimony between himself and Mrs. P. A. Folsom, citizen of the Choctaw Nation, and he, the said Pearce, having complied with the laws of the Nation: Therefore license be and is hereby granted unto the said T. D. Pearce for the purpose above mentioned.

This Jan. 12th, 83.

(signed)

J. C. HAMPTON,  
Cir. Clerk B. Co., C. N.

THIS IS TO CERTIFY that T. D. Pearce and Mrs. P. A. Folsom was married by the undersigned on the 14th day of January, A. D. 1883.

(signed)

G. W. GARDNER,  
Co. & Probate Judge Blue Co.,  
C. N.

THIS IS TO CERTIFY that this is true and correct copy which is on the record book No. 1

Given under my hand and seal of said court.

(signed)

P. C. MORRIS,  
Circuit Clerk 3rd Dist., C. N.



(Copy)

Choctaw D-544.

Muskogee, Indian Territory, March 1, 1902.

Thornton D. Pearce,

Caddo, Indian Territory.

You are hereby notified that your application for enrollment as a citizen of the Choctaw Nation will be taken up by the Commission to the Five Civilized Tribes for final consideration at its office, in Muskogee, Indian Territory, on the 9th day of April, 1902.

On said date you may, if you desire, appear before the Commission in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting said application.

You are further notified that the representative of the Choctaw Nation will also, at the same time, be afforded an opportunity to introduce testimony affecting your right to enrollment, but said representative will be required to notify you of its intention to introduce such testimony before they will be permitted to do so.

THE COMMISSIONER OF THE FIVE CIVILIZED TRIBES,

WASHINGTON,

J. F. [Signature]

Department of the Interior.  
Commissaries to the Five Civilized Tribes.

In the matter of the application of  
Thomas S. [Name] for enrollment as  
an intermarried citizen of the Choctaw  
Tribe.

— 3 144 —

On the 1st day of March, 1902, the applicant was notified by  
registered mail, and on the 12th day of March, 1902, the attorneys for  
the Choctaw and Chickasaw Tribes were notified by registered mail,  
that the application of Thomas S. [Name] for enrollment as a citizen  
of the Choctaw Tribe would be taken up by the Commissioner to the  
Five Civilized Tribes at his office in Muskogee, Indian Territory, on  
the 15th day of April, 1902, for final consideration.

Now, on this 15th day of April, 1902, this cause coming on to be  
heard pursuant to said notice, the applicant being called failed to  
appear either in person or by attorney, and the Choctaw notice ap-  
peared by its attorneys, [Name], [Name] & [Name], and advised  
that [Name] was the name.

Harry J. [Name], being first duly sworn, upon his oath states  
that as Commissioner of the Commissaries to the Five Civilized Tribes  
he reported in full all proceedings had in the above entitled cause  
on the 15th day of April, 1902, and that the above and foregoing is a  
full, true and correct transcript of his stenographic notes of said  
proceedings on said date.

*Harry J. [Name]*

Subscribed and sworn to before me this 15th day of April, 1902.

*[Signature]*

Notary Public.

Department of the Interior.  
Commission to the Five Civilized Tribes.  
Atoka, I. T., November 21st, 1902.

Chester D-344  
Intermarried

In the matter of the application of Thornton D. Pearce for  
enrollment as an intermarried citizen of the Choctaw Nation.

Thornton D. Pearce being first duly sworn testified as  
follows:

Examination by the Commission:

- Q What is your name? A Thornton D. Pearce.  
Q How old are you? A Forty-seven.  
Q What is your post office address? A Caddo.  
Q How long have you resided in the Choctaw Nation? A Come there  
is 1898.  
Q Lived here continuously since that time? A Yes sir.  
Q Never have made your home elsewhere? A No sir.  
Q You are a white man? A Yes sir.  
Q A applicant for enrollment as an intermarried citizen of the  
Choctaw Nation? A Yes sir.  
Q What is the name of your Choctaw wife? A Fernalia Johnson.  
Q Was she a recognized citizen by blood of the Choctaw Nation?  
A No sir.  
Q Always recognized by the tribe? A Yes sir.  
Q Participated in all payments made? A Yes sir.  
Q When did you marry her? A I married her in 1898.  
Q Was you ever married prior to your marriage to her? A No sir.  
Q Was she ever married prior to her marriage to you? A Yes sir.  
Q To whom? A Married William David Johnson.  
Q Was he a Choctaw Indian? A Yes sir.  
Q Was he dead at the time you married her? A Yes sir.  
Q Was that the only husband she ever had prior to her marriage to  
you? A Yes sir.  
Q Was you married before you married her? A No sir.  
Q Married as last? A Yes.  
Q Married under a Choctaw license? A Choctaw law.  
Q How much did you pay for your license? A One.  
Q Was married that? A Yes without.  
Q Is Fernalia Johnson now living? A No sir.  
Q When did she die? A She is dead.  
Q Did you live with her occasionally up to the time of her death?  
A No sir.  
Q From the separation, separation or divorce? A No sir.  
Q Was you also her legal guardian? A Yes sir.  
Q A name? A C. D. Pearce.  
Q Is she a white man? A Yes sir.  
Q Was she ever a citizen of the Choctaw Nation? A No sir.  
Q Was she ever living with her? A Yes sir.

Thernton D. Pearce—2

Albert G. McMillan being first duly sworn states that as stenographers to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 21st day of November, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

*Albert G. McMillan*

Subscribed and sworn to before me this 15<sup>th</sup> day of January, 1903.

*Charles H. Sawyer*  
Notary Public.

*Max*

(7-D-344)

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-oOo-

In the matter of the application for the enrollment of Thornton D. Pearce, as a citizen by intermarriage of the Choctaw Nation.

---: D E C I S I O N :---

It is shown by the census card records of the Commission that Thornton D. Pearce appeared before the Commission at Caddo, Indian Territory, on August 22, 1899, and made personal application for enrollment as a citizen by intermarriage of the Choctaw Nation.

It appears from the evidence submitted in this case and the records in the possession of the Commission that the applicant herein, a white man, was on January 14, 1883, married in accordance with the laws, customs and usages of the Choctaw Nation to Permelia A. Folsom, a recognized and enrolled citizen of the Choctaw Nation, whose name appears upon the 1893 Leased District Payment roll of the citizens of the Choctaw Nation, Blue County, page 93 No. 968.

It also appears that Permelia A. Folsom died in the year 1895 and that subsequent thereto the applicant herein married a white woman having no rights of Choctaw citizenship by blood. It further appears that the applicant herein has resided continuously in the Choctaw Nation since 1878 up to and including September 25, 1902, and that his name is found as an intermarried citizen, upon the 1896 Choctaw census roll No. 14941 as Thorden D. Pierce.

(2)

Article 38 of the treaty of 1866 (14 Stats., L-), between the Choctaw and Chickasaw Nations and the United States provides:

"Article 38. Every white person who, having married a Choctaw or Chickasaw, resides in the said Choctaw or Chickasaw Nation, or who has been adopted by the legislative authorities, is to be deemed a member of said Nation, and shall be subject to the laws of the Choctaw and Chickasaw Nations, according to his domicile, and to prosecution and trial before their tribunals, and to punishment according to their laws, in all respects as though he was a native Choctaw or Chickasaw."

By the fifth section of the act of the Choctaw council, approved November 9, 1875 (Durant Dig., 226), it is enacted:

"Should any man or woman, a citizen of the United States or of any foreign country, become a citizen of the Choctaw Nation by intermarriage as herein provided, and be left a widow or widower, he or she shall continue to enjoy the rights of citizenship; unless he or she shall marry a white man or woman or person as the case may be having no rights of Choctaw citizenship by blood. In that case all his or her rights acquired under the provisions of this act shall cease."

In the case of F. K. Robinson vs. the Choctaw Nation, decided June 29, 1897, by the Hon. Wm. H. Clayton, Judge of the United States Court for the Central District, Indian Territory, it appears that claimant, F. K. Robinson, is a white man; that on the 21st day of September, 1873, in the Choctaw Nation and according to their laws, he married a Choctaw woman by blood a recognized citizen of the Choctaw Nation; that the said Indian wife died on the 21st day of April, 1884, and on August 10, 1884, claimant married a white woman not a citizen of the Choctaw Nation. The status of the claimant before the court at that time is similar to that of the applicant herein and the provisions of law in question are identical with the case at hand.

The court in passing on the construction and compatibility of the above provisions of law states:

"The treaty makes every white man who may marry a Choctaw or Chickasaw woman a citizen, to use the language of the last

words of article 38, above set out, 'in all respects as though he was a native Choctaw or Chickasaw.' By this provision of the treaty there is to be no difference between a citizen by virtue of his marriage and a native Choctaw. They are to enjoy equally and alike all of the benefits of Choctaw citizenship, as well as share the burdens. Any act, therefore, of the Choctaw council passed after the ratification of the treaty which makes a distinction between them, granting to one greater privileges or rights, or imposing on him more burdens than the other, or which shall undertake to enlarge or curtail the rights and privileges which flow from citizenship as to the one and not as to the other, would be in violation of this provision of the treaty and therefore void. An act which puts the white man in any respect in a different attitude or condition than the Indian is void."

The Choctaw statute undertakes to deprive the white man who shall lose his Indian wife and afterwards marry a white woman of all the rights of citizenship. The marriage has vested a title to the lands in him. This is to be divested from him and he is afterwards to be considered an intruder, subject to be removed from the country under the intercourse laws of the United States. This, too, notwithstanding the fact that his children, the issue of his Indian marriage, are Indians by blood and entitled to remain.

Now, unless a marriage of a native Indian to a white woman after his Indian wife shall have died, has the same effect on him - that is, decitizenizes him, divests him of all title to the Choctaw lands, and deprives him of the rights to live in the country - the statute works an inequality, and the white man does not enjoy the same privileges as the native Indian. The citizenship is different, and the rights flowing therefrom are not the same. The one may do an act that the other can not do; the one has a privilege, that of marrying a white woman, that the other does not enjoy. The important right of unrestricted selection of a wife enjoyed by the native Indian is denied the white citizen by marriage; and, therefore, the provisions of the statute being in conflict with the treaty, are absolutely void; and it makes no difference whether the first marriage was before or after the enactment of the statute. Of course the latter marriage must be in accordance with the laws of the Choctaw Nation,"

and therefore finds that the claimant is entitled to be enrolled as a citizen by intermarriage of the Choctaw Nation, and, as a general proposition of law, holds that "white men who have married Choctaws in accordance with their statutes and the wife dies and the widower afterwards marries a white woman, are with the children by such marriage entitled to enrollment . . . ."

In Re Indian Citizenship Cases, decided by Hon. Hosea Townsend, Judge of the United States Court for the Southern District, Indian Territory, the court therein, in construing the provisions

of law above quoted, holds, as a general proposition of law, "that it is within the power of the Choctaw and Chickasaw Nations to say by legislation that before a white person becomes one of their citizens with all the privileges of one they shall be married according to the forms and requirements of their laws, and that such legislation is not in violation of the thirty-eighth article of the treaty of 1866; but when a white person has married a Choctaw or Chickasaw according to their laws and resides in the Choctaw or Chickasaw Nation, he is in all respects as though he was a native Choctaw or Chickasaw, and his rights under the treaty attaches, and it is not within the power of the Choctaw or Chickasaw Nation to take the same away by legislation or otherwise."

Again, in the case of Thomas Brinnon vs. the Choctaw and Chickasaw Nations or Tribes of Indians, decided on January 20, 1904, by the Choctaw and Chickasaw Citizenship Court, it appears that the claimant, Thomas Brinnon, is a white man; that in the year 1885, in the Choctaw Nation and according to their laws, he married a Choctaw woman by blood and recognized citizen of the Choctaw Nation; that the said Indian wife died in 1890, and in the same year the claimant married a white woman not a citizen of the Choctaw Nation. In this case, as in the cases above quoted, the court passes upon the right of the Choctaw Nation to pass any laws withdrawing the rights conferred upon a white person by the treaty between the Choctaws and Chickasaws and the United States, said white persons having married citizens by blood. In rendering the decree admitting Brinnon as an intermarried Choctaw, Judges Adams, Foote and Weaver in their opinion stated:


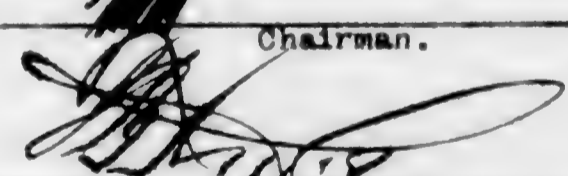
"The treaty of 1866 provided the applicant should be a member of the Choctaw Nation upon his complying with the treaty by marrying an Indian and residing in either of the Choctaw or Chickasaw Nations. If the act of council as above referred to and set out was an attempt to withdraw the right from the applicant which has been conferred by the treaty which is paramount to an act of the Choctaw council of course the council would have no such right. What rights did the applicant acquire by reason of his marriage to a Choctaw Indian and residence in the Choctaw Nation under the Treaty of 1866? Did the




membership in the tribe simply mean a right on the part of the Choctaw Nation to try the applicant in their courts and subject him to the pains and penalties of their laws without bestowing upon him any further rights that the real Indian had by reason of their membership in the tribe? We hardly think those who made the treaty intended to impose these requirements upon those who were admitted as members to this tribe by intermarriage, without also bestowing upon the applicant some other benefits guaranteed to the real Indian. When a white man married an Indian woman and became a member of a tribe of Indians he forsook his own people; became isolated from his own race, and became an Indian for many intents and purposes, then why should he be deprived of all those rights other members of the tribe were entitled to enjoy? It is our opinion that when the applicant complied with the 38th article of the treaty by marrying an Indian woman by blood according to the laws of that nation and resided in the Territory continuously since that time, he became vested with certain personal rights, those rights he should not be divested of by a subsequent act of the Choctaw council. We are, therefore, of the opinion that this applicant is entitled to citizenship in the Choctaw Nation, and is, therefore, entitled to a judgment by this court admitting him to such, and a judgment will therefore be entered accordingly."

It is therefore the opinion of this Commission, following the precedent laid down in the above cases, that Thornton D. Pearce is entitled to be enrolled as a citizen by intermarriage of the Choctaw Nation in accordance with the provisions of the act of Congress approved June 22, 1898 (30 Stats., 495) and July 1, 1902, (32 Stats., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

  
\_\_\_\_\_  
Chairman.  
  
\_\_\_\_\_  
Commissioner.

  
\_\_\_\_\_  
Commissioner.

  
\_\_\_\_\_  
Commissioner.

Muskogee, Indian Territory,

Choctaw D 344

COPY.

Muskogee, Indian Territory, March 9, 1904.

Homer & Elting,

Attorneys at Law,

Caddo, Indian Territory,

Gentlemen:

You are hereby advised that on March 19, 1904, the Commission to the Five Civilized Tribes rendered a decision enrolling Thornton D. Pearce as a citizen by intermarriage of the Choctaw Nation. The original record in this case, with the decision of the Commission, has this day been transmitted to the secretary of the Interior for his consideration and action. Copy has also been furnished the attorneys for the Choctaw and Chickasaw Nations. You will be promptly advised of any action taken by the Choctaw and Chickasaw Nations in this matter and also as to the disposition thereof by the Secretary of the Interior.

You are further advised that a full copy of the proceedings in this case has this day been transmitted to Mr. Pearce, at Caddo, Indian Territory.

Respectfully,

(SIGNED)

*I. B. Needles*

Registered.

Commissioner in Charge.

nays for the Choctaw and Chickasaw Nations in order that they may, if they so desire, submit any objections to the action of the Commission herein.

You will be advised of such action as may be taken by the  
Choctaw D 344

COPY.  
Muskogee, Indian Territory, March 9, 1904.

Thornton D. Pearce,  
Caddo, Indian Territory,

Dear Sir:

There is inclosed you herewith a copy of the record and the decision of the Commission of March 9, 1904, in the matter of your application for enrollment as a citizen by intermarriage of the Choctaw Nation. The Commission has, in this case, following the precedent as laid down by the United States Courts in Indian Territory and the Choctaw and Chickasaw Citizenship Court, found that you are entitled to be enrolled as an intermarried citizen of the Choctaw Nation. A copy of this record has this day been transmitted to the secretary of the Interior for his consideration and also to the attorneys for the Choctaw and Chickasaw Nations in order that they may, if they so desire, submit any objections to the action of the Commission herein.

You will be advised of such action as may be taken by the attorneys for the Choctaw and Chickasaw Nations and by the secretary of the Interior in this matter.

Respectfully,

(SIGNED)

*I. B. Needles.*

Commissioner in Charge.

AB 8-9

Registered.

Choctaw D844

Copy

Muskogee, Indian Territory, March 9, 1904.

SPECIAL.

Mansfield, McMurray & Cornish, ,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

There is inclosed you herewith a copy of the proceedings and the decision of the Commission of March 9, 1904, in the matter of the application of Thornton D. Pearce for enrollment as a citizen by intermarriage of the Choctaw Nation. As will appear from the evidence in this case, Pearce is a white man who on January 14, 1883, was married in accordance with the laws, customs and usages of the Choctaw Nation to Permelia A. Folsom, a recognized and enrolled citizen of the Choctaw Nation, with whom he lived until her death in the year 1895 and subsequent thereto married a white woman having no rights as a Choctaw citizen by blood.

I have further to advise that the original record and decision in this case has this day been submitted to the Secretary of the Interior for his approval and if you have any objections to make to the action of the Commission in this case it is respectfully urged that you submit such objections at the earliest practicable date. Should you, however, concur in the position of the Commission as

M M&C 2

COPY.

taken herein, I have to request that you so advise with the least possible delay so that analogous cases may be disposed of as early as possible.

Respectfully,

(SIGNED)

*T. B. Needles.*

Commissioner in Charge.

AB 4-9

Registered.

Muskogee, Indian Territory, March 9, 1904.

The Honorable,

The Secretary of the Interior,

Sir:

I have the honor to transmit herewith the decision of the Commission of March 9, 1904, in the matter of the application for the enrollment of Thornton D. Pearce as a citizen by intermarriage of the Choctaw Nation.

I have the honor, in connection with this matter, to advise that this is the first decision rendered by the Commission, enrolling an applicant as a citizen by intermarriage of the Choctaw Nation wherein is involved the so-called "marrying out" question.

I have the honor, respectfully to request that this matter be made special and if the action of the Commission therein be affirmed by the Department that the Commission be advised at the earliest practicable date so that analogous cases may be disposed of with the least possible delay.

Respectfully,

(SIGNED)

Through the Commissioner  
of Indian Affairs.

*T. D. Needles.*  
Commissioner in Charge.

Choctaw B344

Thomton Pearce  
72-544

Motion to modify  
decision of Com-  
mission.

DEPARTMENT OF THE INTERIOR  
COMMISSION TO THE FIVE CIVILIZED TRIBES  
FILED

APR - 5 1904

Mausfield McMurray  
Honish.

BEFORE THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Thornton D. Pearce  
for enrollment as a citizen by intermarriage of the Choctaw Nation.  
D-344.

MOTION TO CORRECT DECISION OF COMMISSION  
RENDERED ON MARCH 9, 1903.

Come the Choctaw and Chickasaw Nations by Mansfield, Mc-  
Murray & Cornish, their attorneys, and move that the decision of  
the Commission in the matter of the application of Thornton D. Pearce  
for enrollment as a citizen by intermarriage of the Choctaw Nation  
be modified by the elimination therefrom of all reference, by way  
of precedent or authority, to the decision of the United States  
Court for the Central District of the Indian Territory in the case  
of F. R. Robinson vs. The Choctaw Nation decided June 29, 1897, and  
to any decision of the United States Court for the Southern District  
of the Indian Territory and particularly by the elimination therefrom  
of such reference to said decisions of the United States Courts for  
the Central District of the Indian Territory, as follows:

"In the case of F. R. Robinson vs. The Choctaw Nation,  
decided June 29, 1897, by the Hon. Wm. H. H. Clayton, Judge of the  
United States Court for the Central District, Indian Territory, it  
appears that claimant, F. R. Robinson, is a white man; that on the  
21st day of September, 1873, in the Choctaw Nation and according to  
their laws, he married a Choctaw woman by blood a recognized citizen  
of the Choctaw Nation; that the said Indian wife died on the 21st  
day of April, 1884, and on August 10, 1884, claimant married a  
white woman not a citizen of the Choctaw Nation. The status of the  
claimant before the court at that time is similar to that of the  
applicant herein and the provisions of law in question are identical



with the case at hand.

The court in passing on the construction and compatibility of the above provision of law states:

'The treaty makes every white man who may marry a Choctaw or Chickasaw woman a citizen, to use the language of the last words of article 38, above set out, 'in all respects as though he was a native Choctaw or Chickasaw'. By this provision of the treaty there is to be no difference between a citizen by virtue of his marriage and a native Choctaw. They are to enjoy equally and alike all of the benefits of Choctaw citizenship, as well as share the burdens. Any act, therefore, of the Choctaw council passed after the ratification of the treaty which makes a distinction between them, granting to one greater privileges or rights, or imposing on him more burdens than the other, or which shall undertake to enlarge or curtail the rights and privileges which flow from citizenship as to the one and not as to the other, would be in violation of this provision of the treaty and therefore void. An act which puts the white man in any respect in a different attitude or condition than the Indian is void.'

The Choctaw statute undertakes to deprive the white man who shall lose his Indian wife and afterwards marry a white woman of all the rights of citizenship. The marriage has vested a title to the lands in him. This is to be divested from him and he is afterwards to be considered an intruder, subject to be removed from the country under the intercourse laws of the United States. This, too, notwithstanding the fact that his children, the issue of his Indian marriage, are Indians by blood and entitled to remain.

Now, unless a marriage of a native Indian to a white woman after his Indian wife shall have died, has the same effect on him - that is, decitizenizes him, divests him of all title to the Choctaw lands, and deprives him of the rights to live in the country - the statute works an inequality, and the white man does not enjoy the same privileges as the native Indian. The citizenship is different, and the rights flowing therefrom are not the same. The one may do an act that the other can not do; the one has a privilege, that of marrying a white woman, that the other does not enjoy. The important right of unrestrained selection of a wife enjoyed by the native Indian is denied the white citizen by marriage; and, therefore, the provisions of the statute being in conflict with the treaty, are absolutely void; and it makes no difference whether the first marriage was before or after the enactment of the statute. Of course the latter marriage must be in accordance with the laws of the Choctaw Nation.'

and therefore finds that the claimant is entitled to be enrolled as a citizen by intermarriage of the Choctaw Nation, and, as a general proposition of law, holds that 'white men who have married Choctaws in accordance with their statutes and the wife dies and the widower afterwards marries a white woman, are with the children by such marriage entitled to enrollment . . . .'

In re Indian Citizenship Cases, decided by Hon. Hosea Townsend, Judge of the United States Court for the Southern District, Indian Territory, the court therein, in construing the provisions of law above quoted, holds, as a general proposition of law, 'that it is within the power of the Choctaw and Chickasaw Nations to say by legislation that before a white person becomes one of their citizens with all the privileges of one they shall be married according to the forms and requirements of their laws, and that such legislation is not in violation of the thirty-eighth article of the treaty of 1866; but when a white person has married a Choctaw or Chickasaw according to their laws and resides in the Choctaw or Chickasaw Nation, he is in all respects as though he was a native Choctaw or Chickasaw, and his rights under the treaty attaches, and it is not within the power of the Choctaw or Chickasaw Nation to take the same away by legislation or otherwise.'

And in support of this motion state that all decisions of the United States Courts for the Central and Southern Districts of the Indian Territory admitting applicants to citizenship under the act of Congress approved June 10, 1896 were set aside, annulled, vacated and held for naught by the decision of the Choctaw and Chickasaw Citizenship Court in the case of the Choctaw and Chickasaw Nations vs. J. T. Riddle, et al., rendered on December 17, 1902, under Section 31 of the Act of Congress approved July 1, 1902, entitled "An Act to ratify and Confirm an Agreement with the Choctaw and Chickasaw Tribes of Indians and for other Purposes".

THE CHOCTAW NATION,  
THE CHICKASAW NATION,

BY W. H. Riddle, et al.

ATTORNEYS.

L.R.  
I.T.D.4060-1904.

W.C.P.  
F.W.E.

DEPARTMENT OF THE INTERIOR,

Washington, May 21, 1904.

Commission to the Five Civilized Tribes.

Muskegee, Indian Territory.

Gentlemen:

March 19, 1904, you transmitted the record in the matter of the application of Thornton B. Pearce for the enrollment of himself as a citizen by intermarriage of the Choctaw Nation, including your decision of the same date, holding that the applicant should be enrolled.

The evidence shows that the applicant is a white man; that on January 14, 1883, he was married, in accordance with the laws, customs and usages of the Choctaw Nation, to Farnelia A. Folsom, a recognized and enrolled citizen of the Choctaw Nation, whose name appears upon the 1893 Leased District Payment Roll of the Choctaw Nation, Blue County, Page 93, No. 966; that his Choctaw wife died in the year 1895; that subsequent thereto the applicant married a white woman, having no rights of Choctaw citizenship by blood. It also appears that the applicant has resided continuously in the Choctaw Nation since 1878, up to and including September 25, 1902, and that his name is found, as an intermarried citizen, upon the 1902 Choctaw census roll. You cite as precedents for your decision the action of the United States Court

Chickasaw Citizenship Court in the case of Thomas Brinnon vs. the Choctaw and Chickasaw Nations, decided on January 20, 1904.

Reporting May 17, 1904, the Acting Commissioner of Indian Affairs recommends that your decision be approved. A copy of his letter is enclosed.

Article 38 of the treaty of 1866 between the Choctaw and Chickasaw Nations and the United States provides:

"Every white person who, having married a Choctaw or Chickasaw, resides in the said Choctaw or Chickasaw Nation, or who has been adopted by the legislative authorities, is to be deemed a member of said nation, and shall be subject to the laws of the Choctaw and Chickasaw Nations, according to his domicile, and to prosecution and trial before their tribunals, and to punishment according to their laws, in all respects as though he was a native Choctaw or Chickasaw."

Section 5 of the act of the Choctaw Council, approved November 9, 1879, provides:

"Should any man or woman, a citizen of the United States or of any foreign country, become a citizen of the Choctaw Nation by intermarriage as herein provided, and be left a widow or widower, he or she shall continue to enjoy the rights of citizenship; unless he or she shall marry a white man or woman or person as the case may be having no rights of Choctaw citizenship by blood. In that case all his or her rights acquired under the provisions of this act shall cease."

In the case of F. R. Robinson vs. the Choctaw Nation, cited by you, the facts are similar to the facts in the case under consideration. The applicant was a white man, who married a Choctaw woman in accordance with the laws of the Choctaw Nation. She died and the applicant afterwards married a white woman, not a citizen of the Choctaw Nation. The United States Court

for the Central District of Indian Territory held that the applicant was entitled to be enrolled. In this case the court said:

"The treaty makes every white man who may marry a Choctaw or Chickasaw woman a citizen, to use the language of the last words of article 38, above set out, 'in all respects as though he was a native Choctaw or Chickasaw.' By this provision of the treaty there is to be no difference between a citizen by virtue of his marriage and a native Choctaw. They are to enjoy equally and alike all of the benefits of Choctaw citizenship, as well as share the burdens. Any act, therefore, of the Choctaw council passed after the ratification of the treaty which makes a distinction between them, granting to one greater privileges or rights, or imposing on him more burdens than the other, or which shall undertake to enlarge or curtail the rights and privileges which flow from citizenship as to the one and not as to the other, would be in violation of this provision of the treaty and therefore void. An act which puts the white man in any respect in a different attitude or condition than the Indian is void."

In the case of Thomas Brinnon vs. the Choctaw Nation, cited by you, the facts are very similar to those in the case under consideration. The Choctaw-Chickasaw Citizenship Court held that the applicant in that case was entitled to be enrolled. The court in this case said:

"It is our opinion that when the applicant complied with the 38th article of the treaty by marrying an Indian woman by blood according to the laws of that nation and resided in the Territory continuously since that time, he became vested with certain personal rights, those rights he could not be divested of by a subsequent act of the Choctaw council."

The courts' decision in the cases above referred to, and which you cite as precedents for enrolling the applicant, do not necessarily control the Department in the adjudication of cases transmitted by you. However, the Department considers that your decision holding that the applicant should be enrolled, is

-4-

in accordance with the law, and the same is hereby approved.

Respectfully,

Thos. Ryan,

Acting Secretary.

1 enclosure.

Note No Indian Office letter enclosed  
R.H.

Land.  
17598-1904.  
32912-1904.

DEPARTMENT OF THE INTERIOR, (COPY)  
OFFICE OF INDIAN AFFAIRS,  
WASHINGTON, May 17, 1904.

The Honorable,

The Secretary of the Interior.

Sir:

Referring to Department letter of May 14, 1904, (I.T.D. 2956) I have the honor to enclose herewith a report from the Commission to the Five Civilized Tribes, dated March 9, 1904, transmitting the records relative to the application of Thornton D. Pearce for enrollment as an intermarried citizen of the Choctaw Nation.

March 9, 1904, the Commission to the Five Civilized Tribes decided that the applicant is entitled to enrollment as an intermarried citizen. They quote from Article 38 of the treaty of 1866, section 5 of an act of the Choctaw council of November 9, 1875 (Durant Dig., 226), from the decision of the United States Court for the Central District of the Indian Territory, Hon. William H. H. Clayton presiding, wherein the court on June 29, 1897, in the matter of F. H. Robinson versus the Choctaw Nation held that Robinson was entitled to enrollment as an intermarried citizen, and refer to the holding of the United States Court for the Southern District of the Indian Territory, Hon

Hosea Townsend presiding, in which it was held by that court in cases similar to the Robinson case that applicants were not entitled to enrollment and quote from the decision of the Choctaw-Chickasaw Citizenship Court in the case of Thomas Brinnon versus the Choctaw and Chickasaw Nations.

The record in this case shows that the applicant, Thornton D. Pearce, is a white man; that on January 14, 1883, he was married to Mrs. P.A. Folsom, a citizen of the Choctaw Nation, and that said marriage was performed in accordance with the laws of the Nation. The applicant has resided in the Choctaw Nation since 1878. His citizen wife died in 1895, and thereafter he married C.T. Timberlake, a white woman. Article 38 of the treaty of 1866 is as follows:

Every white person who, having married a Choctaw or Chickasaw, resides in the said Choctaw or Chickasaw Nation, or who has been adopted by the legislative authorities, is to be deemed a member of said Nation, and shall be subject to the laws of the Choctaw and Chickasaw Nations, according to his domicile, and to prosecution and trial before their tribunals, and to punishment according to their laws, in all respects as though he was a native Choctaw or Chickasaw.

And the fifth section of the act of the Choctaw council of November 9, 1875, provides,-

Should any man or woman, a citizen of the United States or of any foreign country, become a citizen of the Choctaw Nation by intermarriage as herein provided, and be left a widow or widower, he or she shall continue to enjoy the rights of citizenship; unless he or she shall marry a white man or woman or person as the case may be having no rights of Choctaw citizenship by blood. In that case all his or her rights acquired under the provisions of this act shall cease.



In the case of F. H. Robinson above mentioned, which is similar to the case under consideration, the United States Court for the Central District of the Indian Territory, held in 1897 that the applicant was entitled to enrollment. As stated by the Commission, the United States Court for the Southern District of the Indian Territory, in similar cases in 1897 held that the applicants were not entitled to enrollment. The Citizenship Court on January 29, 1904, in the Thomas Brinnon case said:

The treaty of 1866 provided the applicant should be a member of the Choctaw Nation upon his complying with the treaty by marrying an Indian and residing in either of the Choctaw or Chickasaw Nations. If the act of council as above referred to and set out was an attempt to withdraw the right from the applicant which has been conferred by the treaty which is paramount to an act of the Choctaw council of course the council would have no such right. What rights did the applicant acquire by reason of his marriage to a Choctaw Indian and residence in the Choctaw Nation under the treaty of 1866? Did the membership in the tribe simply mean a right on the part of the Choctaw Nation to try the applicant in their courts and subject him to the pains and penalties of their laws without bestowing upon him any further rights that the real Indian had by reason of their membership in the tribe? We hardly think those who made the treaty intended to impose these requirements upon those who were admitted as members to this tribe by intermarriage, without also bestowing upon the applicant some other benefits guaranteed to the real Indian. When a white man married an Indian woman and became a member of a tribe of Indians he forsook his own people; became isolated from his own race, and became an Indian for many intents and purposes, then why should he be deprived of all those rights other members of the tribe were entitled to enjoy? It is our opinion that when the applicant complied with the 38th article of the treaty by marrying an Indian woman by blood according to the laws of that Nation and resided in the Territory continuously since that time, he became vested with certain personal rights, those rights he should not be divested of by a subsequent act of the Choctaw Council. We are, therefore, of the opinion that this applicant is entitled to citizenship in the Choctaw

Nation, and is, therefore, entitled to a Judgment by this court admitting him to such, and a judgment will therefore be entered accordingly.

In view of the records in this case and considering the position taken by Judge Clayton in the Robinson case and the holding of the Citizenship Court in the Brinnon case and the recommendation of this office of May 14, 1902, in the Matt Davis case, which is in so far as Matt Davis is concerned almost identical with this case, the office is of the opinion that the decision of the Commission is correct, should be approved and its approval is recommended.

Very respectfully,

A. C. Tonner,

GAW-WDW

Acting Commissioner.

Chootaw D-344

COPY.

Muskogee, Indian Territory, June 6, 1904.

Mansfield, McMurray & Cornish,  
Attorneys for Chootaw and Chickasaw Nations,  
South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that the Secretary of the Interior under date of May 21, 1904, affirmed the decision of this Commission dated March 9, 1904, granting the application of Thornton D. Pearce for enrollment as a citizen of the Chootaw Nation, by intermarriage.

Respectfully,

(SIGNED)

*Tams Bixby.*

Chairman.

Choctaw D-344

COPY.

Muskogee, Indian Territory, June 6, 1904.

Thornton D. Pearce,

Caddo, Indian Territory.

Dear Sir:

You are hereby notified that the Secretary of the Interior under date of May 21, 1904, affirmed the decision of this Commission dated March 9, 1904, granting your application for enrollment as a citizen of the Choctaw Nation, by intermarriage.

Respectfully,

(SIGNED)

*Tams Bixby.*

Chairman.

Choctaw D-344

COPY.

Muskogee, Indian Territory, June 6, 1904.

Homer & Elting,

Attorneys at Law,

Caddo, Indian Territory.

Gentlemen:

You are hereby notified that the Secretary of the Interior under date of May 21, 1904, affirmed the decision of this Commission dated March 9, 1904, granting the application of Thornton D. Pearce for enrollment as a citizen of the Choctaw Nation, by intermarriage.

Respectfully,

(SIGNED)

*Tams Bixby.*

Chairman.

Muscogee, Indian Territory,

August 18th, 1900.

Thornton D. Pearse,

Okmulgee, Indian Territory,

Dear Sir:

You are hereby notified that the Choctaw Nation, through its attorneys, Messrs McKennon, Mansfield, McMurray, & Cornish, has filed with this Commission a notice of protest to your enrollment as a citizen of the Choctaw Nation.

The Commission, commencing December 3rd, 1900, will hold a session at Okmulgee, Indian Territory. At that time both you and the Choctaw Nation will be permitted to offer additional testimony and written arguments in this case, and the hearing will be final.

Yours truly,

Acting Chairman.

7-D-344.

Muskogee, Indian Territory, September 18, 1900.

Thornton D. Pearce,

Caddo, Indian Territory.

Dear Sir:-

Since notifying you on August 18, 1900, of the protest filed by the Choctaw Nation to your enrollment as a citizen of the Choctaw Nation, the Commission has been furnished by the Nation with the grounds upon which objection is made to your enrollment. The protest against you is, that you have married out of the Nation.

The Commission is in possession of a sufficient statement of facts upon which a decision may be rendered and in your case it will not be necessary for you to appear at the appointment at Atoka beginning December 3rd, 1900.

The Commission will accept and consider any written arguments on questions of law submitted on behalf of the Choctaw Nation at any time prior to February 1st, 1901, and on your behalf at any time prior to March 1st, 1901.

As soon thereafter as practicable the Commission will consider and finally determine your right to enrollment and the decision of the Commission, stating fully its reasons for any action that may be taken, will be mailed to you.

Yours truly,

Acting Chairman.

Choctaw D 344

Muskogee, Indian Territory, April 5, 1902.

Homer & Elting,

Attorneys at Law,

Caddo, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 1st instant, in which you desire to be advised as to the ground of objection made by the Choctaw Nation to the enrollment of Thornton D. Pearce and what line of additional proof will be needed to get his case properly before the Commission.

Replying to your letter you are informed that on August 22, 1899, at Caddo, Indian Territory, Thornton D. Pearce appeared before the Commission and made application for enrollment as a citizen by intermarriage of the Choctaw Nation. From his testimony as given at that time it appears that in 1883 he was married to Mrs. P. A. Folsom, a citizen of the Choctaw Nation, with whom he lived until her death, when he was married to a white woman, a citizen of the United States.

The protest of the legal representatives of the Choctaw Nation, to the enrollment of Thornton D. Pearce as a citizen by intermarriage of the Choctaw Nation, is that he has married out of



H & N 2

that Nation.

Yours truly,

Commissioner in Charge.

Choctaw-D-344

Muskogee, Indian Territory, January 18, 1904.

Thornton D. Pearce,

Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 13, 1904, asking the present status of your enrollment.

In reply to your letter you are informed that the Commission has not yet passed upon your application for enrollment as an intermarried citizen of the Choctaw Nation.

As soon as a decision is reached in this case, you will be notified of the action taken therein.

Respectfully,

Commissioner in Charge.

Choctaw D 344

Muskogee, Indian Territory, April 5, 1904.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,  
South McAlester, Indian Territory,

Gentlemen:

Receipt is hereby acknowledged of your letter of March 25,  
inclosing motion to modify the decision of the Commission in the mat-  
ter of the application of Thornton D. Pearce for enrollment as an  
intermarried citizen of the Choctaw Nation.

Respectfully,

Commissioner in charge.

Choctaw D-344.

Muskogee, Indian Territory, August 4, 1904.

C. H. Elting,

Attorney at Law,

Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of July 30, in which you ask if the name of Thornton D. Pearce has been forwarded to the Secretary of the Interior for approval.

In reply to your letter, you are informed that the name of Thornton D. Pearce will be placed upon a schedule of intermarried citizens of the Choctaw Nation now being prepared for forwarding to the Secretary of the Interior. You are advised, however, that if the lands upon which he has improvements and desires to select in allotment are being filed on by other persons, he will be permitted to make application therefor for the purpose of instituting contest, upon his personal appearance at the land office for the Nation in which his land is located, at any time within nine months from the date of the original application.

Respectfully,

Commissioner in Charge.

Chectaw 3667.

Muskogee, Indian Territory, October 4, 1904.

Thornton D. Pearce,  
Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of October 1 asking to be advised if the Choctaw Land Office has received notice that your name has been placed upon the final rolls as a citizen by intermarriage of the Choctaw Nation.

In reply thereto it appears that your name has been placed upon a schedule of intermarried citizens of the Choctaw Nation which has been forwarded to the Secretary of the Interior for approval, but the Commission has not yet been notified of departmental action thereon. As soon as the schedule containing your name is approved by the Secretary of the Interior, the Choctaw and Chickasaw Land Offices will be notified.

Respectfully,

Chairman.

MEMORANDA.

Caddo

(Date) Aug 22 1899.

W.C.  
431

Name Wm. H. Pearce

Choctaw? ye County W. Va. Year 1898 No. 11

Chickasaw? County Year Page 3

Citizen by blood? Mother's citizenship ye

Intermarried citizen? ye

Married under what law? Calo

License filed this day, ye

Wife's name, ye

Choctaw? County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

|           |          |                     |                      |                  |               |               |
|-----------|----------|---------------------|----------------------|------------------|---------------|---------------|
| <u>12</u> | <u>x</u> | <u>W. H. Pearce</u> | County <u>W. Va.</u> | Year <u>1898</u> | Page <u>7</u> | No. <u>11</u> |
| <u>9</u>  | <u>=</u> | <u>W. H. Pearce</u> | County               | Year             | Page          | No. <u>1</u>  |
| <u>7</u>  | <u>1</u> | <u>W. H. Pearce</u> | County               | Year             | Page          | No. <u>11</u> |
|           |          |                     | County               | Year             | Page          | No.           |
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R 344

3667

Choc 3668 Aaron Scott

3668

7-3668

Muskogee, Indian Territory, March 9, 1904.

J. M. Humphreys,

Attorney at Law,

Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 5th inst., requesting to be advised relative to the status of the claim to citizenship of Aaron Scott as a Mississippi Choctaw, and state that he claims to have made original application at Muskogee, Indian Territory, a number of years ago.

You are informed that Aaron Scott, of Jackson, Indian Territory, now about 30 years of age, and his wife, Sila Scott, have been duly enrolled by this Commission as citizens by blood of the Choctaw Nation, their enrollment as such having been approved by the Secretary of the Interior, February 4, 1903.

If the Aaron Scott described herein is not the person concerning whom your inquiry is made, a further communication relative thereto will receive attention.

Respectfully,

Commissioner in Charge.



MEMORANDA.

Calls

(Date) Aug 21 1899.

27

Name Lila Scott

Choctaw? yes County Jackson Year 96 No. 15-58

Chickasaw? County Year Page 245

Citizen by blood? yes Mother's citizenship Choc

Intermarried citizen?

Married under what law?

License filed this day,

40

Wife's name, Lila Scott

Choctaw? yes County Jackson Year 96 No. 15-58

Chickasaw? County Year Page

Citizen by blood? yes Mother's citizenship Choc

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

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County Year Page No.

✓ Emma Matakama Scott

3668

Chc 3669 *Onoclea M. Delav.*

3669

MEMORANDA

(Page)

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1938

1938

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Choc 3670 Lamos Beluin

3670

MEMORANDA.

*Case*

(Date) *2 2* 1899.

*30*

Name .....

Choctaw? *Yes* County *...* Year *...* No. *...*

Chickasaw? County *...* Year *...* Page *...*

Citizen by blood? *...* Mother's citizenship *...*

Intermarried citizen? *...*

Married under what law? *...*

License filed this day, *...*

Wife's name, *...*

Choctaw? *Yes* County *...* Year *...* No. *...*

Chickasaw? County *...* Year *...* Page *...*

Citizen by blood? *...* Mother's citizenship *...*

Intermarried citizen? *...*

Married under what law? *...*

License filed this day *...*

Names of children:

| Name  | County | Year | Page | No. |
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31-10

Choc 3671 Allington Wilson

3671

MEMORANDA.

(Date) \_\_\_\_\_ 1899.

31 Name William Miller  
 Choctaw? Yes County \_\_\_\_\_ Year \_\_\_\_\_ No. 3537  
 Chickasaw? \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_  
 Citizen by blood? \_\_\_\_\_ Mother's citizenship \_\_\_\_\_  
 Intermarried citizen? \_\_\_\_\_  
 Married under what law? \_\_\_\_\_

License filed this day, \_\_\_\_\_  
 25 Wife's name, Betty Miller  
 Choctaw? Yes County \_\_\_\_\_ Year \_\_\_\_\_ No. 1355  
 Chickasaw? \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page 3-3  
 Citizen by blood? Yes Mother's citizenship \_\_\_\_\_  
 Intermarried citizen? \_\_\_\_\_  
 Married under what law? \_\_\_\_\_  
 License filed this day \_\_\_\_\_

Names of children:

7 Henry Miller County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. 3539  
 \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_  
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 \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

3671

Choc 3672 Elisha Baxter

Alta Baxter transferred from  
Choctaw #D-741 Nov 26, 1904

3672



DEPARTMENT OF THE INTERIOR,  
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

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The record in the matter of the application for the enrollment as citizens of the Choctaw Nation of--

ELISHA BAXTER, et al., 7-3672.

Commission to the Five Civilized Tribes,

Atoka, Indian Terr., Dec. 5, 1899.

In the enrollment of Caroline Baxter and children as Choctaws; being sworn and examined by Com'r McKennon she states:

Q What is your name? A Caroline Baxter.

Q How old are you? A Forty-two.

Q What statement do you want to make about your enrollment?

A I just wanted to state that my mother came from Mississippi in 1832 was my understanding, but since that I have heard that it was 1833 when she came. I was my mother's youngest child, and she came here with the Choctaws, and she always lived in this Nation. I was born and raised here, and she always claimed to be a Choctaw and a Cherokee by blood, and there never was no dispute about my right until now; I am on all of the rolls and draw all of the moneys and had all the privileges of the schools and everything of this Nation all my life, me and my children; my mother and her family the same.

Q You drew of the Leased District money in 1893 did you? A Yes sir, I drew that.

Q Do you know whether your mother's father or mother was Cherokee? A It was my mother, my father was a white man.

Q Was your mother's mother or father a Cherokee? A It was her mother that was a Choctaw. And her father was a Cherokee. Neither my mother or myself were ever on the Cherokee rolls; I drew the Old Settler money, but that's all I ever drew, and I never was on any rolls there.

Q You didn't draw any of the Strip money in the Cherokee Nation in 1893 or 1894? A No sir, I never did draw any there.

Q Have you ever lived in the Cherokee Nation? A No sir.

Q Lived in the Choctaw Nation all the while? A Yes sir, and my mother too; my mother never lived in the Cherokee Nation.

Examined by Chee Com'r Lewis:

Caroline Baxter, #2)

Q What was your mother's father named? A His name was Thompson. My mother's mother was a Choctaw.

Q Who was she? A I don't know; that's too far back, and I don't know.

Q She wasn't over a half-breed was she? A No sir.

Q She showed the white didn't she? A Yes sir.

Q What was your father's name? A George Stewart. He was a white man.

Q What was your mother's name? A Cynthia Stewart; Cynthia Thompson was her maiden name.

Q What was her mother's name? A I don't know sir.

Q You don't know what your grandmother's given name was?

A No sir, I was my mother's baby, the youngest of the family; my mother died when I was small.

Q Did you never hear the name of your grandmother? A No sir.

Q What was your grandfather's name on your mother's side?

A I don't know.

Q Your mother's father and mother you don't know then? A No sir.

Examined by Choc Com'r Lewis:

Q You have a sister that is nearly twenty years older than you, Mary Brashears? A Yes sir.

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Department of the Interior,

Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

M. D. Lewis

Department of the Interior,

Commission to the Five Civilized Tribes.

I hereby certify upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

Commission to the Five Civilized Tribes, *M. D. McMan*

South McAlester, Indian Ter.

In the enrollment of the wife and children of Elisha Baxter; *as Choctaw*

being sworn and examined by Com'r McKennon he states:

Q What is your name? A Elisha Baxter.

Q How old are you? A Forty-four.

Examined by Choctaw Com'r Lewis:

Q Who was your wife's mother? A Cynthia Thompson was her maiden name; her first husband was Gilbert Collins, and he died and she married a man named Stewart, he was a white man, and my wife's father.

Q Your wife is Stewart's child by the widow Colbert? A Yessir

Q What was the widow Colbert? A We have always been told she was Choctaw and Cherokee, and I have got a statement from Colonel Folsom stating that fact.

----

G.W. Dukes, (Choctaw Com'r, Being sworn, and examined, states:

Q What is your name? A G. W. Dukes.

Q How old are you? A Forty-nine.

Examined by Choctaw Com'r Lewis:

Q You was well acquainted with Gilbert Collins wasn't you?

A Yes sir.

Q And you was also acquainted with his wife? A Yes sir.

Q What was she, a Cherokee or a Choctaw? A She was Cherokee

Q Never claimed to be anything else? A Nothing else.

Q You also know Mr. Baxter's wife? A Yes sir, I used to know her from a baby up to a girl about thirteen or fourteen.

Q She is a white man's child as he stated? A Yes sir.

Q No Choctaw blood about her? A No sir, not a drop I don't think.

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Department of the Interior.  
Commission to the Five Civilized Tribes.  
Atoka, I. T., November 21st, 1902.

Choctaw 3672

-----oOo-----

In the matter of the application of Elisha Baxter for enrollment as an intermarried citizen of the Choctaw Nation.

Elisha Baxter being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Elisha Baxter.  
Q How old are you? A Forty-eight.  
Q What is your post office address? A Caddo.  
Q How long have you been a resident of the Choctaw Nation?  
A About forty years.  
Q Have you lived here continuously for the past forty years?  
A Yes sir.  
Q Never made your home anywhere else during that time? A No sir.  
Q Do you claim intermarried rights in the Choctaw Nation?  
A Yes sir.  
Q What is the name of your Choctaw wife through whom you claim?  
A Caroline Stuart.  
Q Is she a recognized and enrolled citizen of the Choctaw Nation?  
A Yes sir.  
Q Her rights have never been disputed? A Yes sir, they have been; she's part Cherokee and part Choctaw, my wife is; they never has until we was enrolled at Caddo and came there to this place; they made a protest against her as a Cherokee.  
Q Did she explain satisfactorily her right to enrollment?  
A Yes sir.  
Q When were you married to Caroline Stuart? A '74, September the 29th.  
Q Where was this marriage ceremony performed? A At Goodwater, in Kiamitia county.  
Q Since your marriage to Caroline Stuart in '74 have you lived together continuously as husband and wife up to the present time?  
A Yes sir.  
Q There has been no separation, abandonment or divorces? A No sir.  
Q You are at present living together as bona fide residents of the Choctaw Nation? A Yes sir.  
Q Were you an applicant before this Commission in 1896 for admission to citizenship in the Choctaw Nation? A Yes sir.  
Q Did you apply as an intermarried citizen? A Yes sir.  
Q What action was taken on your case at that time? A Why they accepted me and sent me a paper but it got burnt up.  
Q Was your case appealed to the United States Court? A No sir.

-----

Elisha Baxter---2

Albert G. McMillan being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 21st day of November, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

*Albert G. McMillan*

Subscribed and sworn to before me this 14 day of January, 1903.

*Charles H. Sawyer*  
Notary Public.

*W. H. A.*

IN RE

Application for Enrollment of  
INFANT CHILD.

*Chas. E. Baxter*

As a citizen of the

*Choctaw* Nation.

Approved

1

Commissioner.

1

3677

1924

Department of the Interior,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,  
of Geo. E. Baxter, born on the 9 day of October, 1894.  
Name of father: Elmer Baxter, a citizen of the Choctaw Nation.  
Name of mother: Caroline Baxter, a citizen of the Choctaw Nation.  
Post Office: Cuddahussee

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Cant District.

I, Caroline Baxter, on oath, state that I am 42 years of age and a  
citizen, by blood, of the Choctaw Nation; that I am the  
lawful wife of Elmer Baxter who is a citizen, by marriage of the  
Choctaw Nation; that a male child was born to me on the 1 day  
of Oct, 1894; that said child has been named Geo. E. Baxter,  
and is now living.

Carrie Baxter  
Subscribed and sworn to before me this 21<sup>st</sup> day of October, 1894.  
Geo. E. Baxter  
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Cant District.

I, G. B. Green, a \_\_\_\_\_, on oath, state that I  
attended on Mrs. Caroline Baxter, wife of Elmer Baxter  
on the 9 day of Oct, 1894; that there was born to her on said date male child;  
that said child is now living and is said to have been named Geo. E. Baxter.

G. B. Green, M.D.  
Subscribed and sworn to before me this 21<sup>st</sup> day of October, 1894.  
Geo. E. Baxter  
Notary Public.



6986

In the Matter of the Application of Caroline Baxter for enrollment as a Choctaw Indian.

Affidavit of S. N. Bolson.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

F. L. B. D.

AUG 30 1900

  
ACTING CHAIRMAN.

In the Matter of the Application of Caroline Baxter et al. for enrollment as Choctaw Indians by blood, application having been made before the Commission to the Five Civilized Tribes at Caddo. Ind. Ter.

Indian Territory.

.ss. Affidavit of S. N. Folsom.

Central District.

On this the 24 day of August, 1900, personally appeared before me, the undersigned authority, S. N. Folsom, to me well and personally known as the person making the following affidavit and worthy of credit and belief, who after being duly sworn according to law, stated as follows, to-wit:

My name is S. N. Folsom, I am 22 years old; my Post Office is Doaksville, Ind. Ter. I am a Choctaw Indian by blood and have resided in the Choctaw Nation since the Indians moved to this Choctaw Nation from Mississippi.

I was well acquainted with Cynthia Thompson, who married Gilbert Collins, and after his death married George Stewart, a white man. This Cynthia Stewart nee Thompson lived neighbor to me in Kiamitia County, Choctaw Nation, until her death, which I think occurred in 1887. I knew her all her life and she was a Choctaw and Cherokee Indian, but lived in the Choctaw Nation all her life and was at all times recognized as of Choctaw blood. The family history of the family was to the effect that Cynthia Stewart nee Thompson was descended from a Choctaw mother and a Cherokee father.

I am well acquainted with Caroline Baxter, I have known her all her life, and she is the daughter of Cynthia Stewart nee Thompson by her white husband, George Stewart. Caroline Baxter is both Choctaw and Cherokee through her mother, Cynthia Stewart, who was both Choctaw and Cherokee, but whose mother was Choctaw.

Caroline Baxter married a white man by the name of Baxter, who is still living, and they reside near Caddo, Choctaw Nation; Caroline Baxter has always resided in the Choctaw Nation, having been born in Kiamitia County, and has at all times been recognized and enrolled as a Choctaw Indian.

I have no interest in any claim for citizenship, and the facts testified to above I know of my own knowledge.

S. N. Folsom

Sworn and subscribed to before me this the 24 day of August, 1900

R. G. Carter

Notary Public.

E.A.

7 - 3672.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Caroline Baxter, Granville Baxter, Walter W. Baxter, Daisy Baxter, Gaynell Baxter and Charles E. Baxter as citizens by blood and Elisha Baxter as a citizen by intermarriage of the Choctaw Nation.

DECISION.

It appears from the census-card record in this case that on August 22, 1899, Elisha Baxter appeared before the Commission, at its session, at Caddo, Indian Territory, and made personal application for the enrollment of his wife, Caroline Baxter (nee Stuart), and their four minor children, Granville, Walter W., Daisy and Gaynell Baxter, as citizens by blood, and for the enrollment of himself as a citizen by intermarriage, of the Choctaw Nation. Application was subsequently made to the Commission in writing for the enrollment of their minor child, Charles E. Baxter, as a citizen by blood of the Choctaw Nation.

It further appears from the tribal rolls in the possession of the Commission that the names of said Caroline Baxter (as Carrie Baxter), Granville, Walter W. (as Walter), Daisy (as Daisy) and Gaynell Baxter are identified upon the 1893 Choctaw Leased District Payment Roll, Blue County, Nos. 180, 181, 182, 183 and 184, respectively, and are also identified upon the 1896 Choctaw Census-Roll, Blue County, as citizens by blood thereof, Nos. 1647, 1648, 1649, 1650 and 1651, respectively, and that the name of Elisha Baxter (as Elijah Baxter) appears upon the 1896 Choctaw Census-Roll of intermarried persons, Blue County, No. 14222. The applicant, Charles E. Baxter, having been born subsequent to the preparation of the 1896 Choctaw Census-Roll, is identified by proper affidavit which is filed herein and made a part of the record in this case.

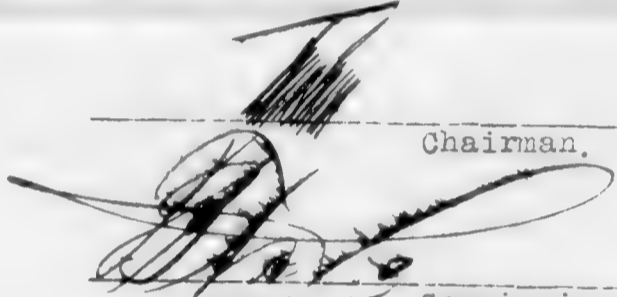
It further appears from the records of the Commission that on September 7, 1896, in the case entitled "Elisha Baxter vs. Choctaw Nation," (1896 Choctaw Citizenship Docket, case No. 196), the applicant, Elisha Baxter, made original application to this Commission under the provisions of the act of Congress approved June 10, 1896, (29 Stat., 521) for admission to citizenship in the Choctaw Nation, claiming his right thereto by virtue of his marriage with the said Caroline Baxter (nee Stuart), and on December 2, 1896, the said Elisha Baxter was by this Commission admitted to citizenship in the Choctaw Nation as a citizen by intermarriage, from which decision of the Commission no appeal was taken.


It further appears from the evidence in this case that at the time of the marriage of said Elisha Baxter and Caroline Baxter (nee Stuart) both persons were residents in good faith of the Choctaw Nation and that they lived together continuously in said Nation as husband and wife from the date of said marriage up to


and including September 25, 1902, and that the applicants, Granville, Walter W., Daisy and Gaynell Baxter, were residents in good faith of Indian Territory on June 28, 1898, all applicants listed upon census-cards in the years 1898 and 1899 having been first examined as to such fact, although their testimony was not reduced to writing.

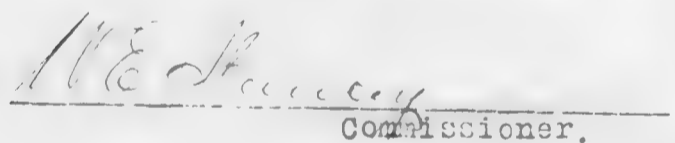
It is, therefore, the opinion of this Commission that Caroline Baxter, Granville Baxter, Walter W. Baxter, Daisy Baxter, Gaynell Baxter and Charles A. Baxter are citizens by blood of the Choctaw Nation, and should be enrolled as such, and Elisha Baxter should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898, (30 Stat., 495) and July 1, 1902, (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

  
Chairman.

  
Commissioner.

  
Commissioner.

  
Commissioner.

Muskogee, Indian Territory.

MAR 15 1904

Choctaw 3672.

<sup>copy</sup>  
Muskogee, Indian Territory, March 28, 1904.

Elisha Baxter,  
Caddo, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered March 15, 1904, granting the application made by you for the enrollment of yourself as a citizen by intermarriage, and your wife Caroline Baxter and children Granville Baxter, Walter W. Baxter, Daisy Baxter, Gaynell Baxter, and Charles E. Baxter as citizens by blood of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of said decision and have been allowed fifteen days from the date of this notice in which to file protest against the action of the Commission in enrolling said applicants as citizens of the Choctaw Nation. If at the expiration of that time no protest has been filed your names will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

Registered.  
Enc. Choctaw 3672.

Commissioner in Charge.

Choctaw 3672

Muskogee, Indian Territory, March 28, 1904.

Charles E. McPherrren,  
Attorney at Law,  
Caddo, Indian Territory,

Dear Sir:

You are hereby notified that the Commission to the Five Civilized Tribes, on March 15, 1904, rendered its decision granting the application of Elisha Baxter, Caroline Baxter, Granville Baxter, Walter W. Baxter, Daisy Baxter, Gaynell Baxter and Charles E. Baxter for enrollment as citizens of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of said decision and have been allowed fifteen days from the date of this notice in which to file protest against the action of the Commission in enrolling said applicants as citizens of the Choctaw Nation. If at the expiration of that time no protest has been filed, their names will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Registered.

Commissioner in Charge.

Choctaw 3672

COPY.

Muskogee, Indian Territory, March 28, 1904.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission, rendered March 15, 1904, granting the application for the enrollment of Caroline Baxter, Granville Baxter, Walter W. Baxter, Daisy Baxter, Gaynell Baxter and Charles E. Baxter as citizens by blood, and Elisha Baxter as a citizen by intermarriage, of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling the applicants herein as citizens of the Choctaw Nation. If, at the expiration of that time, no protest has been filed, their names will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

*J. L. ...*

Commissioner in Charge.

Registered.

Enc. 7-3672.

7-D-741.

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record herein in the matter of the application for  
the enrollment as a citizen by intermarriage of the Choctaw  
Nation of:

Alta Baxter.



Department of the Interior  
Commission to the Five Civilized Tribes.  
Muskogee, I.T. July 14, 1902.

In the matter of the application for enrollment as a citizen  
by intermarriage of the Choctaw Nation of Alta Baxter.

Applicant not represented by attorney.

Alta Baxter being first duly sworn testified as follows:

Examination by the Commission

- Q What is your name? A Alta Baxter.  
Q How do you spell it? A A-l-t-a B-a-x-t-e-r.  
Q How old are you? A Twenty.  
Q What is your post office address? A Caddo.  
Q Indian Territory? A Yes, sir.  
Q What Nation is Caddo in? A Choctaw.  
Q How long have you resided in the Choctaw Nation? A Almost ten  
months; somewhere near ten months.  
Q Where did you live before that? A Whitewright, Texas.  
Q Always live in Texas up to the time you moved to the Indian  
Territory? A No, sir.  
Q Where did you live before you lived in Texas? A In Kentucky.  
Q Were you born in Kentucky? A On the line between Kentucky and  
Tennessee.  
Q And lived in Kentucky up to the time you moved to Texas? A  
Yes, sir.  
Q And you moved to the Choctaw Nation about ten months ago and  
have been living there since? A Yes, sir.  
Q What is your father's name? A Ewing Pierce.  
Q How do you spell Ewing? A E-w-i-n-g.  
Q Is your father living? A No, sir; he is dead.  
Q What is your mother's name? A Mary Jane Pierce.  
Q Mary J. Pierce? A Yes, sir.  
Q Is your mother living? A Yes, sir.  
Q Father and mother both white persons? A Yes, sir.  
Q Citizens of the United States? A Yes, sir.  
Q Have either your father or mother ever made any claim for  
citizenship by blood in any tribe of Indians? A No, sir.  
Q Have they ever drawn any payments on money in any tribe of  
Indians? A No, sir.  
Q You are a white woman? A Yes, sir.  
Q Ever make any claim for citizenship by blood in any tribe of  
Indians? A No, sir.  
Q Ever draw any payments of money in any tribe of Indians? A No,  
sir.  
Q You are now applying to this Commission for enrollment as a  
citizens by intermarriage of the Choctaw Nation? A Yes, sir.  
Q What is the name of your Choctaw husband? A Walter W. Baxter.  
Q Is he a recognized and enrolled citizens by blood of the Choctaw  
tribe of Indians? A Yes, sir.  
Q Always lived in the Choctaw Nation? A Yes, sir.  
Q How old is your husband? A Twenty.  
Q Has he always lived in the Choctaw Nation? I have not known him

#2

always.

Q How long have you known him? A About ten months; he has lived there ever since I have known him.

The name of the applicant's husband, Walter Baxter, appears upon the records of the Commission, Choctaw roll card, field number 3672, having been so listed on August 22, 1899, upon identification by the Commission to the Five Civilized Tribes of his name upon the 1896 Census Roll of the citizens of the Choctaw Nation, Blue County.

Q When were you married to Walter Baxter? A The 29th of June.

Q Where? A At his residence.

Q At Caddo? A Yes, sir.

Q Who married you? A The Reverend Calvin Robinson.

Q Have you your marriage license and certificate? A Yes, sir.

There is offered in evidence, marked exhibit "A" and made a part of the record in this application, the certificate of Calvin Robinson as to the marriage of W. W. Baxter, of Blue County, Choctaw Nation, to Miss. Alta Pierce, of the 29th day of June 1902; said marriage certificate being recorded on July 2, 1902, in the record of Blue County, Choctaw Nation, volume "A" page 428.

Q Is the marriage performed under this certificate the only marriage that has ever taken place between you and Walter W. Baxter? A Yes, sir.

Q Were you ever married before you married him? A No, sir.

Q Was he ever married before he married you? A No, sir.

Q At the time of this marriage there was no legal obstruction to this marriage? A No, sir.

Q Have you been living together since that time? A Yes, sir.

Q There has been no separation or divorce? A No, sir.

G. Rosenwinkel being duly sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings had in the above entitled cause on July 14, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date of July 1902.

*G. Rosenwinkel*

Subscribed and sworn to before me this 14th day of July 1902.

*Jay L. Emerson*

Notar. Public.

Department of the Interior  
Commission to the Five Civilized Tribes  
Atoka, Okla., November 22nd, 1902.

Choctaw B-741  
Intermarried

In the matter of the application of Alta Baxter for enrollment as an intermarried citizen of the Choctaw Nation.

Alta Baxter being first duly sworn, testified as follows:

Examination by the Commission:

- Q What is your name? A Alta Baxter.  
Q Your age? A Twenty years old.  
Q What is your post office address? A Cash, Okla.  
Q How long have you been a resident of the Choctaw Nation?  
A Fourteen months the last of this month.  
Q Do you claim intermarried rights in the Choctaw Nation?  
A Yes sir.  
Q What is the name of your Choctaw husband through whom you claim?  
A W. W. Baxter.  
Q Is he a recognized and enrolled citizen of the Choctaw Nation?  
A Yes sir.  
Q Have his rights ever been disputed? A No sir.  
Q When were you married to W. W. Baxter? A Jan 15th 1902.  
Q This year? A Yes sir.  
Q Where was this marriage ceremony performed? A About two miles and a half east of Cash.  
Q At that time were both you and your husband then the residents of the Choctaw Nation? A Yes sir.  
Q Who performed the marriage ceremony? A Calvin Williams.  
Q Were you ever married before your marriage to W. W. Baxter?  
A No sir.  
Q Was he ever married before his marriage to you? A No sir.  
Q Since that marriage have you lived together continuously as husband and wife up to the present date? A Yes sir.  
Q You are at present living together as husband and wife in the Choctaw Nation? A Yes sir.

Albert G. McKellar being first duly sworn, deposes that he is stenographer to the Commission to the Five Civilized Tribes and reported the proceedings had in the above entitled case on the 22nd day of November, 1902, and that the above are true and correct transcript of his stenographic notes in the cause on said date.


Subscribed and sworn to before me this 11th day of January, 1903.

Charles Williams

Notary Public

*Exhibit "A."*

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
**FILED**  
JUL 14 1902

  
ACTING CHAIRMAN

INDIAN TERRITORY.  
Blue County, Choctaw Nation.

SS.

I, J. E. Folsom Clerk of the County court of said county, do hereby certify that the foregoing instrument of writing, dated the 2<sup>nd</sup> day of June 1892, with its Certificate of Authentication, was filed for record in my office the 2<sup>nd</sup> day of July 1892 at 11 o'clock A. M. and duly recorded this 2 day of July 1892 at 11 o'clock A. M. in the records of said County, in Volume A on Pages 428. WITNESS my hand and seal of the county court of said county, at office in Caddo, the day and year last above mentioned.

J. E. Folsom

Clerk, County Court, Blue County.

on the 29<sup>th</sup> day of June, A. D. 1902,  
conformably to the ordinance of  
god, and the laws of the Choctaw  
Nation, by Calvin Robinson a  
minister of the gospel.

Witnesses

C. W. Robinson  
C. J. Robinson  
A. W. Baxter

Marriage certificate

This certifies  
That W. H. Baxter of Blue county  
and Miss Alta Pierce,  
were united in the Bonds of marriage  
on the 29<sup>th</sup> day of June, A. D. 1902.  
conformably to the ordinance of  
god, and the laws of the Choctaw  
Nation, by Calvin Robinson a  
minister of the gospel.

Witnesses

C. A. Robinson  
C. J. Robinson  
H. W. Baxter

7-D-741

*(Handwritten initials)*

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Alta Baxter for enrollment as a citizen by intermarriage of the Choctaw Nation.

--: D E C I S I O N :--

It appears from the record herein that the applicant, Alta Baxter, on June 29, 1902, was lawfully married to Walter W. Baxter, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 15467 upon the lists prepared by this Commission under the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation and approved by the Secretary of the Interior, May 9, 1904; that at the time of said marriage both persons above named were residents in good faith of the Choctaw Nation, and have lived together in said Nation as husband and wife from that time up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Alta Baxter should be enrolled as a citizen by intermarriage of the Choctaw Nation under the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495) and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

*(Handwritten signature)*  
\_\_\_\_\_  
Chairman.

*(Handwritten signature)*  
\_\_\_\_\_  
Commissioner.

*(Handwritten signature)*  
\_\_\_\_\_  
Commissioner.

Muskogee, Indian Territory.

NOV 9 - 1904

Choctaw D 741

Muskogee, Indian Territory, November 9, 1904.

Alta Baxter,  
Care J. P. Polston,  
Caddo, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered November 9, 1904, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of said decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

SECRET

James H. [unclear]

Chairman.

Registered.

Incl. 7-D-741.



Choctaw D 741

COPY.

Muskogee, Indian Territory, November 9, 1904.

Mansfield, McMurray & Cornish,  
Attorneys for Choctaw and Chickasaw Nations,  
South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the decision of this Commission, rendered November 9, 1904, granting the application for the enrollment of Alta Baxter as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling said applicant as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, her name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

*James Bixby*

Registered.

Chairman.

Incl. 7-D-741

See Choctaw D 1002 for registry receipt for this letter.

Muskogee, Indian Territory, August 11, 1900.

Mr. Charles McPherrren,

Caddo, Indian Territory,

Dear Sir:

The Commission is in receipt of your letter of August 8th, in which you state that Mrs. Caroline Baxter, wife of W. J. Baxter, desires to change the status of her citizenship; you state that she was enrolled as a Choctaw at Muskogee, in August 1899, without objection, but that objection was entered by G. W. Pikes at South McAlester, after her enrollment, and when she was not present, on the grounds that she was Cherokee; that Mrs. Baxter afterward appeared before the Commission at Atoka in December, 1899, and made a full statement of the matter, and when the Commission advised her in what manner would be devised by which the testimony of Judge G. N. Polson, an invalid, residing at Docksville, could be secured in accordance with the rules of the Commission. You now desire to be advised if you will be permitted to file the affidavit of Judge G. N. Polson, in support of her application for enrollment.

In reply to your letter, you are advised that you may present the affidavit of Judge G. N. Polson, if you desire, and the Commission will then decide whether it is proper to be made a part of the record in this case.

Yours truly,

7-3672

Acting Chairman.

Muskogee, Indian Territory, August 30, 1900

Mr. Charles E. McPherrren,  
Attorney at Law,  
Caddo, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 25th inst. m., enclosing the affidavit of S. M. Folsom for the consideration of the Commission in the matter of the enrollment of Caroline Baxter and the same has been duly filed and made a part of the record in her case.

You request that the Commission furnish you with a copy of the record made in the application of Caroline Baxter at Atoka last December with copies of such evidence as the Choctaw Nation may have filed therein.

You are informed that the Commission cannot at this time comply with your request as to furnishing you a copy of the records of this case, for the reason that there are not a sufficient number with the files of the Commission to allow of any being sent out at this time. If you desire, however, to have a copy of this record, the Commission will allow you to make such copy in its office at Muskogee.

Yours truly,

Acting Chairman.

In reply please  
refer to 7-3672

Muskogee, Indian Territory, November 21, 1900.

Mansfield, McMurray & Cornish,

Attorneys at Law,

South McAlester, Indian Territory.

Gentlemen:

The Commission is in receipt of your letter of the 13th instant in which you desire to be informed if Elisha Baxter and his wife have been listed for enrollment as citizens of the Choctaw or Chickasaw Nation, their post-office address, the time and place they appeared before the Commission and the names and nativity of the parents of Mrs. Baxter. You also request that you be furnished with a carbon copy of any testimony that may have been taken in the case.

You are informed that the records of this Commission show that Elisha Baxter, 44 years of age, of Caddo, Indian Territory, together with his wife, Caroline Baxter the daughter of George Stuart, a non-citizen, and Cynthia Stuart, a citizen of the Choctaw Nation, and their five minor children, Granville, Walter, Daisy, Gayvill and Charles E. Baxter were listed for enrollment as citizens of the Choctaw Nation at Atoka, Indian Territory, on December 5th, 1899.

In accordance with your request there is enclosed you herewith a carbon copy of the testimony taken at the time Caroline Baxter appeared before the Commission, which you are requested to return when it has served your purpose.

Enc a

Yours truly,

Acting Chairman.

Muskogee, Indian Territory, January 12, 1901.

Charles E. McPherrren,

Attorney at Law,

Caddo, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 9th instant in which you desire to be informed if Mrs. Caroline Baxter and family are listed for enrollment as Choctaw Indians by blood and if so, the names of the members of her family as they appear upon our records.

You are informed that the records of the Commission show that Elisha Baxter, 44 years of age, of Caddo, Indian Territory, and his wife, Caroline Baxter, 42 years of age and their children, Granville, Walter, Daisy, Gayvill and Charles E. Baxter are listed for enrollment as citizens of the Choctaw Nation, Elisha Baxter as an intermarried citizen and Caroline Baxter and her five children as citizens by blood of the Choctaw Nation.

Yours truly,

Acting Chairman.

7-3672

Muskogee, Indian Territory, July 13, 1901.

Mr. Charles E. McPherran,  
Attorney at Law,  
Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 10th instant, in which you desire to be informed whether there now exists any objection to the enrollment of Mrs. Caroline Baxter and her children as citizens by blood of the Choctaw Nation.

Replying to your inquiry you are informed that it appears from our records that on August 28, 1899, Elisha Baxter, his wife, Caroline Baxter, and their four minor children, Granville, Walter, Daisy and Gaynell, were listed for enrollment as citizens of the Choctaw Nation; Elisha as a citizen by intermarriage, and Caroline and her children as citizens by blood; all of the parties having been identified from the 1896 Census Roll of Blue County, Choctaw Nation.

On November 2, 1899, Charles E. Baxter was also listed for enrollment upon presentation of proper evidence as to his birth.

It further appears from our records that there is a question existing as to the Cherokee or Choctaw blood of Caroline Baxter; and while it does not appear from our records that the Choctaw

C. E. McP.--2.

Nation is at this time urging any objection to the enrollment of these persons as citizens of the Choctaw Nation, still it would be impossible to furnish you any definite statement as to the final rights to enrollment of this family.

Yours truly,

Acting Chairman.

7-3672

MOM

Choctaw 3672

Muskogee, Indian Territory, July 7, 1902.

Charles W. McPherron,  
Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 1st instant, enclosing certified copy of the certificate of Calvin Robinson as to the marriage of W. W. Baxter and Miss Alta Pierce, on June 22, 1902.

You state in your letter that W. W. Baxter is a citizen by blood of the Choctaw tribe of Indians and Alta Pierce is a white girl and you desire to be advised if it is necessary for Mrs. Baxter to appear before the Commission for enrollment.

The evidence of marriage enclosed in your letter is returned to you herewith, with the information that the rules and regulations of the Commission and of the Secretary of the Interior require that applicants for enrollment as citizens by intermarriage of the Choctaw Nation must present themselves in person before the Commission for the purpose of examination under oath.

If Mrs. Baxter desires to make application for enrollment as a citizen by intermarriage of the Choctaw Nation she will be heard upon her personal appearance at the office of the

<sup>c</sup>  
Commission at Muskogee, Indian Territory, at any time prior to the



C E MCP 2

date to be fixed or agreed upon terminating the time within which the Commission can receive applications of this character. In view of the probability of some such date being early fixed, it is advisable if Mrs. Baxter desires to make application that she do so as early as practicable. At the time of her personal appearance the Commission will accept such evidence of her marriage as she may present.

Yours truly,

Commissioner in Charge.

Enc Y-9

Choctaw 3672

Muskogee, Indian Territory, September 18, 1902.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw & Chickasaw Nations,  
South McAlester, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 15th instant, requesting that you be informed the citizenship status of E. G. Baxter and Carrie Baxter, applicants for Choctaw or Chickasaw citizenship.

In reply to your letter you are advised that it appears from our records that on August 22, 1899, Elisha Baxter, 44 years of age, and his wife Caroline Baxter, 42 years of age, of Caddo, Indian Territory, together with their children, were listed for enrollment by this Commission as citizens of the Choctaw Nation, having been identified from the 1896 census roll of the citizens of the Choctaw Nation as residents of ~~McAlester~~. Elisha Baxter also appears to have been admitted as an intermarried citizen of the Choctaw Nation by this Commission under the act of Congress of June 10, 1896.

If these are not the persons concerning whom you desire information, and you will state the full names and ages of the parties, and the time and place they made application, the matter

W M O M & C 2

will receive further attention.

Yours truly,

Acting Chairman.

Chectaw P 49; 7 40;  
Chectaw D 319; 564  
3417; 36.0; 3672.

Muskogee, Indian Territory, September 10, 1902.

D. C. McArthur,

South McAlester, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of September 15, asking if the following named persons are citizens of the Chectaw Nation, as appears from the Chectaw rolls now in the possession of the Commission, or as listed for enrollment by the Commission, and stating that if found they will appear on the Blue County rolls:

|                |                  |
|----------------|------------------|
| D. C. Siddeon, | John Gravitt,    |
| A. G. Baxter,  | Samuel Paddock,  |
| William Askew, | James Alexander. |

In reply to your letter you are advised that it appears from our records that David C. Siddeon, fifty years old, was, on August 4, 1900, listed by the Commission, on its doubtful list, as an intermarried citizen of the Chectaw Nation, his residence at that time being Caddo, Blue County, Indian Territory. No decision has yet been rendered by the Commission relative to the final rights of David C. Siddeon to enrollment as an intermarried citizen of the Chectaw Nation.

It also appears from our records that Flisha Baxter, forty four years of age, of Blue County, was on August 23, 1900, listed for

T. H. 2

enrollment as an intermarried citizen of the Choctaw Nation, having been admitted to such intermarried citizenship by this Commission in 1896, in Dawes Commission case Number 186, and his name having been identified from the 1896 Census Roll of Blue County, bearing Number 14,322. It does not appear from our records that any person by the name of E. G. Baxter has been listed for enrollment as a citizen of the Choctaw Nation, and it is believed that this is the person to whom you refer.

It appears from our records that several persons named William Ashew have been listed for enrollment as citizens of the Choctaw Nation, and before any definite information can be given you it will be necessary for you to state the full name, age, and such other information as would enable the Commission to identify the William Ashew concerning whom inquiry is made.

It appears from records that a John W. Gravitt, three years old in 1892, the son of Maggie Gravitt, a citizen of the Choctaw Nation, and John Gravitt, a non citizen of the Choctaw Nation, has been listed for enrollment as a citizen by blood of the Choctaw Nation. It does not appear from our records that any application had been made by John Gravitt, husband of Maggie Gravitt, for enrollment as an intermarried citizen of the Choctaw Nation.

It appears from our records that Reuben W. Paddock, twenty one years of age, of Caddo, Indian Territory, was, on August 24, 1892, listed for enrollment by the Commission as a citizen by blood of the Choctaw Nation, having been identified from the 1896 Census Roll of Blue County, Choctaw Nation as Number 10475 thereon.

P.C.M. 3

It further appears from our records that James Alexander, thirty five years of age, of Hen, Indian Territory, was on September 20, 1900, listed for enrollment among the doubtful citizens of the Choctaw Nation, as an intermarried Choctaw, having been admitted to such intermarried citizenship in 1896 by this Commission in case number 1130, and no appeal taken to the United States Court in Indian Territory. No decision has yet been reached nor opinion rendered relative to the final rights of this party to enrollment as an intermarried citizen of the Choctaw Nation.

It also appears from our records that another, James M. Alexander, six years old in 1899, son of Eliza A. Alexander, who was admitted to the United States Court for the Central District of the Indian Territory, as a citizen by blood of the Choctaw Nation, and James Alexander, a non citizen of the Choctaw Nation, has been listed for enrollment as a citizen by blood of the Choctaw Nation, pursuant to the said judgment of the United States Court. It does not appear that application has been made by James Alexander, father of James M. Alexander, to this Commission for enrollment as an intermarried citizen of the Choctaw Nation.

If these are not the persons referred to in your letter, and you will advise us more definitely as to the names and ages of the parties and such other information as would enable us to identify them on our records, the matter will receive further consideration.

Yours truly,

Acting Chairman.  
Acting

Muskogee, Indian Territory, May 8, 1903.

J. M. Harison,

Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of April 28th, in which you ask whether or not Elisha Baxter, or family, are properly enrolled.

In reply to your letter you are advised that it appears from our records that Caroline Baxter, wife of Elisha Baxter and their children, Granville, Walter, Daisy, Gaynell and Charles E., have been listed for enrollment as citizens by blood of the Choctaw Nation, but their names have not yet been placed upon the schedules of citizens by blood of said nation, prepared for forwarding to the Secretary of the Interior.

It further appears from our records that Elisha Baxter has been listed for enrollment as an intermarried citizen of the Choctaw Nation, but his final right to such enrollment has not yet been determined. As soon as a decision is reached in his case he will be notified of the action of the Commission.

Respectfully,

Chairman.

7-3672

Muskogee, Indian Territory, October 29, 1903.

Charles E. McPherran,  
Attorney at Law,  
Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of October 23, asking the status of the enrollment of Caroline Baxter as a Choctaw Indian.

In reply to your letter you are informed that it appears from our records that Caroline Baxter and her children, Granville, Walter, Daisy, Gaynell and Charles E. Baxter, have been listed for enrollment as citizens by blood of the Choctaw Nation, but their final right to such enrollment has not yet been determined, as it appears from the record in this case that Caroline Baxter is also possessed of Cherokee blood.

It also appears from our records that Elisha Baxter, husband of Caroline Baxter, is an applicant to this Commission for enrollment as an intermarried citizen of the Choctaw Nation, but his final right to such enrollment has not yet been determined.

Respectfully,

Commissioner in Charge.



Choctaw 3672.

Muskogee, Indian Territory, November 17, 1903.

Commissioner in Charge

Cherokee Land Office,

Tablequah, Indian Territory.

Dear Sir:

In the matter of the application for the enrollment of Caroline Baxter (nee Stuart) and her minor children, Granville, Walter W., Daisy and Gaynell Baxter, as citizens by blood of the Choctaw Nation, and her husband, Elisha Baxter, as a citizen by intermarriage of said Nation, you are requested to inform the Commissioner whether or not their names, or any of them, appear upon any Cherokee tribal rolls in the possession of your Land Office, and if so, upon what rolls.

Respectfully,

Chairman.

7-3672

RCJ

WJC

Tahlequah, Indian Territory, November 25, 1903.

Commission to the Five Civilized Tribes,  
Choctaw-Chickasaw Enrollment Division,  
Muskogee, Indian Territory,

Gentlemen:

Receipt is acknowledged of Commission's letter of November 17, Choctaw 3672, asking to be advised as to the status, as Cherokee of Caroline Baxter, nee Stuart, and her minor children, Granville, Walter W., Daisy and Gaymell Baxter.

In reply I have to state that none of the persons named above are applicants for enrollment by this Commission as citizens of the Cherokee Nation, nor are their names identified upon any of the tribal rolls of the Cherokee nation in the possession of the Commission.

Respectfully,

(Signed) C. R. Breckinridge,

Commissioner in Charge  
Cherokee Land Office.

MH

Choctaw D-741.

Muskogee, Indian Territory, August 13, 1904

Alta Baxter,  
c/o J. P. Polston,  
Caddo, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of August 9, in which you ask the status of your enrollment as an intermarried citizen of the Choctaw Nation, and protest against Walter Baxter, your husband, being permitted to file on any land for you or to file any contest in your name.

In reply to your letter, you are informed that the Commission has not yet passed upon your application for enrollment as an intermarried citizen of the Choctaw Nation, but as soon as a decision is reached in this case you will be notified of the action taken therein.

That part of your letter in which you protest against Walter Baxter being permitted to make selection of allotment or file contest for you will be made the subject of another communication.

Respectfully,

Commissioner in Charge.

MEMORANDA.

(Date) ..... 1899.

Name .....

Choctaw ? ..... County ..... Year ..... No. ....

Chickasaw ? ..... County ..... Year ..... Page .....

Citizen by blood ? ..... Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day, .....

Wife's name, .....

Choctaw ? ..... County ..... Year ..... No. ....

Chickasaw ? ..... County ..... Year ..... Page .....

Citizen by blood ? ..... Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day .....

Names of children:

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

3612

Choc 3673 mares Bolun

3673

MEMORANDA.

(Date) ..... 1899.

Name .....

Citizen? County Year No.

Children? County Year Page

Citizen by blood? Mother's citizenship

Married citizen?

Married under what law?

Where did she die?

Wife's name

Citizen? County Year No.

Children? County Year Page

Citizen by blood? Mother's citizenship

Married citizen?

Married under what law?

Where did she die?

Name of children

| County | Year | Page | No. |
|--------|------|------|-----|
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |

136413

Choc 3674 Zack Jones

3674

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

The record herein is in the matter of the application for the  
enrollment as a citizen by intermarriage of the Choctaw Nation of

M a l i n d a   J o n e s ,   7 - 3 6 7 4



Commission to the Five Civilized Tribes,  
Caddo, Indian Territory.

In the enrollment of Malinda Jones as an intermarried Choctaw; Zack Jones being sworn and examined by Comr McKenna states:

- Q What is your name? A Zack Jones.
- Q How old are you? A Forty-five.
- Q Your wife is named Malinda? A Yes sir.
- Q She is a white woman? A Yes sir, ~~raised~~ raised in Texas.
- Q You were married to her lawfully? A Yes sir.
- Q Who married you? A George Folsom.
- Q A Minister of the Gospel? A Yes sir.
- Q Where, in the Choctaw Nation? A Yes sir.
- Q In 1876 you say? A Yes sir.
- Q You have been living with her ever since? A Yes sir.
- Q She is now living with you? A Yes sir.
- Q And as your wife? A Yes sir.

---

Phoebe LeFlore being sworn and examined testifies:

- Q What is your name? A Phoebe LeFlore.
- Q How old are you? A Thirty-six.
- Q Do you know Zack Jones? A Yes sir.
- Q And his wife Malinda? A Yes sir.
- Q He is a Choctaw citizen? A Yes sir.
- Q So recognized? A Yes sir.
- Q She is a white woman? A Yes sir.
- Q You know they have been living together as husband and wife?  
A Yes sir.
- Q How long? A About ten years.
- Q They are so recognized in the neighborhood where they reside?  
A Yes sir.

Malinda Jones, Zack Jones witness #2)

Zack Jones re-called testifies:

Q You have no marriage certificate?

A No sir.

Q Never had?

A No sir.

----

Department of the Interior,  
Commission to the Five Civilized Tribes.  
I declare under my official oath as  
Secretary of the United States Indian Commission, that this  
transcript is a true and correct translation of  
my stenographic notes.

*M. D. Green*

Department of the Interior.  
Commission to the Five Civilized Tribes.  
Antlers, Indian Territory, December 3rd, 1902.

Choctaw 3674.  
Intermarried.

In the matter of the application of Malinda Jones for enrollment as an intermarried citizen of the Choctaw Nation.

Malinda Jones, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Malinda Jones.  
Q How old are you? A About forty I reckon.  
Q What is your post office address? A Bennington, Indian Territory  
Q How long have you been a resident of the Choctaw Nation? A Somewhere about thirty years.  
Q Have you lived here continuously for the past thirty years?  
A Yes sir.  
Q Never made your home anywhere else during that time? A No sir.  
Q Do you claim intermarried rights in the Choctaw Nation? A Yes sir  
Q What is the name of your Choctaw husband through whom you claim these rights? A Zach Jones.  
Q Is he a recognized and enrolled citizen of the Choctaw Nation?  
A Yes sir.  
Q Have his rights to enrollment ever been questioned? A No sir.  
Q When were you married to Zach Jones? A In 1876.  
Q Where was the marriage ceremony performed? A Here in the territory. It was here in the territory to Pigeon Roost.  
Q What nation is that in? A In the Choctaw Nation.  
Q At the time of this marriage were both you and your husband bona fide residents of the Choctaw Nation? A Yes sir.  
Q Who performed the marriage ceremony? A George Folsom, a minister of the gospel.  
Q Were you married under license? A No sir.  
Q Were you ever married before your marriage to Zach Jones? A No sir  
Q Was he ever married before his marriage to you? A No sir.  
Q Since that marriage have you lived together continuously as husband and wife up to the present time? A Yes sir.  
Q There has been no separation of any kind whatsoever? A No sir.  
Q Are you at present living together as actual and bona fide residents of the Choctaw Nation? A Yes sir.  
Q What became of your marriage certificate? A When we was married the Choctaws didn't have a certificate.  
Q The minister who married you gave you a certificate did he not?  
A No sir.  
Q Who was present at that marriage? A The witnesses are all dead. His wife was present and his nephew.  
Q The minister's wife and nephew? A Yes sir, they are all dead.  
Q Were there only three witnesses there? A Yes sir.

---oOo---  
Harry C Risteen, being first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 3rd day of December, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

*Harry C Risteen*  
Subscribed and sworn to before me this 22nd day of January 1903.

*Charles H. Sawyer*  
Notary Public.

1441  
J.A.B.  
7-3674

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

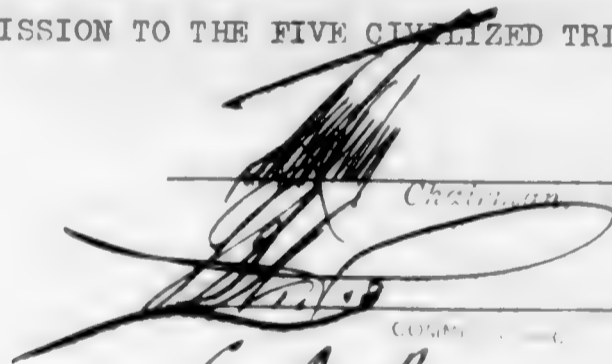
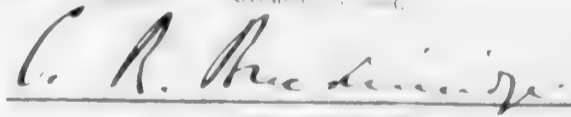

In the matter of the application for the enrollment of  
Malinda Jones as a citizen by intermarriage of the Choctaw Nation.

D E C I S I O N .

It appears from the record herein that Malinda Jones, in the year 1876, was lawfully married to Zack Jones, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as No. 10380 upon the lists prepared by this Commission under the act of Congress approved July 1, 1902 (32 Stats., 641) of persons entitled to enrollment as citizens by blood of the Choctaw Nation, and approved by the Secretary of the Interior on February 4, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation, and that they have lived together continuously in said nation as husband and wife from the date of said marriage up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Malinda Jones should be enrolled as a citizen by intermarriage of the Choctaw Nation in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stats., 495) and July 1, 1902 (32 Stats., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

  
Chairman  
  
C. R. Anderson  
COMMISSIONER  
  
M. E. Hastings  
COMMISSIONER

Muskogee, Indian Territory,

DEC 2 1902

COPY,

Choctaw 3674

Muskogee, Indian Territory, December 3, 1903.

Malinda Jones,

Pennington, Indian Territory.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered December 3, 1903, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from the date hereof in which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of said time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

*Samuel D. Boy.*

Chairman.

Registered.  
Enc. 7-3674.

COPY.

Choctaw 3674

Muskogee, Indian Territory, December 3, 1903.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission, rendered December 3, 1903, granting the application of Malinda Jones for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from the date hereof in which to file protest against the action of the Commission in enrolling said Malinda Jones as a citizen of the Choctaw Nation. If at the expiration of said time no protest has been filed, her name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED).

*Tame Dixby.*

Chairman.

Registered.

Enc. 7-3674.

*Abhidavit-*  
*" "*  
*of*  
*Jack. Kiser*

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
**FILED**  
MAY 23 1903



CHAIRMAN.

I know all men by these premises  
That I Jack Rosner do certify  
to the following facts relating  
to Jack Gomer.

That I have known ever  
since he was a little child to  
the present and that he married  
the woman he now lives with  
in 1876. That he has lived with  
her ever since and that I do  
not know nor ever heard the  
legality of matrimony. That they  
have raised a family and have  
grand children and they are  
quiet and peaceable citizens.

Indian Territory  
Central District)

Jack Rosner.

This day personally appeared before  
me J. C. Rosner known to me to be a person  
whose name is subscribed to the above instrument  
and after being duly sworn according to Law stated on oath  
that the facts set forth in are true to the best of his  
knowledge.

given under my hand and official seal

on this the 23<sup>rd</sup> day of March A. D. 1883

C. C. McClard Notary Public

Bennington Central District &c.



*Handwritten notes and scribbles on the left side of the page, including the word "Affidavit" and a signature "W. B. Lloyd".*

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES,

**FILED**

MAY 23 1903

*Handwritten signature of the Chairman.*

CHAIRMAN.

I W. J. B. Lloyd a minister of the Gospel do certify that I have known Mr Zack Jones and wife Malinora for a number of years, even before their marriage, I heard that the Rev George Folsom had performed the marriage ceremony and published the banns. I know that they went to house keeping as husband and wife, since which time they have raised a family they have three married children also some grand children. Also they have been members of my church for years and are still, I have never heard the legality of their marriage questioned

W. J. B. Lloyd

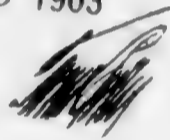
Indian Territory  
Central District

Before me L. C. McClard a Notary Public in and for the Central District - I. T. This day personally appeared W. J. B. Lloyd known to me to be the person whose name is subscribed to the above instrument and after being duly sworn according to law states on oath that the facts set forth are true to the best of his knowledge.

given under my hand and official seal  
on this the 29<sup>th</sup> day of May A. D. 1903  
L. C. McClard Notary Public

*Assidabat*  
*of*  
*T. H. Starbuck*

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
**FILED**  
MAY 23 1903



CHAIRMAN.

I know all men by their  
presence. That J. H. Stark  
a resident and citizen of Birmingham  
I. T. Choclain Native, do testify  
to the following facts, relating to the  
acquaintance of Mr. Zack Jones.

That I have known the above  
named Zack Jones since 1870 and  
that he was married in 1876 to  
Malinda his present wife and  
that they have lived together  
continuously as man and wife  
ever since and still live together.

Furthermore I have never known  
or heard of the legality of their  
marriage if questioned.

That they have raised a family  
of children and have grandchildren  
That they are good and loyal citizens.

Indian Territory  
Central District

J. H. Stark

This day personally appeared J. H. Stark  
known to me to be the person whose name is subscribed to the  
above instrument and after being duly sworn states  
on oath that the facts set forth are true to the best of  
his knowledge. This the 23<sup>rd</sup> day of May A. D. 1903  
C. C. McCloud Notary Public

Choctaw-3674

Muskogee, Indian Territory, May 8, 1903.

Malinda Jones,

Bennington, Indian Territory.

Dear Madam:

It appears from the records of the Commission that you are an applicant for enrollment as a citizen by intermarriage of the Choctaw Nation by virtue of your marriage to Zack Jones, a citizen by blood of said nation, but it does not appear that there is sufficient evidence to establish your marriage to him.

You are advised that it will be necessary for you to furnish the Commission with the affidavits of at least two disinterested persons who know of your marriage and that since said marriage you and Zack Jones have lived together as husband and wife.

This matter should receive your immediate attention, as no further action can be taken relative to your enrollment until this evidence is received.

Respectfully,

Chairman.

7-3674

Muskogee, Indian Territory, May 28, 1903.

Mrs. Malinda Jones,

Bennington, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of the affidavits of W.J.B. Lloyd, Jack Eisner, and T. H. Stark, which are offered in support of your application for enrollment as an intermarried citizen of the Choctaw Nation, and the same have been filed with the record in your case.

Respectfully,

Commissioner in Charge.

MEMORANDA.

(Date) 11/3 1899.

Name [redacted]

Choctaw? County Year 16 No. 1152

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day,

11-1 Wife's name,

Choctaw? County Year No.

Chickasaw? County Year Page 37

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

|     |        |        |      |      |          |
|-----|--------|--------|------|------|----------|
| 14  |        | County | Year | Page | No. 2153 |
| 10x | Amelia | County | Year | Page | No. 2155 |
| 5   | John   | County | Year | Page | No. 2156 |
| 3   | H...   | County | Year | Page | No. 2157 |
|     |        | County | Year | Page | No.      |
|     |        | County | Year | Page | No.      |
|     |        | County | Year | Page | No.      |
|     |        | County | Year | Page | No.      |
|     |        | County | Year | Page | No.      |
|     |        | County | Year | Page | No.      |

13174

Choc 3675 Lizzie Davis now Butler

3675



7-3678

Muskogee, Indian Territory, July 25, 1902.

J. F. Butler,  
Jackson, Indian Territory.

Dear Sir;

Receipt is hereby acknowledged of your letter of the 18th instant, enclosing the application for enrollment as a citizen of the Choctaw Nation of Abbie Butler, infant daughter of J. F. and Lizzie Butler, born September 26, 1901, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Receipt is also acknowledged of the marriage license and certificate between John Franklin Butler and Lizzie Jones, and the same has been duly filed with the records of the Commission in the matter of the application for enrollment of the above named child.

Yours truly,

Commissioner in Charge.

No. 708

# Certificate of Record of Marriages.

UNITED STATES OF AMERICA, }  
THE INDIAN TERRITORY, } SCT.  
CENTRAL DISTRICT.

I, E. J. FANNIN, Clerk of the United States Court in the Indian Territory and District aforesaid, do hereby CERTIFY that the License for and Certificate of the Marriage of

Mr. *Jno F Butler* and  
Miss *Lizzie Jones*

was filed in my office in said Territory and District the *10* day of *April* A. D. *1900* and duly recorded in Book *one* of Marriage Record, Page *354*

WITNESS my hand and seal of said Court, at *Adona* this *10* day of *April* A. D. *1900*

E. J. FANNIN,  
Clerk.

By *Doug Folsom* Deputy.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED  
JUL 25 1902

*[Signature]*  
ACTING CHAIRMAN.

CHOCTAW.

3675

# MARRIAGE LICENSE.

No. [REDACTED]

UNITED STATES OF AMERICA,  
THE INDIAN TERRITORY,  
CENTRAL DISTRICT. } SS.

To Any Person Authorized by Law to Solemnize Marriage—Greeting:

You are hereby commanded to solemnize the Rite and publish the BANS OF MATRIMONY between Mr. John Franklin Butler of Bennington in the Indian Territory, aged 21 years, and Miss Lizzie Jones of Bennington in the Indian Territory, aged 17 years, according to law, and do you officially sign and return this License to the parties therein named.

WITNESS My hand and official seal, this 19 day of March A.D. 1900

Doug Johnson  
Deputy

E. J. [Signature]  
Clerk of the United States Court.

## CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
CENTRAL DISTRICT. } SS.

I, W. J. B. Lloyd  
a Minister of the Gospel

do hereby CERTIFY, that on the ~~19th~~ 24th day of March A.D. 1900 I did duly and according to law, as commanded in the foregoing License, solemnize the Rite and publish the BANS OF MATRIMONY between the parties therein named.

Witness my hand this 24 day of March A.D. 1900

My credentials are recorded in the office of the Clerk of the United States Court in the Indian Territory, Central District, Book A Page 101

W. J. B. Lloyd  
a Minister of the Gospel

NOTE—This License and Certificate of Marriage must be returned to the Office of the Clerk of the United States Court of the Indian Territory, from whence it was issued, within sixty days from the date thereof, or the party to whom the License was issued will be liable in the amount of One Hundred Dollars (\$100.00).

Enc 14 127

CHOCTAW. 20 INDEXED

IN RE

Application for Enrollment of

INFANT CHILD

*Albin Butler*

as a citizen of

*[Signature]* Nation.  
Approved *[Signature]* JUL 25 1902 190  
*[Signature]*  
Commissioner.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED  
JUL 25 1902

*[Signature]*  
ACTING CHAIRMAN

367

DEPARTMENT OF THE INTERIOR  
COMMISSION TO THE FREE UNCLE SAM'S

IN RE Application for Enrollment, as a citizen of the State of California  
of Abbie Butler, born on the 26 day of September, 1881  
(Here insert name of child.)  
Name of Father: J. G. Butler a citizen of the United States  
Name of Mother: Lizzie Butler a citizen of the United States  
Profession: Housewife

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
Central District,  
I, Lizzie Butler, 26 years of age and a citizen, by Birth of the State of California,  
that I am the lawful wife of J. G. Butler  
marriage of the State of California  
born to me on 26 day of September  
named Abbie Butler  
WITNESSES TO MARK  
(Must be Two Witnesses.)  
J. G. Butler  
H. H. Butler  
Subscribed and sworn to before me this 10 day of September, 1881  
L. L. McDaniel

AFFIDAVIT OF ATTENDING PHYSICIAN OR MIDWIFE.

UNITED STATES OF AMERICA,  
Central District,  
I, Tom J. Long,  
attended on Mrs. Lizzie Butler wife of J. G. Butler  
on the 26 day of September  
said date a Female child that said child is now from one year of age  
named Abbie Butler  
WITNESSES TO MARK  
(Must be Two Witnesses.)  
Tom J. Long  
Subscribed and sworn to before me this 10 day of September, 1881  
McDaniel

3675

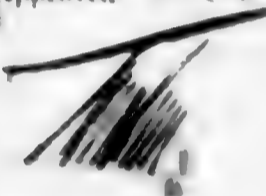
IN RE  
Application for Enrollment of  
INFANT CHILD.

George Deora  
a citizen of the

United States

Nation

Approved Oct. 7 1899



Commissioner.

7 3675

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment as a citizen of the Choctaw Nation,  
of George Davis, born on the 23 day of Feb, 1899.

Name of father: J. D. Davis, a citizen of the Choctaw Nation.

Name of mother: Lizzie Davier, a citizen of the Choctaw Nation.

Post Office: Birmingham 25

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Central District.

I, Lizzie Davie, on oath, state that I am 16 years of age and a citizen, by Blood, of the Choctaw Nation; that I am the lawful wife of J. D. Davis who is a citizen, by Mary, of the Choctaw Nation; that a Male child was born to me on the 23 day of Feb, 1899; that said child has been named George Davis, and is now living.

Lizzie Davie

Subscribed and sworn to before me this 15 day of Sept, 1899.

W. H. Uttaway  
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Central District.

I, J. J. Long, a Physician, on oath, state that I attended on Mrs. Lizzie Davie, wife of J. D. Davis on the 23 day of Feb, 1899; that there was born to her on said date a Male child; that said child is now living and is said to have been named George.

J. J. Long, M.D.

Subscribed and sworn to before me this 11<sup>th</sup> day of Sept, 1899.

W. H. Uttaway  
Notary Public.

MEMORANDA.

(Date) Aug 22 1899.

Name .....

Choctaw? County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day,

16 Wife's name, Lizzie Davis

Choctaw? yes County Jackson Year 96 No. 7154

Chickasaw? County Year Page 176

Citizen by blood? yes Mother's citizenship us

Intermarried citizen?

Married under what law?

License filed this day

6 mo Names of children:

George Davis County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

✓ On roll Lizzie Jones - as to marriage of parents see testimony of Jack Jones & Phoebe Le Flore in enrollment of Jack Jones

3675



3676 Phoebe Jones

Choc

3676

7-3676

Muskogee, Indian Territory, March 24, 1906.

Frank Battiest,

Matoy, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of March 19, 1906, stating that you married a white woman in February 22, 1903, and you desire to have her enrolled as an intermarried citizen of the Choctaw Nation.

In reply to your letter you are advised that under the act of Congress approved July 1, 1902 no person who married a citizen of the Choctaw or Chickasaw Nation subsequent to the date of the passage of said act, is entitled to enrollment and allotment in either of said nations.

Respectfully,

Acting Commissioner.

MEMORANDA.

(Date) Aug 22 1899.

Name

Choctaw? County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day,

36 Wife's name, Phoebe Le Flore

Choctaw? yes County Jackson Year 96 No. 8142

Chickasaw? County Year Page 203

Citizen by blood? yes Mother's citizenship Phoebe

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

16 Frank Battiest County Jackson Year 96 Page 37 No. 1506

14 Mary " County " Year " Page " No. 1507

13 Clemon Le Flore County " Year " Page 203 No. 8146

14 Mollie " " County " Year " Page " No. 8145

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

31-976

Choc 3677 middleton m. Impson

3677

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

The record herein is in the matter of the application for the  
enrollment as a citizen by intermarriage of the Choctaw Nation of

ANGELINE IMPSON,

7 - 3677

Department of the Interior.  
Commission to the Five Civilized Tribes.  
Atoka, I. T., November 21st, 1902.

Choctaw 3677  
Intermarried

-----oOo-----

In the matter of the application of Angeline Impson for enrollment as an intermarried citizen of the Choctaw Nation.

Angeline Impson being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Angeline Impson.  
Q How old are you? A Forty-eight.  
Q What is your post office address? A Bokchito.  
Q That's in the Choctaw Nation? A Yes sir.  
Q How long have you been a resident of the Choctaw Nation?  
A About thirty years or thirty-one.  
Q Do you claim intermarried rights in the Choctaw Nation? A Yes sir.  
Q What is the name of your Choctaw husband through whom you claim?  
A Middleton Impson.  
Q Is he a recognized citizen of the Choctaw Nation? A Yes sir.  
Q When were you married to Middleton Impson? A Be thirteen years the 5th of January.  
Q Where was this marriage ceremony performed? A At Bennington, Bennington church.  
Q In the Choctaw Nation? A Yes sir.  
Q Were both you and your husband residents of the Choctaw Nation at that time? A Yes sir.  
Q Who performed the marriage ceremony? A Parson Lloyd.  
Q Were you ever married before your marriage to Middleton Impson?  
A No sir.  
Q Was he ever married before his marriage to you? A Yes sir.  
Q How many times? A Twice.  
Q What were the names of his former wives? A The first was ~~Gakk~~ Cockinole.  
Q What was the second one's name? A Peas.  
Q Were both of these women dead at the time of your marriage to your husband? A Yes sir.  
Q Since your marriage to Middleton Impson have you lived together continuously as husband and wife up to the present time? A Yes sir.  
Q There has been no separation, abandonment or divorce? A No sir.  
Q Are you at present living together as bona fide residents of the Choctaw Nation? A Yes sir.
-

Angeline Impson----2

Albert G. McMillan being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 21st day of November, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

*Albert G. McMillan*

Subscribed and sworn to before me this 14 day of January, 1903.

*Charles K. Sawyer*

Notary Public.

*1/14*

This certifies that - Mr W M Simpson  
and Miss Angeline Boydston were  
married by me as designed at Sumner  
town Church Jan 5<sup>th</sup> day January 18<sup>th</sup> 90

W. J. Boydston  
a Minister of the Gospel

Reviewed & Recorded by me this 3 day of Dec 1890  
in record Book page 28

W. H. Robinson

Co. Hero Clerk

Blue Co. C. W.



0610  
CAR  
7 - 3677

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

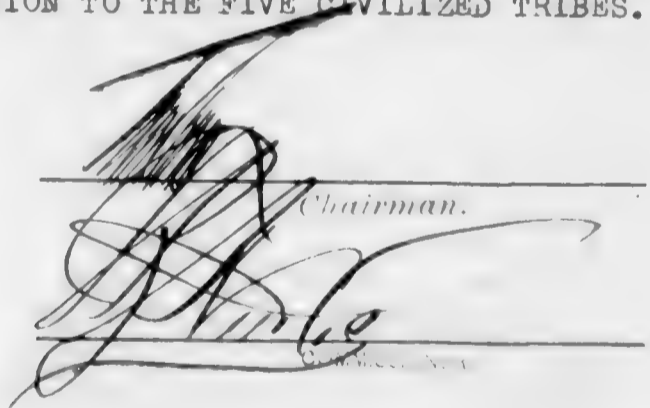
In the matter of the application for the enrollment of Angeline Impson as a citizen by intermarriage of the Choctaw Nation.

DECISION.

It appears from the record herein that Angeline Impson, (nee Boydston), on January 5, 1890, was lawfully married to Middleton M. Impson, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 10,393 upon the lists prepared by this Commission under the act of Congress approved July 1, 1902 (32 Stat., 641) of persons entitled to enrollment as citizens by blood of the Choctaw Nation, and approved by the Secretary of the Interior on February 4, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation, and that they have lived together continuously in said nation as husband and wife from the date of said marriage up to and including September 25, 1902.

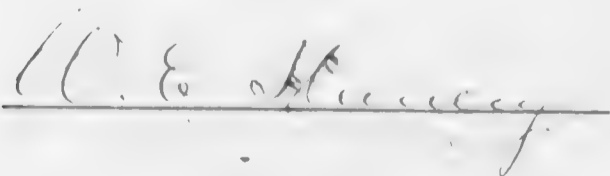
It is, therefore, the opinion of this Commission that Angeline Impson should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495) and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

  
Chairman.

Muskogee, Indian Territory,

MAY 5 1903

  
W. E. Murray

Choctaw 3677

COPY

Muskogee, Indian Territory, May 8, 1903.

Angeline Impson,

Bokchito, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission rendered May 8, 1903, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIG 507)

*Tame Birby.*

Register.  
Enc NYC 27

Chairman.

COPY.

Choctaw 3677

Muskogee, Indian Territory, May 8, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,  
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission rendered May 8, 1903, granting the application of Angeline Impson for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

*James Dixby*

Chairman.

Register.  
Enc MYC 28

7-3677

Muskogee, Indian Territory, May 11, 1906.

John A. H. Impson,  
Bokchito, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 4, 1906, in which you state that you married a non citizen on November 5, 1905, and you ask if you can have her enrolled as an intermarried citizen.

In reply to your letter you are advised that under the act of Congress approved July 1, 1902, no person who married a citizen of the Choctaw or Chickasaw Nation, subsequent to September 25, 1902, the date of the ratification of said act, is entitled to enrollment and allotment in either of said nations.

Respectfully,

Acting Commissioner.

MEMORANDA.

Collier

(Date) ..... 1899.

Name .....

Choctaw ? ..... County ..... Year ..... No. ....

Chickasaw ? ..... County ..... Year ..... Page .....

Citizen by blood ? ..... Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day, .....

✓ Wife's name, .....

Choctaw ? ..... County ..... Year ..... No. ....

Chickasaw ? ..... County ..... Year ..... Page .....

Citizen by blood ? ..... Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day .....

Names of children :

|    |       |              |            |            |          |
|----|-------|--------------|------------|------------|----------|
| 7  | ..... | County ..... | Year ..... | Page / 1   | No. .... |
| 5  | ..... | County ..... | Year ..... | Page ..... | No. .... |
| 23 | ..... | County ..... | Year ..... | Page ..... | No. .... |
|    | ..... | County ..... | Year ..... | Page ..... | No. .... |
|    | ..... | County ..... | Year ..... | Page ..... | No. .... |
|    | ..... | County ..... | Year ..... | Page ..... | No. .... |
|    | ..... | County ..... | Year ..... | Page ..... | No. .... |
|    | ..... | County ..... | Year ..... | Page ..... | No. .... |
|    | ..... | County ..... | Year ..... | Page ..... | No. .... |

36-111

This certifies that Mr  
M. M. Impson and Miss Mary  
E. Pease were united in  
marriage by the undersigned  
at his residence at Bennington  
25 on the 31 of January  
1875-

W J B Lloyd  
a minister of the gospel.

Office of County  
and Probate Clerk

Choctaw Nation  
{ County of Blue

I, C. W. James Clerk of  
the County Court of said County do  
hereby certify that I have this day  
recorded the within attached  
marriage Certificate of Mr. M. M. Simpson  
to Miss Mary E. Plase, in Record  
Book A Page 399

In witness whereof I have affixed  
my signature and seal of said County at  
Caddo the County seat this the 6<sup>th</sup>  
day of June 1899.

C. W. James

Clerk County Court Blue County.

Choc 3678

Sarah J. Lawrence

Frank T. Lawrence

3678



Muskogee, Indian Territory, October 10, 1900.

J. R. Lawrence,

Caddo, Indian Territory.

Dear Sir:

The Commission is in receipt of the application made by you on behalf of your wife, Sudie Lawrence for enrollment as an intermarried citizen of the Choctaw Nation and also the certificate of marriage attached thereto of July 15th, 1900.

The same is returned to you herewith for the reason that this Commission cannot accept or consider any application for enrollment of any of the Five Tribes in the Indian Territory except upon the personal appearance of the applicant, the rules and regulations of the Department of the Interior and of this Commission requiring that each and every applicant must present himself in person before the Commission at one of its appointments within the tribe in which such applicant claims right to enrollment for examination under oath, his statements to be taken down by the Commission and upon which the Commission will determine the rights to enrollment and such record and the action of the Commission will be preserved and transmitted with the rolls to be considered by the Department when the rolls made by the Commission are submitted for the approval of the Secretary of the Interior. Enrolled and recognized citizens of the tribes may, however, appear in behalf of their wives and minor children.

You will therefore understand that your wife can appear before the Commission at any time in the near future and make appli-

J. R. I. \*

ation for enrallment as an intermarried citizen of the Choctaw Nation or you can appear in her behalf, such appearance to be made at the office of the Commission in Muskogee, Indian Territory.

If such an appearance is contemplated, it is suggested by the Commission that it be made as soon as practicable.

Yours truly,

Acting Chairman.

Enc f

7-3678

Muskogee, Indian Territory, February 13, 1901.

J. G. Ralls,

Atoka, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 10th instant, in which you state that Mrs. J. R. Lawrence, desires to make application for enrollment as an intermarried citizen of the Choctaw Nation.

You are informed that the Commission will hear the application of Mrs. Lawrence, at Atoka, Indian Territory, on February 23rd, 1901.

Yours truly,

Acting Chairman.

7-3678

Muskogee, Indian Territory, October 10, 1901.

Raymond Lawrence,

Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Thelma Anna Lawrence, the infant daughter of Raymond and Sudie Lawrence, born September 2nd, 1901, and the same being in proper form has been duly filed with the records of this office and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

7-3678

Muskogee, Indian Territory, December 24, 1901.

Homer S. Elting,

Osado, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 21st instant, enclosing the application for enrollment as a citizen of the Choctaw Nation of Jennie Elizabeth Manning, the infant daughter of Arthur F. and Mannie Lawrence Manning, born December 18, 1901, and such application being in proper form has been duly filed with the records of this office and the child listed for enrollment as a citizen of the Choctaw Nation.

You are requested to forward either the original or certified copy of the marriage license and certificate between Arthur F. Manning and Mannie H. Lawrence as authority for the changing of the name of Mannie H. Lawrence upon our records to her present married name.

Yours truly,

Commissioner in Charge.

Helena, Indian Territory, January 15, 1908.

Dear Mr. [Name],

Attorney at Law,

Helena, Indian Territory.

Reference

is made to your communication of your letter of the 12th  
instant, enclosing savings certificate of [Name] relating to  
[Name] [Name] and the same has been this day filed with the  
[Name] or [Name]. For the changing of the name of [Name] to  
[Name] and our records from our former name of [Name] to our  
present name of [Name].

Very truly,  
[Name]

[Name] in Charge.

Yours,

Chester 3678

McKean, Indian Territory, January 24, 1903.

Samuel J. Lawrence,

Okla, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 2, asking if a court citizen will be allowed to hold land on which the law improvements and keep a number of the tribe from filing an case after February first, 1903.

In reply to your letter you are advised that the land upon which so-called court citizens have improvements, but in cases of land allotments, will not be allotted to any citizen until the status of the said court citizens are finally determined.

Respectfully,

Walter C. Phillips.

7-3678

Muskogee, Indian Territory, January 23, 1904.

Commissioner in Charge,  
Choctaw Land Office,  
Atoka, Indian Territory.

Dear Sir:

Enclosed herewith you will find copy of name, information and notations placed this day upon original Choctaw enrollment card No. 3678; you are therefore, requested to make like entry upon the duplicate card in your possession.

Respectfully,

Commissioner in Charge.

Enc. MT. 4 - 102



7-3678

Muskogee, Indian Territory, January 23, 1904.

Commissioner in Charge,  
Chickasaw Land office,  
Tishomingo, Indian Territory.

Dear Sir:

Enclosed herewith you will find copy of name, information and notations placed this day upon original Choctaw enrollment card No. 3678; you are therefore, requested to make like entry upon the duplicate card in your possession.

Respectfully

Commissioner in Charge

Enc. 27. 4 - 100-1/2

MEMORANDA.

*Wada*

(Date) ..... 1899.

Name ..... *J. J. Wada* .....

Choctaw ? ..... County ..... Year ..... No. ....

Chickasaw ? ..... County ..... Year ..... Page .....

Citizen by blood ? ..... Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day, .....

57 ✓

Wife's name, .....

Choctaw ? ..... County *Blaine* ..... Year *1896* ..... No. *1113*

Chickasaw ? ..... County ..... Year ..... Page *13*

Citizen by blood ? ..... Mother's citizenship *ll* .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day .....

Names of children:

21 ✓  
21 \*  
17 =  
26

..... County *Blaine* ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. *8192*

..... County ..... Year ..... Page ..... No. *8194*

..... County ..... Year ..... Page ..... No. *8191*

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

*3678*

7

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

The record herein is in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of

SARAH J. LAWRENCE,

7 - 3678

Department of the Interior.  
Commission to the Five Civilized Tribes.  
Atoka, Indian Territory, November 17th, 1902.

Choctaw 3678  
Intermarried.

In the matter of the application of Sarah J. Lawrence for enrollment as an intermarried citizen of the Choctaw Nation.

Sarah J. Lawrence, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Sarah J. Lawrence.  
Q How old are you? A Sixty years old last August.  
Q What is your post office address? A Caddo, Indian Territory.  
Q How long have you been a resident of the Choctaw Nation?  
A Ever since 1869--about thirty one years.  
Q Have you lived here continuously during that length of time?  
A Yes sir.  
Q Never made your home anywhere else? A No sir.  
Q Do you claim intermarried rights in the Choctaw Nation? A Yes sir.  
Q What is the name of your Indian husband through whom you claim these rights? A Joseph R. Lawrence.  
Q Is he a recognized and enrolled citizen of the Choctaw Nation?  
A Yes sir.  
Q Were his rights ever questioned? A No sir.  
Q When were you married to him? A January 30, 1870.  
Q Where was this marriage ceremony performed? A Right here in Atoka, by J. S. Murrow, a minister.  
Q Is your husband living at the present time? A Yes sir, I guess so, I don't know.  
Q You have separated? A He is away from home and has been quite a while.  
Q Has there been any divorce? A Not that I know of.  
Q When did this separation take place? A 1892 the last of October.  
Q You have not lived with him since that time? A No sir.  
Q Are you the identical Sarah J. Lawrence who in 1896 made application to this Commission for citizenship in the Choctaw Nation as an intermarried citizen? A Yes sir.  
Q What was done with your application---was it granted or refused?  
A Granted.  
Q Was your case appealed to the United States Court? A No sir.  
Q Since your separation from Joseph R. Lawrence you have not remarried? A No sir.  
Q You are at present a bona fide resident of the Choctaw Nation?  
A Yes sir.

----oOo----

Harry C Risteen, being first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 17th day of November, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

*Harry C Risteen*

Subscribed and sworn to before me this 5 day of January, 1903.

*Charles H. Sawyer*

Notary Public.

*Max*

*J. 1*

7 - 3678

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Sarah J. Lawrence as a citizen by intermarriage of the Choctaw Nation.

DECISION.

It appears from the census card record in this case that Sarah J. Lawrence appeared before the Commission at Caddo, Indian Territory on August 22, 1899, and made personal application for enrollment as a citizen by intermarriage of the Choctaw Nation. Further proceedings were had in the matter of this application at Atoka, Indian Territory, on November 17, 1902.

It further appears from the records of the Commission that on September 7, 1896, in the case entitled "Sarah J. Lawrence vs. Choctaw Nation," (1896 Choctaw Citizenship Docket, case number 857), the applicant herein made original application to this Commission under the provisions of the act of Congress approved June 10, 1896 (29 Stat., 321), for admission to citizenship in the Choctaw Nation, claiming her right thereto by virtue of her marriage with Joseph R. Lawrence, a recognized and enrolled citizen by blood of the Choctaw Nation, and on December 4, 1896, the said Sarah J. Lawrence was by this Commission admitted to citizenship in the Choctaw Nation as a citizen by intermarriage, from which decision of the Commission no appeal was taken.

It further appears from the evidence in this case that the applicant herein was a resident in good faith of Indian Territory on June 28, 1898, and that her status as an intermarried citizen has remained unchanged from the date of her said admission in 1896 up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Sarah J. Lawrence should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495) and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

*[Signature]*  
Chairman  
*[Signature]*  
C. R. ...  
*[Signature]*

Muskogee, Indian Territory,

JUL 20 1903

Choctaw-3678

Muskogee, Indian Territory, July 20, 1903.

Sarah J. Lawrence,

Caddo, Indian Territory.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission, rendered July 20, 1903, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation, to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED).

*T. B. Neel*

Commissioner in Charge.

Registered.

Enc.HG.7

Chootaw-3678

Muskogee, Indian Territory, July 20, 1903.

Sarah J. Lawrence,  
Caddo, Indian Territory.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission, rendered July 20, 1903, granting your application for enrollment as a citizen by intermarriage of the Chootaw Nation.

The attorneys for the Chootaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Chootaw Nation. If at the expiration of that time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Chootaw Nation, to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED).

*F. B. Needles*

Commissioner in Charge.

Registered.

Enc.HG.7

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

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The record in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of--

. IDA V. LAWRENCE, 7-D-643.



DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
MUSKOGEE, I. T., AUGUST 6, 1901.

In the matter of the application for enrollment as a citizen by intermarriage of the Choctaw Nation of Ida V. Lawrence. Ida V. Lawrence, being first duly sworn by Commissioner Needles, testified as follows:

Examination by the Commission:

- Q What is your name? A Ida V. Lawrence.  
Q What is your age? A Nineteen years old.  
Q What is your post office address? A Wewoka, Indian Territory.  
Q Is that in Indian Territory? A Yes sir.  
Q In what Nation? A Seminole Nation. My home is at Caddo.  
We are Choctaw Indians, but we live at Wewoka.  
Q How long have you lived at Wewoka? A Since the first of April  
Q Where did you live prior to that time? A I lived at Caddo a year.  
Q Is that in the Choctaw Nation? A Yes sir.  
Q How long did you live at Caddo? A One year.  
Q Where did you live prior to that time; prior to coming to Caddo?  
A I was born in Alabama; lived there until I was twelve years old, and came from Texas to the Indian Territory.  
Q In what year did you come to the Indian Territory? A '99.  
Q What is the name of your father? A Columbus Washington.  
Q Is he living or dead? A He's living.  
Q Is he a white man? A Yes sir.  
Q What is the name of your mother? A Nancy Washington.  
Q Is she living or dead? A She's living.  
Q Is she a white woman? A Yes sir.  
Q Did either your father or mother ever claim to be Indians?  
A No sir.  
Q Did you ever claim to be an Indian? A No sir.  
Q You do not now claim citizenship in any tribe? A No sir.  
Q You wish to make application for enrollment as an intermarried citizen of the Choctaw Nation? A Yes sir.  
Q To whom are you married? A Frank T. Lawrence.  
Q Is he a Choctaw Indian? A Yes sir.  
Q Do you know to what county in the Choctaw Nation he belongs?  
A Blue County.

An examination of the Choctaw rolls in the possession of this Commission shows that the name of Frank T. Lawrence appears on page 204 of the Choctaw Census Record of 1896, as number 8191. A further examination of the records shows that Frank T. Lawrence, twenty-six years of age, the son of Joseph R. and Sarah J. Lawrence, of Blue County, Choctaw Nation, was listed for enrollment August 22, 1899, as a Choctaw Indian by blood, and his name appears on Choctaw roll card, field No. 3678.

- Q When were you married? A First day of April, 1901.  
Q Where? A At Caddo.  
Q Who married you? A Mr. Robinson.  
Q Was he a minister of the Gospel? A Yes sir.  
Q Did you procure a license? A No sir.

Ida V. Lawrence--2.

- Q Have you your marriage license and certificate with you?
- A Yes sir.
- Q Do you desire to file it? A Yes sir.

There is offered in evidence, filed and made a part of records in this case, the certificate of marriage between F. T. Lawrence of Blue County, and Ida Washington of Blue County, dated April 1, 1901, signed by Calvin Robinson, a minister of the gospel; and a certificate of F. E. Folsom, clerk of the county court of Blue county, that the same was recorded in the office of the county court of Blue county, on the fourth day of April, 1901, in volume "A", page 343.

Frank T. Lawrence, being first duly sworn by Commissioner Needles, testified as follows:

- Q What is your name? A Frank T. Lawrence.
- Q What is your age? A Twenty-eight.
- Q What is your post office address? A Wewoka.
- Q In what Nation is that? A Seminole.
- Q How long have you lived in Wewoka? A Since April 1st.
- Q You claim to be a Choctaw Indian by blood? A Yes sir.
- Q Your mother was a Choctaw Indian, was she? A No sir.
- Q Your father? A My father; yes sir.
- Q You have recently married? A Yes sir.
- Q Did you marry a citizen of the United States? A Yes sir.
- Q Were you married under the United States or Choctaw law?
- A Under the Choctaw law.
- Q You have not been married before? A Have not.
- Q What is your business? A I am a clerk at present.
- Q In a store? A Yes sir.
- Q Your home is in the Choctaw Nation? A Choctaw Nation.
- Q Were you born in the Choctaw Nation? A No sir.
- Q Where were you born? A Bonham, Texas.
- Q Where do you consider your permanent home? A Choctaw Nation.
- Q At what place? A Caddo.

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Albert G. McMillan, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all the proceedings had in the above entitled cause, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

*Albert G. McMillan*

Subscribed and sworn to before me this the 6th day of August, 1901.

*John E. Fisher*  
Notary Public.

Department of the Interior  
Commission to the Five Civilized Tribes  
Ada, I.T. November 12, 1902.

Choctaw D-643.

In the matter of the application for enrollment as a citizen by intermarriage of the Choctaw Nation of Ida V. Lawrence.

Ida V. Lawrence being first duly sworn testified as follows:

Examination by the Commission

- Q What is your name? A Ida V. Lawrence.  
Q How old are you? A Twenty-one years old.  
Q What is your post office address? A Wewoka, Indian Territory.  
Q What Nation is that in? A Seminole Nation.  
Q How long have you resided in the Seminole Nation? A Since the 20th of April 1901.  
Q Where did you live before that? A Caddo, in the Choctaw Nation.  
Q How long did you live in the Choctaw Nation before your removal to the Seminole Nation? A A little over a year.  
Q Where was your home prior to that? A In Texas  
Q You claim intermarried rights in the Choctaw Nation? A Yes, sir.  
Q What is the name of your Indian husband? A Frank T. Lawrence.  
Q Is he a recognized and enrolled citizen of the Choctaw Nation? A Yes, sir.  
Q His rights have never been questioned? A No, sir.  
Q When were you married to Frank T. Lawrence? A The 1st of April 1901.  
Q Where were you living at that time? A Caddo in the Choctaw Nation.  
Q Were both you and your husband Frank T. Lawrence bonafide residents of the Choctaw nation at the time of your marriage? A Yes; that was out home.  
Q That was his home too? A Yes; he was raised there.  
Q Were you married in accordance with the Choctaw law? A Yes, sir.  
Q Did you obtain a marriage license? A No.  
Q Who married you? A Roberson, I don't remember his given name.  
Q Was he a Minister of the Gospel? A Yes, sir.  
Q How long after the marriage was it when you removed to the Seminole Nation? A Two days.  
Q You have lived there ever since? A Yes, sir.  
Q Were you ever married before your marriage to Frank Lawrence? A No, sir.  
Q Was he ever married before his marriage to you? A No, sir.  
Q Since your marriage in April 1901 have you lived together continuously as husband and wife? A Yes, sir.  
Q There has been no separation, abandonment or divorce? A No, sir.  
Q You are at present a resident of the Seminole Nation? A Yes, sir.

G. Rosenwinkel being duly sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings had in the above entitled cause on November 12, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Subscribed and sworn to before me this 22 day of January 1903.

*G. Rosenwinkel*  
*Charles H. Sawyer*

Notary Public.

W.S.X

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES

**FILED**

AUG 6 1901



ACTING CHAIRMAN

INDIAN TERRITORY.

Blue County, Choctaw Nation.

} ss.

I, F. E. Folsom Clerk of the County court of said county, do hereby certify that the foregoing instrument of writing, dated the 1<sup>st</sup> day of April 1901, with its Certificate of Authentication, was filed for record in my office the 4 day of April 1901 at ... o'clock ... M., and duly recorded this 4 day of April 1901 at ... o'clock ... M., in the records of said County, in Volume A on Pages 343. WITNESS my hand and seal of the county court of said county, at office in Caddo, the day and year last above mentioned.

F. E. Folsom

Clerk. County Court, Blue County.

Conformed by ...  
god, and the laws of the Choctaw  
Nation by Calvin Robinson  
minister of the Gospel.

Witnesses,  
Arthur Manning  
C. C. Robinson

Marriage Certificate

This certifies  
That F. T. Lawrence of Blue County  
and Ida Washington of Blue County  
were united in the Bonds of marriage  
on the 1<sup>st</sup> day of April. A.D. 1901.  
Conformably to the ordinance of  
god, and the laws of the Choctaw  
Nation by Calvin Robinson  
minister of the Gospel.

Witnesses,  
Arthur Manning  
C. C. Robinson

*Ida*

7 - D-643.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Ida V. Lawrence as a citizen by intermarriage of the Choctaw Nation.

DECISION.

It appears from the record herein that Ida V. Lawrence (nee Washington) on April 1, 1901, was lawfully married to Frank T. Lawrence, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as No. 10397 upon the lists prepared by this Commission under the act of Congress approved July 1, 1902, (32 Stat., 641) of persons entitled to enrollment as citizens by blood of the Choctaw Nation and approved by the Secretary of the Interior February 4, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation and that they lived together continuously in Indian Territory as husband and wife from the date of said marriage up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Ida V. Lawrence should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898, (30 Stat., 495) and July 1, 1902, (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

  
Chairman.

  
Commissioner.

  
Commissioner

  
Commissioner.

Muskogee, Indian Territory,

16 1902

7-D-643.

Muskogee, Indian Territory, January 6, 1904.

Ida V. Lawrence,  
Wewoka, Indian Territory.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered January 6, 1904, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from the date hereof within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of said time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

*T. J. ...*  
Chairman.

Registered.

Enc. 7-D-643.



COPY.

7-D-643.

Muskogee, Indian Territory, January 6, 1904.

Mansfield, McMurray & Cornish,  
Attorneys for Choctaw and Chickasaw Nations,  
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission, rendered January 6, 1904, granting the application of Ida V. Lawrence for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from the date hereof in which to file protest against the action of the Commission in enrolling said Ida V. Lawrence as a citizen of the Choctaw Nation. If at the expiration of said time no protest has been filed, her name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior, for his approval.

Respectfully,

(SIGNED)

*Tom D. Smith*  
Chairman.

Registered.

Enc. 7-D-643.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-----0-----

In the matter of the application for the enrollment as  
a citizen by intermarriage of the Choctaw Nation of--

Sudie Lawrence ----- 7 D-617.

"Exhibits - a"

Atoka, Atoka County  
Choctaw Nation, Ind. Ter.

This is to certify that Mr. Joseph Raymond  
Lawrence and Miss Judie Sanford were  
joined in the holy bonds of matrimony, by  
the undersigned, according to the law of  
the Choctaw Nation, respecting matrimony,  
July the 15<sup>th</sup> 1900.

R. J. Hoque  
Minister of the Gospel

Witnesseth  
Thomas Inge  
Duce Sanford

The above marriage Certificate was recorded  
by me in Record Book A Page 436 of the records of  
this County

C. W. James  
Clark River Co. C. T.

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
ATOKA, INDIAN TERRITORY, FEBRUARY 23, 1901.

In the matter of the application for enrollment as a citizen of the Choctaw Nation by intermarriage of Sudie Lawrence. Sudie Lawrence, having been first duly sworn, testifies as follows:

Examination by the Commission.

- Q What is your name? A Sudie Lawrence.  
Q How old are you? A Eighteen.  
Q What is your post office address? A Caddo, I.T.  
Q How long have you been a resident of the Choctaw Nation?  
A About nine years.  
Q Have you maintained a continuous residence in the Choctaw Nation for that length of time? A Yes sir.  
Q What is your father's name? A Thomas Sanford.  
Q Sanford? A Yes sir.  
Q Is your father living? A Yes sir.  
Q What is your mother's name? A Fannie.  
Q Fannie? A Yes sir.  
Q Is your mother living? A Yes sir.  
Q Your parents both white people? A Yes sir.  
Q Neither of them ever made any claim to Indian citizenship by blood?  
A No sir.  
Q Have you ever made any claim to Indian citizenship by blood?  
A No sir.  
Q Have you ever made application, prior to this time, to either the authorities of the United States or the tribal authorities of the Choctaw Nation for enrollment as a citizen of the Choctaw Nation either by blood or by intermarriage? A No sir, this is the only time.  
Q You now make application for enrollment as an intermarried citizen of the Choctaw Nation? A Yes sir.  
Q Through whom do you claim this right to intermarried citizenship?  
A My husband.  
Q What is his name? A Raymond Lawrence.  
Q What is his full name? A Joseph Raymond Lawrence.  
Q How old is he? A He is twenty six.  
Q What is his father's name? A Joe Lawrence.  
Q Is his father dead? A No sir.  
Q Isn't his father dead? A No sir.  
Q What is your husband's mother's name? A Jennie is all I know.

The records of the Commission examined and the name of Joseph R. Lawrence, twenty four years of age and the son of of Joseph R. and Sarah J. Lawrence, is found on Choctaw roll card field number 3678, as a citizen by blood of the Choctaw Nation.

- Q When were you married to Mr. Lawrence? A The fifteenth of July, 1900.  
Q Who married you? A Brother Hoge.  
Q Have you your marriage license and certificate with you?  
A That is all that I have.

There is offered in evidence, filed, and made a part of the records of this application the certificate of R. J. Hoge as to the marriage of Joseph Raymond Lawrence and Sudie Sanford, the fifteenth of July, 1900, the same being duly recorded in Record Book A, page 436 of the records of Blue County, Choctaw Nation.

Sudie Lawrence-2

There is also attached to said marriage certificate the application of J. R. Lawrence to have his wife, Sudie Lawrence, enrolled as an intermarried citizen of the Choctaw Nation.

- Q Mrs. Lawrence, was you ever married to any person, or to Mr. Lawrence under any license or by any body prior to this certificate by Mr. Hoge? A No sir.
- Q This is the first time you were married? A Yes sir.
- Q Has your husband ever been married before that? A No sir.

Anna Bell, having been first duly sworn, on her oath states that, as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on February 23, 1901, and that the above and foregoing is a full, true and correct transcript of her stenographic notes in said cause on said date.

*Anna Bell*

Subscribed and sworn to before me this 27 day of February, 1901.

*Charles H. Sawyer*  
Notary Public.

Department of the Interior.  
Commission to the Five Civilized Tribes.  
Atoka, Indian Territory, November 17th, 1902.

Choctaw D-617  
Intermarried.

In the matter of the application of Sudie Lawrence for enrollment as an intermarried citizen of the Choctaw Nation.

Sudie Lawrence, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Sudie Lawrence.  
Q What is your age? A Twenty.  
Q What is your post office address? A Atoka, Indian Territory.  
Q How long have you been a resident of the Choctaw Nation?  
A Eleven years.  
Q Have you lived here continuously for the past eleven years?  
A All but about six months.  
Q When was that? A I lived in the nation all the time; I have never been out of the nation.  
Q You have lived in the Choctaw Nation for eleven years? A Yes sir.  
Q Do you claim intermarried rights in the Choctaw Nation? A Yes sir.  
Q What is the name of your Indian husband through whom you claim intermarried rights? A Joseph R. Lawrence.  
Q Is he a recognized and enrolled citizen of the Choctaw Nation?  
A Yes sir.  
Q When were you married to Joseph R. Lawrence? A July 15, 1900.  
Q Were both you and your husband bona fide residents of the Choctaw Nation at that time? A Yes sir.  
Q Were you married in accordance with the Choctaw law? A Yes sir.  
Q Who performed the marriage ceremony? A R. J. Hogue.  
Q Is he a minister of the gospel? A Yes sir.  
Q Did you procure a marriage license? A No sir.  
Q Were you ever married before your marriage to Joseph R. Lawrence?  
A No sir.  
Q Was he ever married before his marriage to you? A No sir.  
Q Since that marriage in 1900 have you lived together continuously as husband and wife up to the present time? A No sir, we were separated a few months.  
Q Was there a divorce? A No sir, and we are living together now.  
Q When was that separation? A Last January.  
Q How long did that separation last? A About three months.  
Q And then for the last six months you have been living together again as husband and wife? A Yes sir.

-----oOo-----

Harry C Risteen, being first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 17th day of November, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

Subscribed and sworn to before me this 5 day of January 1903.

*Charles H. Hogue*

Notary Public.

Before The Commission to the Five Civilized Tribes:

In the matter of the Claim of J. R. Lawrence, for the enrolment of his wife Sudie Lawrence, nee Sanford, on the Choctaw intermarried citizenship roll of the Choctaw Nation.

The applicant J. R. Lawrence, would state in behalf of the enrolment of his wife Sudie, that he is a Citizen of the Choctaw Nation by blood, and that he is duly enrolled on the Choctaw citizenship roll by blood.

The applicant would further stated that he was married on the day of July 1901 to Miss Sudie Sanford, a United State Citizen, as will be seen by the marriage certificate hereto attached and made a part of this application and Marked "Exhibit A"

The applicant J. R. Lawrence would ask the Commission to enrol his wife Sudie on the intermarried Choctaw Citizenship roll.

  
Subscribed and sworn to before me on this the 20th day of Sept 1901

  
Notary Public.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of  
Sudie Lawrence as a citizen by intermarriage of the Choctaw Nation.

---: D E C I S I O N :---

It appears from the record herein that Sudie Sanford, on  
the 1st day of July, 1900, was lawfully married to Joseph R. Lawrence,  
a recognized and enrolled citizen by blood of the Choctaw Nation, whose  
name appears as number 10398 upon the lists prepared by this Commission  
under the act of Congress approved July 1, 1902 (32 Stat., 641), of  
persons entitled to enrollment as citizens by blood of the Choctaw Na-  
tion and approved by the Secretary of the Interior on February 4, 1903;  
that at the time of said marriage both persons above mentioned were  
respectively in good faith of the Choctaw Nation and that they have con-  
tinued to live together in Indian Territory as husband and wife, with  
the exception of a separation of about three months, beginning Jan-  
uary, 1912, from the date of said marriage up to and including Septem-  
ber 29, 1912.

It is, therefore, the opinion of this Commission that  
Sudie Lawrence should be enrolled as a citizen by intermarriage of the  
Choctaw Nation, under the provisions of the acts of Congress approved  
July 1, 1900 (31 Stat., 199) and July 1, 1902 (32 Stat., 641), and  
as so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Commissioner.

Commissioner.

Commissioner.



COPY.

7-D-617.

Muskogee, Indian Territory, January 6, 1904.

Sudie Lawrence,  
Atoka, Indian Territory.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered January 6, 1904, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from the date hereof within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of said time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Chairman.

Registered.

Enc. 7-D-617.

7-D-617.

Muskogee, Indian Territory, January 6, 1904.

Mansfield; McMurray & Cornish,  
Attorneys for Choctaw and Chickasaw Nations,  
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission, rendered January 6, 1904, granting the application of Sudie Lawrence for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from the date hereof in which to file protest against the action of the Commission in enrolling said Sudie Lawrence as a citizen of the Choctaw Nation. If at the expiration of said time no protest has been filed, her name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior, for his approval.

Respectfully,

Chairman.

Registered.

Enc. 7-D-617.

*IN RE*

Application for Enrollment of

INFANT CHILD

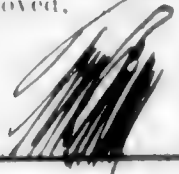
*Helma Anna Lawrence*

as a citizen of

*Choctaw*

Nation.

Approved, *OCT 10 1901* 190

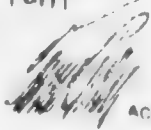


Commissioner.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

**FILED**

*OCT 10 1901*



ACTING CHAIRMAN

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,  
of Helma Anna (Here insert name of child), born on the 2<sup>nd</sup> day of Sept, 1901  
Name of Father: Raymond Lawrence, a citizen of the Choctaw Nation.  
Name of Mother: Sadie Lawrence, a citizen of the Choctaw Nation.  
Post-office, Atoka, Ind. Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,

Cent District.

I, Sadie Lawrence, on oath state that I am 18  
years of age and a citizen, by Inter-marriage, of the Choctaw Nation;  
that I am the lawful wife of Raymond Lawrence, who is a citizen, by  
Blood, of the Choctaw Nation, that a female child was  
(male or female)  
born to me on the 2<sup>nd</sup> day of September, 1901; that said child has been  
Helma Anna, and is now living.

Sadie Lawrence



before me this 8<sup>th</sup> day of October, 1901.

J. S. Futton  
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,

Cent District.

I, J. S. Futton, a Physician, on oath state that I  
attended on Mrs. Sadie Lawrence, wife of Raymond Lawrence,  
on the 2<sup>nd</sup> day of September, 1901; that there was born to her on  
said date a female child; that said child is now living and is said to have been  
(male or female)  
named Helma

WITNESSES TO MARK:

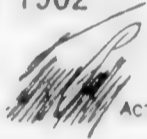
(Must be Two Witnesses)

Subscribed and sworn to before me this 8<sup>th</sup> day of October, 1901.

J. S. Futton  
NOTARY PUBLIC.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

**FILED**  
JAN 15 1902



ACTING CHAIRMAN.

INDIAN TERRITORY.

Blue County, Choctaw Nation.

} SS.

I, F. E. Folsom Clerk of the County court of said county, do hereby certify that the foregoing instrument of writing, dated the 21 day of June 1890, with its Certificate of Authentication, was filed for record in my office the 8 day of January 1891 at ... o'clock ... M., and duly recorded this 8 day of June 1891 at ... o'clock ... M., in the records of said County, in Volume A on Page 400. WITNESS my hand and seal of the county court of said county, at office in Caddo, the day and year last above mentioned.

F. E. Folsom

Clerk. County Court, Blue County.

Rev Chas E. Hotchkiss  
 H M. S. B. H M. Indian, Presbyter.

This Certifies that on the 21<sup>st</sup>  
of June, 1900. I united in the  
Sacred Bands of Matrimony  
Mr Arthur Manning & Miss  
Grannie Lawrence, Witnessed by  
W<sup>m</sup> Frazer

Rev Chas E. Hotchkiss

H. M. S. B., H. M. Indian, Presbyter.

IN RE

Application for Enrollment of

INFANT CHILD

*Jemie Elizabeth Manning*

as a citizen of

*Choctaw*

Nation.

Approved, DEC 24 1901 190

*C. R. McArthur*  
Commissioner

DEPT. OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

DEC 24 1901

*[Signature]*

ACTING CHAIRMAN



DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,  
of Jemie Elizabeth Manning born on the 18th day of Dec 1901  
(Here insert name of child)  
Name of Father: Arthur F Manning, a citizen of the Choctaw Nation.  
Name of Mother: Nannie Lawrence Manning, a citizen of the Choctaw Nation.  
Post-office, Caddo, N.Y.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Central District.

I, Nannie L Manning, on oath state that I am 20  
years of age and a citizen, by Blood, of the Choctaw Nation;  
that I am the lawful wife of Arthur F Manning, who is a citizen, by  
Blood, of the Choctaw Nation; that a Female child was  
(male or female)  
born to me on the 18th day of December 1901; that said child has been  
named Jemie Elizabeth Manning, and is now living.

WITNESSES TO MARK  
(Must be Two Witnesses)

Nannie L Manning

Subscribed and sworn to before me this 21st day of Dec 1901.

[Signature]  
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Central District.

I, LeRoy Long, a Physician, on oath state that I  
attended on Mrs. Nannie L Manning, wife of Arthur F Manning,  
on the 18th day of Dec, 1901 that there was born to her on  
said date a Female child; that said child is now living and is said to have been  
(male or female)  
named Jemie Elizabeth Manning.

WITNESSES TO MARK:  
(Must be Two Witnesses)

LeRoy Long, M.D.

Subscribed and sworn to before me this 21st day of Dec 1901.

[Signature]  
NOTARY PUBLIC

Choc 3679

George W. Harkins

3679

Department of the Interior.  
Commission to the Five Civilized Tribes.  
Atoka, Indian Territory, November 21st, 1902.

Choctaw 3679.  
Intermarried.

In the matter of the application of Hattie Harkins for enrollment as an intermarried citizen of the Choctaw Nation.

Hattie Harkins, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Hattie Harkins.  
Q How old are you? A Thirty seven.  
Q What is your post office address? A Owl, Indian Territory.  
Q Is that in the Choctaw Nation? A Yes sir.  
Q How long have you been a resident of the Choctaw Nation? A About twenty one years.  
Q Have you lived here continuously for the past twenty one years?  
A Yes sir.  
Q Never made your home anywhere else during that time? A No sir.  
Q Do you claim intermarried rights in the Choctaw Nation? A Yes sir.  
Q What is the name of your Choctaw husband through whom you claim these rights? A George Harkins.  
Q Is he a recognized citizen of the Choctaw Nation? A Yes sir.  
Q His rights have never been disputed? A No sir.  
Q When were you married to George Harkins? A In 1884.  
Q Where was this marriage ceremony performed? A In San Bois County  
Q At that time were both you and your husband residents of the Choctaw Nation? A Yes sir.  
Q Did you obtain a marriage license? A No sir.  
Q Who performed the marriage ceremony? A Simon Lewis.  
Q Were you ever married before your marriage to George Harkins?  
A No sir.  
Q Was he ever married before his marriage to you? A No sir.  
Q Since that marriage have you lived together continuously as husband and wife up to the present time? A Yes sir.  
Q There has been no separation, abandonment or divorce? A No sir.  
Q Are you at present living together as bona fide residents of the Choctaw Nation? A Yes sir.

---oOo---

Harry C Risteen, having been first duly sworn, upon his oath states That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 21st day of November, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

*Harry C Risteen*  
Subscribed and sworn to before me this day of January 1903.

*Charles H. Sawyer*  
Notary Public.

Max

Recorded in my  
office in Book  
no 9 page 249

A. W. Harrison  
Co Clerk

1  
Cass Bois County C. V.

This is to Certify that I have  
this day united in Marriage Mr.  
George H. Watkins to Miss Harriet  
Beard, according to the laws  
of the Choctaw Nation.

Given this the 20<sup>th</sup>  
day of February 1884.

J. G. Lewis  
Circuit Judge of the  
1<sup>st</sup> Judicial District of  
the Choctaw Nation.

166  
R.B.  
7-3679

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

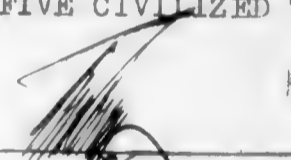
In the matter of the application for the enrollment of  
Hattie Harkins as a citizen by intermarriage of the Choctaw Nation.

DECISION.

It appears from the record herein that Hattie Harkins (nee Beard), on February 20, 1884, was lawfully married to George W. Harkins, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as No. 10403 upon the lists prepared by this Commission under the act of Congress approved July 1, 1902 (32 Stats., 641) of persons entitled to enrollment as citizens by blood of the Choctaw Nation, and approved by the Secretary of the Interior on February 4, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation, and that they have lived together continuously in said nation as husband and wife from the date of said marriage up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Hattie Harkins should be enrolled as a citizen by intermarriage of the Choctaw Nation in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stats., 495) and July 1, 1902 (32 Stats., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

  
\_\_\_\_\_  
Chairman.  
  
\_\_\_\_\_  
COMMISSIONER.  
  
\_\_\_\_\_  
COMMISSIONER.  
  
\_\_\_\_\_  
COMMISSIONER.

Muskogee, Indian Territory,

JUL 23 1902

Registered.

Enc.HG.47/23

Commissioner in Charge.

Choctaw-3679

COPY.

Muskogee, Indian Territory, July 23, 1903.

Mattie Harkins,

Owl, Indian Territory.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission, rendered July 23, 1903, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

*T. B. Needles.*  
Commissioner in Charge.

Registered.

Enc.HG.47/23

Choctaw-3879

COPY.

Muskogee, Indian Territory, July 23, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission, rendered July 23, 1903, granting the application of Hattie Harkins, for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

*T. B. Needles.*

Commissioner in Charge.

Registered.

Enc.HG.48/23



IN RE

Application for Enrollment of

INFANT CHILD

*Organ Cornelius Harkins*

as a citizen of the

*Choctaw*

Nation.

Approved, MAR 21 1901 190

*C. R. ...*  
Commissioner.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

MAR 21 1901

*[Signature]*

ACTING CHAIRMAN.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,  
 of *Oryan, Cornelius Hoskins* born on the *22* day of *Feb*, 1901  
 (Here insert name of child.)  
 Name of Father: *Geo. W. Hoskins*, a citizen of the *Choctaw* Nation.  
 Name of Mother: *Hattie Hoskins*, a citizen of the *Choctaw* Nation.  
 Postoffice, *Omul* *La.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, )  
 INDIAN TERRITORY, )  
*Central* District. )

I, *Hattie Hoskins*, on oath state that I am *34*  
 years of age and a citizen, by *Marriage*, of the *Choctaw* Nation;  
 that I am the lawful wife of *Geo. W. Hoskins*, who is a citizen, by  
*Blood*, of the *Choctaw* Nation; that a *Male* child was  
 born to me on the *22* day of *Feb*, 1901; that said child has been  
 named *Oryan, Cornelius Hoskins*, and is now living.

WITNESSES TO MARK:

*Hattie Hoskins*

(Must be Two Witnesses)

Subscribed and sworn to before me this *19* day of *March* 1901

*R. T. Brudlow*  
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, )  
 INDIAN TERRITORY, )  
*Choctaw Central* District. )

I, *A. C. Cornwall*, a *Doctor*, on oath state that I  
 attended on Mrs. *Hattie Hoskins* wife of *Geo. W. Hoskins*  
 on the *22* day of *Feb*, 1901; that there was born to her on  
 said date a *Male* child; that said child is now living and is said to have been  
 named *Oryan, Cornelius Hoskins*.

WITNESSES TO MARK:

*A. C. Cornwall M.D.*

(Must be Two Witnesses)

Subscribed and sworn to before me this *19* day of *March* 1901

*R. T. Brudlow*  
NOTARY PUBLIC

10

IN RE

Application for Enrollment of  
INFANT CHILD.

*Georgia Harkins*

As a citizen of the

*Whotaw* Nation.

Approved



Commissioner.

3679

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation, of Ind Ter Gorena, born on the 28 day of November, 1898. Name of father: George Harkins, a citizen of the Choctaw Nation. Name of mother: Hattie Harkins, a citizen of the Choctaw Nation. Post Office: C.M.P. Ind Ter

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District.

I, Hattie Harkins, on oath, state that I am 35 years of age and a citizen, by Mrs. [unclear], of the Choctaw Nation; that I am the lawful wife of George Harkins who is a citizen, by [unclear], of the Choctaw Nation; that a girl child was born to me on the 26 day of November, 1898; that said child has been named Gorena Harkins, and is now living.

Subscribed and sworn to before me this 6 day of September, 1898.

[Signature]

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District.

I, G. W. Harkins, a doctor, on oath, state that I attended on Mrs. Hattie Harkins, wife of George Harkins on the 26 day of November, 1898; that there was born to her on said date a girl child; that said child is now living and is said to have been named [unclear]

G. W. Harkins, M.D.

Subscribed and sworn to before me this 7 day of November, 1898.

[Signature]

Notary Public.

As Erie Selfs Commission  
Has Expired & He Has Moved  
away it is impossible to get  
His Seal on this document  
As Dr Hawkins Has Signed  
this in my presence & I  
Have placed my Seal where  
Erie Selfs Seal should have  
been placed.

B. J. Brudlow: N. P.

Muskogee, Indian Territory, March 21, 1901.

R. T. Breedlove,

Owl, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 19th instant enclosing the application for enrollment as a citizen of the Choctaw Nation of Organ Cornelias Harkins, the infant son of George W. and Hattie Harkins, born February 22nd, 1901, and in which you request that you be furnished with ten or twelve application blanks for the enrollment of infant children.

The application for the enrollment of Organ Cornelias Harkins being in proper form has been duly filed with the records of this Commission and the child listed for enrollment as a citizen of the Choctaw nation.

In accordance with your request there are enclosed you herewith twelve blanks of the description desired.

Yours truly,

Acting Chairman.

7-3679

12 BC

Muskegee, Indian Territory, March 21, 1901.

George W. Harkins,

Owl, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Chestaw Nation of Organ Cornelias Harkins, the infant son of George W. and Hattie Harkins, born February 22nd, 1901, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Chestaw Nation.

Yours truly,

Acting Chairman.

7-3679

9-96  
7-3679  
7-4369

Muskogee, Indian Territory, July 29, 1903.

G. W. Harkins,

Coalgate, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of July 25, asking if your wife, M.W. Harkins, has been approved as an intermarried citizen of the Choctaw Nation; also James T. Leedy and Lillie Harkins, wife of L.C. Harkins. You further inquire if all the intermarried citizens have been approved by the Department.

In reply to your letter you are informed that it appears from our records that James T. Leedy has been listed for enrollment as an intermarried citizen of the Chickasaw Nation, but his final right to such enrollment has not yet been determined. As soon as a decision is reached in this case he will be notified of the action of the Commission.

It further appears from our records that Lillie Harkins, wife of Lafayette G. Harkins, has been listed for enrollment as an intermarried citizen of the Choctaw Nation. Her final right



G.V.N.-----2

It also appears from our records that the wife of George W. Harkins is Hattie Harkins, who has been listed for enrollment as an intermarried citizen of the Choctaw Nation, but her final right to such enrollment has not yet been determined.

You are further informed that the Commission has not yet passed upon all the applications for enrollment as intermarried citizens of the Choctaw and Chickasaw Nations and the names of all such citizens have not, in order, been forwarded to the Secretary of the Interior for approval.

Respectfully,

Commissioner in Charge.



Choc 3680 Jack Risener

Nº 1 refused July 28, 1906

Record forwarded Dept July 28, 1906

Tryfenia Risener

3680

Choctaw #3680  
Intermarried.

Department of the Interior  
Commission to the Five Civilized Tribes.  
South McAlester, Indian Territory.  
December 22, 1902.

-:-

In the matter of the application of Jack Risener for  
enrollment as an intermarried citizen of the Choctaw Nation.

Jack Risener being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Jack Risener.  
Q How old are you? A Fifty-eight years old.  
Q What is your post office address? A Hennington.  
Q That is in the Choctaw Nation? A Yes, sir.  
Q How long have you been a resident of the Choctaw Nation? A  
Fifty-one years.  
Q Have you lived here continuously for the past 51 years? A  
No sir was in the Cherokee Nation in 67 but then came back.  
Q Lived here ever since that time? A Yes, sir lived here before  
that.  
Q Do you claim intermarried rights in the Choctaw Nation? A  
Yes, sir.  
Q What is the name of your Choctaw wife through whom you claim  
these rights? A Tryphina Smith.  
Q Is she a recognized and enrolled citizen of the Choctaw Nation?  
A Yes, sir.  
Q Have her rights as such ever been disputed? A No, sir.  
Q When were you married to Tryphina Smith? A In seventy-five.  
Q Where was this marriage ceremony performed? A Hennington.  
Q At that time were both you and your wife bona fide residents  
of the Choctaw Nation? A Yes, sir.  
Q Were you married in accordance with the Choctaw tribal laws?  
A Yes, sir.  
Q Did you obtain a tribal license? A No, sir, married in '75  
before this act was passed.  
Q You were not married under a license? A My first wife and I  
were.

There is offered in evidence, marked "Exhibit A" and made  
a part of the record in this case, marriage certificate of  
Jack Risener and Tryphina Smith.

- Q Were you ever married before your marriage to this woman?  
A Yes, sir.  
Q How many times before? A Two.  
Q What were the names of your former wives? A Helen Marie  
Capoline.  
Q Were these women Indians? A Yes, sir Cherokee Indians

Choctaw #3680  
Intermarried.

- Q Were they both dead at the time you married this Tryphina Smith?  
A Yes, sir.
- Q Was Tryphina Smith ever married before her marriage to you?  
A Yes, sir.
- Q How many times before? A Once.
- Q What was the name of her former husband? A Smith.
- Q Was her former husband dead at the time you married her? A  
Yes, sir.
- Q Since that time have you lived together continuously as husband  
and wife up to the present time? A Yes, sir.
- Q No separation of any kind whatsoever? A No, sir.
- Q Are you at present living together as actual and bona fide  
residents of the Choctaw Nation? A Yes, sir.
- Q Were you an applicant before this Commission in 1896 for admis-  
sion to citizenship in the Choctaw Nation? A Yes, sir.
- Q Did you then apply as an intermarried citizen? A Yes, sir.
- Q What action was taken by the Commission on your application  
at that time? A It was sent back to me.
- Q What did they say when they sent it back? A Said it was all  
right, as far as I know.

Mr. Risener it appears from our record that you made ap-  
plication in 1896 for citizenship in the Choctaw Nation, and  
at that time your application was denied. It does not appear  
that you ever took your application to the United States Court.

-:-

Chas. Riffendaffer, being first duly sworn, states that  
as stenographer to the Commission to the Five Civilized Tribes, he  
reported the proceedings had in the above entitled cause, and that  
the foregoing is a full, true and correct transcript of his steno-  
graphic notes taken in said cause on said date.

*Chas. Riffendaffer*

Subscribed and sworn to before me this 3d day of January, 1903.

*Chas. Riffendaffer*

Notary Public.

(C O P Y)

This is to certify that Mr. Jack Risner and Mrs. Tryphenia Smith were united in marriage by the Undersig at Benigton, I.T. on the sixth day of December, 1875.

Rev. W. J. B. Loyd.

Mrs. Sophie Durant.

M. S. Crowder.

M. J. Durant.

Mrs. W. J. B. Loyd.

This is to certify that this is a True and correct copy taking from Vol. A. Page 474.

Giving under my hand and seal of office this 3 day of December, 1899.

P. F. Folsom,

Clerk of Blue Co., C.N.

Indorsed on back-----

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
FILED  
JAN. 5, 1903.

Tams Bixby, Acting Chairman.

(C O P Y.)

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Jack Risner,

Caddo, I.T.

vs. No. 643.

Choctaw Nation

Fort Smith, Ark., Dec. 3rd., 1896.

Sir:

In compliance with the provisions of Act of Congress,  
Approved June 10, 1896, the Commission to the Five Civilized  
Tribes has considered this application, with proof, and the same  
has been GRANTED by the Commission.

Respectfully,

H. M. Jacoway, Jr.,

Secretary.

(C O P Y)

United States of America, Indian Territory, Central District  
Jack Risner,

v

Ex-Parte.

Jack Risner on oath states that he is now and has been for more than thirty years a resident of the Choctaw Nation, Indian Territory, that his home is now near Bennington Postoffice in said Nation. He states further that he married a Choctaw woman, duly recognized and enrolled, Tryphenia Smith nee Smallwood by name, on or about the 10th day of December, 1875; that he has resided with her continuously since said marriage; that said Tryphenia Risner has been approved as a Choctaw by blood by the proper authorities and has selected her allotment as such; that his said marriage to said Tryphenia Smith was consummated under the provisions governing intermarriages in order to secure citizenship and that it was in every way in keeping with the provisions and requirements of said law. He states further that in the year 1896 he made application to the Commission to the Five Civilized Tribes for enrollment and identification as an intermarried citizen of the Choctaw Nation and that said application was allowed and that there is appended hereto the notice of his said approval as sent out by the said Commission, notifying the petitioner herein of his said approval and allowance of his petition; that on receipt of this notice he has acted presuming that nothing was irregular about his right to citizenship and any notice to the contrary was never served on him or received through the mails by him; that his first notice or information that he had been, or that the records of the Commission showed that he had been denied enrollment in 1896 was in November or December, 1902 at which time he appeared before the said Commission for the purpose of testifying as to his



intermarried status; that at this time he rendered a full statement of his case and delivered his marriage certificate to said Commission, and, as he thought, took all necessary steps to correct irregularities and secure his right. He states further that he has always been recognized as a Choctaw citizen and is still so recognized and accorded the full privileges as such by the Choctaw authorities. That the record entry in reference to his application if strictly carried and not corrected by the Commission will work an unjust hardship on him and deny that right to which his actions justify and the law entitles him; that he is now 70 years of age and has erected a comfortable home on his prospective allotment and has no other member of his family or relative to allot same. That he has met the said Commission at one of its appointments on its various sittings since 1896 and done all acts enjoined on him by law to do and of which he had notice or by which the law could require him to be bound until due notice of the correct action of said Commission is properly served on him.

ATTEST:

Will Pope.

M. S. Smith.

his  
Jack X Risner.  
mark

Subscribed and sworn to before me this the 20th day of  
September, 1904.

W. O. Pyrd,  
Notary Public, Central District,  
Indian Territory.

Indorsed on back----

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

OCT. 15, 1904.

Tams Bixby, Chairman.

7-3680.  
O.L.J.

DEPARTMENT OF THE INTERIOR,  
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

-----

In the matter of the application for the enrollment of Jack Risener as a citizen by intermarriage of the Choctaw Nation.

D E C I S I O N .

It appears from the census card record in this case that on August 22, 1890, application was made to the Commission to the Five Civilized Tribes for the enrollment of Jack Risener as a citizen by intermarriage of the Choctaw Nation.

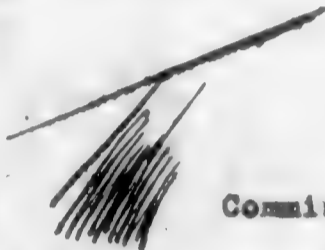
It further appears from the record herein that on December 6, 1875, the applicant, Jack Risener, was lawfully married to Tryfenia Risener (formerly Smith), a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 10410 upon a list prepared by the Commission to the Five Civilized Tribes, under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation, and approved by the Secretary of the Interior February 4, 1903; that at the time of said marriage, both persons above mentioned were residents in good faith of the Choctaw Nation; and that they lived together continuously as husband and wife in said nation, from the date of their said marriage up to and including September 25, 1902.

It further appears from the records of the Commission to the Five Civilized Tribes that on September 7, 1896, in the case entitled "Jack Risner vs. Choctaw Nation" (1890 Choctaw Citizenship Docket, Case No. 643), the applicant herein made original application to said Commission, under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321), for admission to citizenship in the Choctaw Nation as a citizen by intermarriage, and that on December 2, 1896, said Commission rendered its decision therein denying said application, from which decision no appeal was taken.

Upon an examination of the tribal rolls of the Choctaw Nation in the possession of this office, the applicant is identified upon the 1885 Choctaw Census Roll, Blue County, No. 351, and also upon the 1896 Choctaw Census Roll, Jackson County, No. 14982, enrolled thereon as a citizen by intermarriage of the Choctaw Nation.

It does not appear from the record herein or from the records in the possession of this office that said applicant has ever been admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, nor has said applicant ever been married to his Choctaw wife, through whom he claims his intermarried rights, by virtue of a license issued by the tribal authorities of the Choctaw Nation.

I am, therefore, of the opinion that the application made for the enrollment of Jack Risener as a citizen by intermarriage of the Choctaw Nation should be denied, under the provisions of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.



Commissioner.

Muskogee, Indian Territory.

JUL 28 1906

7-3680

Muskogee, Indian Territory, July 28, 1906.

Jack Risener,

Bennington, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 20, 1906, denying your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED *W. H. C. Stoddard*  
Commissioner.

Registered.

Incl. 7-3680.

7-3680

Muskogee, Indian Territory, July 28, 1906.

Armstrong & Hunter,  
Boswell, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 28, 1906, denying the application for the enrollment of Jack Risener as a citizen by intermarriage of the Choctaw nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED: [Signature]

Commissioner.

Registered.

Incl. 7-3680

7-3680

Muskogee, Indian Territory, July 28, 1906

K. L. Williams,  
Durant, Indian Territory.

Dear Sir:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on July 28, 1906, rendered his decision denying the application for the enrollment of Jack Risener as a citizen by intermarriage of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

Registered.

F  
7-3680

Muskogee, Indian Territory, July 28, 1906.

Mansfield, McLurray & Cornish,  
Attorneys for Choctaw and Chickasaw Nations,  
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 28, 1906, denying the application for the enrollment of Jack Risener as a citizen by intermarriage of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

Incl. 7-3680

Muskogee, Indian Territory, July 28, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application for the enrollment of John Risner as a citizen by intermarriage of the Choctaw Nation, including the decision of the Commissioner to the Five Civilized Tribes, dated July 28, 1906, denying said application.

Respectfully,

Commissioner.

2 Incl. 7-3680

Through the  
Commissioner of Indian Affairs.



D.C. 18550

I.T.D. 25948-1906.

GR.FHE.

DEPARTMENT OF THE INTERIOR,

WASHINGTON, March 4, 1907.

Direct.

Commissioner to the Five Civilized Tribes,  
Muskogee, Indian Territory.

Sir:

In accordance with the opinion of the Attorney-General of February 19, 1907 (I.T.D. 4564), in the consolidated case of William C. Thompson, et al., your decision of July 28, 1906, denying the application of Jack Risener for his enrollment as an intermarried citizen of the Choctaw Nation, is hereby affirmed, inasmuch as it appears from the record in the case that the applicant made an original application to the Commissioner to the Five Civilized Tribes under the provisions of the act of Congress approved June 10, 1896 (29 Stat., 321), for admission to citizenship in the Choctaw Nation as a citizen by intermarriage, and that on December 2, 1896, said Commissioner rendered its decision therein denying such application, from which decision no appeal was taken. Advise applicant and his attorneys hereof. The Indian Office will advise local attorneys.

The papers in the case will be sent to the Indian Office.

Respectfully,

E.A.Hitchcock,

Secretary.

A.F.Mc 3-5-07.

1 inc. and 3 for Ind.Of.  
with copy hereof.

Refer in reply to the following:

Land:  
65801-1906  
97536- "

Copy

DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,

WASHINGTON, December 24, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed herewith report of Commissioner Bixby, dated July 28, 1906, transmitting record in the matter of the application for the enrollment of Jack Risener for enrollment as a citizen by intermarriage of the Choctaw Nation, including the decision of the Commissioner dated July 28, 1906, denying the application.

The Commissioner reports that the applicant made application for the enrollment of himself as above, on August 22, 1899; and that the records of this Office show that on September 7, 1896, in the case of Jack Risener vs. Choctaw Nation, the applicant herein made original application for admission to Choctaw citizenship by intermarriage, and that on December 2, 1896, the application was denied by the Commission. No appeal was taken from this decision.

The record herein shows that the applicant claims the right to enrollment as a Choctaw citizen by reason of his alleged marriage on December 6, 1875, to Tryphenia Risener (formerly Smith) a recognized and enrolled citizen by blood of the Choctaw Nation.

The applicant admits that he was not married to his Choctaw wife by virtue of a tribal license.

According to the terms of the act of the Choctaw National Council of November 9, 1875, a marriage between a citizen of the United States and a Choctaw woman, citizen of the Nation, without a tribal license is illegal.

The attorneys for Jack Risener, in a brief filed in his behalf, contend that according to the terms of the Choctaw constitution "in effect at this time", legislative enactments did not become law until sixty days after their passage, and that the marriage in question having occurred on December 6, 1875, less than sixty days after November 9, 1875, was not affected by the law passed on the latter date.

While such a provision relative to the time when a law becomes effective, may be incorporated in the Choctaw constitution in force at this time, an examination of the Choctaw constitution in force at the time of the passage of the act above referred to, fails to disclose any provision which by any possibility might be construed to mean that an act should not become law until sixty days after its passage, On the contrary, it is beyond question that according to the terms of the Choctaw constitution then in force, an act of the National council became law from and after its passage and signing the Principal Chief in the regular manner.

It is therefore the opinion of the Office that the application for the enrollment of Jack Risener as a Choctaw citizen by intermarriage, should be denied on account of his failure to

comply with the laws of the Nation relating to marriage, in force at the time he married, and it is so recommended.

Furthermore, it appears that the Commission, when it denied the application on December 2, 1906, had jurisdiction to consider the case, and no appeal was taken from that decision.

Under Departmental ruling, the tribal status of the applicant, on this state of facts, has been finally determined, and his case should not be considered.

Very respectfully,

C.F.Larrabee,

Acting Commissioner.

AJW.NL.

7-3680.

Muskogee, Indian Territory, April 22, 1907.

Jack Risener,

Bemington, Indian Territory.

Dear Sir:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of July 28, 1906, denying your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

Commissioner.

7-3680

Muskogee, Indian Territory, April 22, 1907.

Armstrong & Hunter,

Boswell, Indian Territory.

Dear Sirs:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of July 28, 1906, denying the application for the enrollment of Jack Risener as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

Commissioner.

7-3680.

Muskogee, Indian Territory, April 22, 1907.

R. L. Williams,

Durant, Indian Territory.

Dear Sir:

You are hereby advised that on March 4, 1907, the Secretary of the Interior of the Interior affirmed the decision of this office of July 28, 1906, denying the application for the enrollment of Jack Risener as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

Commissioner.

7-3680

Muskogee, Indian Territory, April 22, 1907.

Mansfield, McMurray & Cornish,  
Attorneys for the Choctaw and Chickasaw Nations,  
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of July 28, 1906, denying the application for the enrollment of Jack Risener as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

Commissioner.



Muskegee, Indian Territory, May 29, 1901.

The Commission to the Five Civilized Tribes,  
Chelsea, Indian Territory.

Dear Sir:

I enclose you herewith affidavits relative to the death of Jackson Risner, Jr. on the 29th day of September, 1899. You will note that the affidavits state that he is a citizen by blood of the Cherokee Nation.

I am of the opinion that this proof of death was requested from information the Commission received relative to the death of one, Jack Risner who was listed for enrollment as a citizen by intermarriage of the Choctaw Nation.

If you have no such person who has been listed or an applicant for enrollment as a citizen of the Cherokee Nation, please return the same for the files of the Choctaw-Chickasaw Division.

Yours truly,

Acting Chairman.

Enc k

7-3690

7-3680

Muskogee, Indian Territory, October 21, 1903.

Jack Risner,  
Bennington, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 16th inst., requesting information relative to your application for enrollment as an intermarried citizen of the Choctaw Nation.

You are advised that the Commission has not up to this time rendered any decision in the matter; as soon as a decision is rendered in your case you will be duly notified.

Respectfully,

Commissioner in Charge.

Choctaw 1896,  
No. 643.

Muskogee, Indian Territory, June 15, 1904.

Jack Risner,

Bennington, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 21, 1904, in which you ask if you have been approved as an intermarried citizen.

In reply to your letter you are informed that it appears from our records that you made application to the Commission under the provisions of the Act of Congress of June 10, 1896, for intermarriage citizenship in the Choctaw Nation and that your application was denied.

You are further informed that it does not appear that any application has ever been made to this Commission for your enrollment as an intermarried citizen of the Choctaw Nation and under the provisions of the Act of Congress approved July 1, 1902, the Commission is now without authority to receive or consider original applications for enrollment as citizens of the Choctaw or Chickasaw Nation.

Respectfully,

Chairman.

Choctaw 3680.

Muskogee, Indian Territory, August 3, 1904.

R. L. Williams,  
Attorney at Law,  
Durant, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of July 22, asking the status of the application of Jack Risner, husband of Triphenia Risner, as an intermarried citizen.

In reply to your letter, you are informed that it appears from our records that Jack Risener, husband of Tryphenia Risener, is an applicant for enrollment as an intermarried citizen of the Choctaw Nation, but the Commission has not yet passed upon his final right to enrollment as such. As soon as a decision is reached in this case, he will be notified of the action taken therein.

Respectfully,

Commissioner in Charge.

Choctaw 3680

Muskogee, Indian Territory, October 15, 1904.

Armstrong & Hunter,  
Boswell, Indian Territory,

Gentlemen:

Receipt is hereby acknowledged of your letter of October 6, inclosing affidavit of Jack Risner relative to his application for enrollment as an intermarried citizen of the Choctaw Nation, and original notice forwarded to him advising that the Commission had granted his application for citizenship under the act of Congress approved June 10, 1896.

You are advised that these papers have been filed with the record and will receive consideration in the determination of the right of the applicant, Jack Risener, to enrollment as an intermarried citizen of the Choctaw Nation. When a decision is reached in this case you and the applicant will be notified thereof.

Respectfully,

Commissioner in Charge.

7-3680

Muskogee, Indian Territory, November 15, 1904.

Armstrong, & Hunter,

Attorneys at Law.

Boswell, Indian Territory.

Gentlemen:-

Receipt is hereby acknowledged of your letter of the 11th instant, requesting information relative to the status of the application for enrollment of Jack Risener as an intermarried citizen of the Choctaw Nation.

You are advised that the Commission has not yet passed upon the application of Jack Risener for enrollment as an intermarried citizen of the Choctaw Nation. Applications of persons for enrollment as intermarried citizens of the Choctaw Nation are being considered as rapidly as possible, and as soon as a decision is reached in this case, you and the applicant will be duly notified of the action taken therein.

Respectfully,

Chairman.

Choctaw 3680

Muskogee, Indian Territory, December 24, 1904.

Armstrong & Hunter,  
Attorneys at Law,  
Boswell, Indian Territory,

Gentlemen:

Receipt is hereby acknowledged of your letter of December 21, relative to the application of Jack Risner for enrollment as an intermarried citizen of the Choctaw Nation, and in reply you are advised that the Commission is now considering the application of Jack Risener for enrollment as an intermarried citizen of the Choctaw Nation, and as soon as a decision is reached in this case you will be notified of the action taken therein.

Respectfully,

Chairman.

Choctaw 3680

Muskogee, Indian Territory, March 31, 1905.

Armstrong & Hunter,

Attorneys at Law,

Boswell, Indian Territory,

Gentlemen:

Receipt is hereby acknowledged of your letter of March 26, asking the progress in the case of Jack Risner and in reply you are advised that the Commission is still considering the application of Jack Risner for enrollment as an intermarried citizen of the Choctaw Nation but no decision has yet been reached. You and the applicant will be advised of further action in this matter.

Respectfully,

Chairman.



7-3680

Muskogee, Indian Territory, June 10, 1905.

Armstrong & Hunter,

Attorneys at Law.

Boswell, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of June 2, 1905, asking if Jack Risner has been finally approved by the Commission and if not you ask the status of the case.

In reply to your letter you are advised that the Commission is now considering the application of Jack Risner for enrollment as an intermarried citizen of the Choctaw Nation and when a decision is reached in this case you and the applicant will be notified of the action taken therein.

Respectfully,

Chairman.

7-3680

Muskogee, Indian Territory, January 6, 1906.

Armstrong & Hunter,

Boswell, Indian Territory,

Gentlemen:

Receipt is hereby acknowledged of your letter of December 28, 1905, asking if a decision has yet been reached in the matter of the application of Jack Risner for enrollment as an intermarried citizen of the Choctaw Nation.

In reply to your letter you are advised that no decision has yet been reached in this case, but as soon as any action is taken therein, you will be notified.

Respectfully,

Commissioner.

A.C. 13550

I.T.D. 25948-1906.

GR.FHE.

DEPARTMENT OF THE INTERIOR,

WASHINGTON, March 4, 1907.

Direct.

Commissioner to the Five Civilized Tribes,  
Muskogee, Indian Territory.

Sir:

In accordance with the opinion of the Attorney-General of February 19, 1907 (I.T.D. 4564), in the consolidated case of William C. Thompson, et al., your decision of July 28, 1906, denying the application of Jack Risener for his enrollment as an intermarried citizen of the Choctaw Nation, is hereby affirmed, inasmuch as it appears from the record in the case that the applicant made an original application to the Commissioner to the Five Civilized Tribes under the provisions of the act of Congress approved June 10, 1896 (29 Stat., 322), for admission to citizenship in the Choctaw Nation as a citizen by intermarriage, and that on December 2, 1896, said Commissioner rendered his decision therein denying such application, from which decision no appeal was taken. Advise applicant and his attorneys hereof. The Indian Office will advise local attorneys.

The papers in the case will be sent to the Indian Office.

Respectfully,

E.A.Hitchcock,

Secretary.

A.F.Mc 3-5-07.

1 inc. and 3 for Ind.Of.  
with copy hereof.

Refer in reply to the following:

Land:  
65601-1906  
97536- "

Copy

DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,

WASHINGTON, December 24, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed herewith report of Commissioner Bixby, dated July 28, 1906, transmitting record in the matter of the application for the enrollment of Jack Risener for enrollment as a citizen by intermarriage of the Choctaw Nation, including the decision of the Commissioner dated July 28, 1906, denying the application.

The Commissioner reports that the applicant made application for the enrollment of himself as above, on August 22, 1899; and that the records of this Office show that on September 7, 1896, in the case of Jack Risener vs. Choctaw Nation, the applicant herein made original application for admission to Choctaw citizenship by intermarriage, and that on December 2, 1896, the application was denied by the Commission. No appeal was taken from this decision.

The record herein shows that the applicant claims the right to enrollment as a Choctaw citizen by reason of his alleged marriage on December 6, 1875, to Tryphenia Risener (formerly Smith) a recognized and enrolled citizen by blood of the Choctaw Nation.

The applicant admits that he was not married to his Choctaw wife by virtue of a tribal license.

According to the terms of the act of the Choctaw National Council of November 9, 1875, a marriage between a citizen of the United States and a Choctaw woman, citizen of the Nation, without a tribal license is illegal.

The attorneys for Jack Risener, in a brief filed in his behalf, contend that according to the terms of the Choctaw constitution "in effect at this time", legislative enactments did not become law until sixty days after their passage, and that the marriage in question having occurred on December 6, 1875, less than sixty days after November 9, 1875, was not affected by the law passed on the latter date.

While such a provision relative to the time when a law becomes effective, may be incorporated in the Choctaw constitution in force at this time, an examination of the Choctaw constitution in force at the time of the passage of the act above referred to, fails to disclose any provision which by any possibility might be construed to mean that an act should not become law until sixty days after its passage. On the contrary, it is beyond question that according to the terms of the Choctaw constitution then in force, an act of the National council became law from and after its passage <sup>by</sup> and signing the Principal Chief in the regular manner.

It is therefore the opinion of the Office that the application for the enrollment of Jack Risener as a Choctaw citizen by intermarriage, should be denied on account of his failure to

comply with the law of the Nation relating to marriage, in force at the time of marriage, and it is so recommended.

Accordingly, it appears that the Commission, when it considered the application on December 4, 1949, had jurisdiction to consider the case, and no appeal can be taken from that decision.

Under Departmental policies, the tribal status of the applicant, in this case of State, has been finally determined, and the case should not be reopened.

Very respectfully,

J. C. Jarrar, Jr.

Acting Commissioner.

cc: [illegible]

MEMORANDA.

Cade

(Date) Aug 23 1899.

6-1 ✓

Name .....

Choctaw ? ..... County ..... Year 15 No. 182

Chickasaw ? ..... County ..... Year ..... Page 378

Citizen by blood ? ..... Mother's citizenship U.S.

Intermarried citizen ? .....

Married under what law ? .....

License filed this day, .....

4-1 ✓

Wife's name, .....

Choctaw ? ..... County ..... Year 15 No. 1867

Chickasaw ? ..... County ..... Year ..... Page 17

Citizen by blood ? ..... Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day .....

Names of children :

|        |      |      |     |
|--------|------|------|-----|
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |

3180

Choc 3681 John Risener

Harriet Poce

3681



Department of the Interior,  
Commission to the Five Civilized Tribes.  
I hereby certify that the foregoing is as  
stated in the original Commission, that this  
transcript is a true and correct translation of  
my stenographic notes.

*M. O'Neal*

Commission to the Five Civilized Tribes,

Caddo, Indian Territory.

In the enrollment of John Risener as a Choctaw; Jack Risener being sworn and examined by Com'r McKennon testifies:

Q What is your name? A Jack Risener.

Q How old are you? A Sixty-five.

Q Your first wife was a Cherokee? A Yes sir.

Q What was her name? A Elizabeth.

Q When did she die? A About '70 I think.

Q When were you married to her? A In '63 or 4.

Q Has she ever lived in the Cherokee Nation since you married her? A No sir., she lived in the Choctaw Nation when I married her.

Q Was she ever enrolled as a Choctaw? A No sir.

Q Never was enrolled? A Not here, no sir.

Q Do you know whether she was ever enrolled as a Cherokee?

A No sir I don't know, she drew her mother's estate, the Old Settler.

Q Do you know of any other money that she drew there? A No sir I don't.

Q She lived here all the while after you married her until her death? A They came from up there during the War as Refugees, and didn't go back there until me and her moved there; she died there.

Q Were you lawfully married to her? A Yes sir.

Q Who married you? A George Folsom a Choctaw preacher in the Choctaw Nation.

Examined by Choc. Att'y Shackelford:

Q How old was she when she came here? A I don't believe I could tell you, she was just a young woman.

Q You don't know whether she was on the Cherokee rolls or not?

A No.

Q Her mother was a Cherokee? A Yes sir, her mother was a Brady

CHOCTAW

INDEXED

32.

IN RE  
THE DEATH OF

*John Risener*  
a citizen of the  
*Choctaw* Nation.

Approved JUN 26 1901 1  
*C. R. McQuinn*  
Commissioner.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
FILED  
JUN 23 1901

*[Signature]*  
ACTING CHAIRMAN

CHOCTAW.  
3681.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of John Risener (Here insert name of deceased) a citizen of the Choctaw Nation, who formerly resided at or near Bennington, Ind. Ter., and died on the 29th day of September, 1899.

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District.

I, J.W. Hunter, on oath state that I am 32 years of age and a citizen, by Blood, of the Choctaw Nation; that my post office address is Caddo, Ind. Ter.; that I am First Cousin of John Risener, who was a citizen, by marriage, of the Choctaw Nation; and that said John Risener died on the 29th day of September, 1899.

WITNESSES TO MARK

J. W. Hunter

(Must be Two Witnesses)

Subscribed and sworn to before me this 27th day of June 1901. A. H. Atling, Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Southern District.

I, S. J. Homer, on oath state that I am 30 years of age, and a citizen, by blood, of the Choctaw Nation; that my post office address is Caddo, Ind. Ter.; that I was personally acquainted with John Risener, who was a citizen, by marriage, of the Choctaw Nation; and that said John Risener died on the 29th day of September, 1899.

WITNESSES TO MARK

S. J. Homer

(Must be Two Witnesses)

Subscribed and sworn to before me this 28th day of June 1901. A. H. Atling, Notary Public.

*IN RE*

Application for Enrollment of

INFANT CHILD

*Tennessee Pace*

as a citizen of

*Choctaw,*

Nation.

Approved, **MAY 9 1901** 190

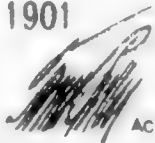


Commissioner.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES

**FILED**

**MAY 9 1901**



ACTING CHAIRMAN

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

*IN RE* Application for Enrollment, as a citizen of the Choctaw Nation,  
of Tennessee Pace, born on the 18 day of February, 1901  
(Here insert name of child)  
Name of Father: Robert L. Pace, a citizen of the United States Nation.  
Name of Mother: Harriet Pace, a citizen of the Choctaw Nation.  
Post-office, Birmingham, A. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,

Central INDIAN TERRITORY, District.

I, Harriet Pace, on oath state that I am 24  
years of age and a citizen, by Blood, of the Choctaw Nation;  
that I am the lawful wife of Robert L. Pace, who is a citizen,  
of the United States Nation, that a female child was  
(male or female)  
born to me on the 18 day of February, 1901; that said child has been  
named Tennessee Pace, and is now living.

WITNESSES TO MARK

(Must be Two Witnesses) M. J. Durant  
J. N. Jones

Harriet Pace

Subscribed and sworn to before me this 30<sup>th</sup> day of April, 1901.

C. C. McBlair NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,

Central INDIAN TERRITORY, District.

I, B. C. Rutherford, a Physician, on oath state that I  
attended on Mrs. Harriet Pace, wife of R. L. Pace,  
on the 18 day of February, 1901; that there was born to her on  
said date a Female child; that said child is now living and is said to have been  
(male or female)  
named Tennessee Pace.

WITNESSES TO MARK:

(Must be Two Witnesses) Ben Middleton  
M. J. Durant

B. C. Rutherford M.D.

Subscribed and sworn to before me this 30<sup>th</sup> day of April, 1901.

C. C. McBlair NOTARY PUBLIC.

7-3681

INDEXED

32

IN RE  
THE DEATH OF

*Tennessee Pare*

a citizen of the

*Cherokee* Nation.

Approved *[Signature]* 190

Commissioner.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

**FILED**  
DEC 30 1902

*[Signature]*  
ACTING CHAIRMAN.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Tennessee Pace  
(Here insert name of deceased.)

a citizen of the Cherokee Nation, who formerly resided at or near  
Berminington, Ind. Ter., and died on the 17th day of  
February, 1902  
(Here insert name of post office.)

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA, }  
INDIAN TERRITORY, }  
Central District. }

I, Harriet Tolson, on oath state that I am 26  
years of age and a citizen, by blood, of the Cherokee Nation;  
that my post office address is Berminington, Ind. Ter.; that I am  
the mother of Tennessee Pace,  
(State relationship as the father, an uncle, a cousin, etc.) (Here insert name of deceased.)  
who was a citizen, by blood, of the Cherokee Nation;  
and that said Tennessee Pace died on the 17th day of  
February, 1902  
Harriet Tolson

WITNESSES TO MARK

(Must be Two Witnesses) { \_\_\_\_\_  
\_\_\_\_\_

Subscribed and sworn to before me this 22nd day of December 1902  
L. C. Humphrey  
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA, }  
INDIAN TERRITORY, }  
\_\_\_\_\_ District. }

I, \_\_\_\_\_, on oath state that I am \_\_\_\_\_  
years of age, and a citizen, by \_\_\_\_\_, of the \_\_\_\_\_ Nation;  
that my post office address is \_\_\_\_\_ Ind. Ter.;  
(Here insert name of post office.)  
that I was personally acquainted with \_\_\_\_\_  
(Here insert name of deceased.)  
who was a citizen, by \_\_\_\_\_, of the \_\_\_\_\_ Nation;  
and that said \_\_\_\_\_ died on the \_\_\_\_\_ day of \_\_\_\_\_  
(Here insert name of deceased.)

WITNESSES TO MARK

(Must be Two Witnesses) { \_\_\_\_\_  
\_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 190  
\_\_\_\_\_  
Notary Public.

No.

# Marriage License

*R. J. Luce*

AND

*Carroll Reese*

Issued the \_\_\_\_\_ day of \_\_\_\_\_  
189

Clerk County Court \_\_\_\_\_ Co.

By \_\_\_\_\_ Deputy

Filed the \_\_\_\_\_ day of \_\_\_\_\_  
189

Clerk County Court \_\_\_\_\_ Co.

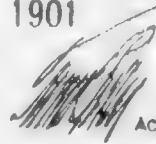
By \_\_\_\_\_ Deputy

Recorded in Book \_\_\_\_\_ Page \_\_\_\_\_ of Marriage Records

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

**FILED**

MAY 9 1901



ACTING CHAIRMAN





To any Judge of the District Court, Judge of the County Court, Ordained or Licensed Minister Jewish, Rabbi, or Justice of the Peace of Grayson County Greeting:

You are hereby Authorized to Celebrate the

**rites of MATRIMONY**

Between R. S. Pace  
and Harriett Risner  
and make due return to the Clerk of said court within sixty days thereafter,  
certifying your action under this license.

Witness my Special Signature and Seal

this 2<sup>nd</sup> day of May 1857

S. M. Tuck Clerk

(Seal)

By Tom Suckhart Deputy

I, C. A. Barker, certify that on the 2<sup>nd</sup> day of May 1857

I united in Marriage R. S. Pace

and Harriett Risner

the parties above named.

Witness my hand this 2<sup>nd</sup> day of May 1857

C. A. Barker

Justice of the Peace

Returned and filed for record the 2<sup>nd</sup> day of May 1857

and recorded the 2<sup>nd</sup> day of May 1857

Deputy

County Clerk

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,  
of Vivian - Risner, born on the 21 day of Nov, 1898.  
Name of father: John - Risner, a citizen of the Choctaw Nation.  
Name of mother: Harriet Risner, a citizen of the Choctaw Nation.  
Post Office: Birmingham 23

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Central District.

I, Harriet - Risner, on oath, state that I am 23 years of age and a citizen, by Blood, of the Choctaw Nation; that I am the lawful wife of John Risner who is a citizen, by Marriage, of the Choctaw Nation; that a female child was born to me on the 21 day of Nov, 1898; that said child has been named Vivian Risner and is now living.

Subscribed and sworn to before me this 23 day of August, 1899.

W. H. Cottleway  
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Central District.

I, M. J. Hultsman, a Midwife, on oath, state that I attended on Mrs. Harriet - Risner, wife of John Risner on the 21 day of Nov, 1898; that there was born to her on said date a female child: that said child is now living and is said to have been named Vivian

witness  
R. L. Pace

Subscribed and sworn to before me this 27 day of August, 1899.

M. J. Hultsman

W. H. Cottleway  
Notary Public.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,  
of *Repar - Riven*, born on the *25* day of *Feb*, 1897.  
Name of father *John - Riven*, a citizen of the *Choctaw* Nation.  
Name of mother *Annal Riven*, a citizen of the *Choctaw* Nation.  
Post Office: *Springfield, Ark.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,

John Riven, Sheriff

I, *Annal Riven*, do hereby declare that I am *23* years of age and a  
resident of the *Choctaw* Nation, that I am the  
mother of *John Riven*, who is a citizen of the  
*Choctaw* Nation, that a child will be born to me on the *25* day  
*Feb* 1897 that said child has been named *Repar Riven*

*Annal Riven*  
Subscribed and sworn to before me this *25* day of *February* 1897  
*John Riven*  
Sheriff

AFFIDAVIT OF OTHERS FATHER OR MOTHER

UNITED STATES OF AMERICA,

John Riven, Sheriff

I, *John Riven*, do hereby declare that I am  
a resident of the *Choctaw* Nation, that I am the  
father of *John Riven*, who is a citizen of the  
*Choctaw* Nation, that a child will be born to me on the  
*25* day of *Feb* 1897 that said child has been named  
*Repar Riven*

*John Riven*  
Subscribed and sworn to before me this *25* day of *February* 1897  
*John Riven*  
Sheriff

Muskogee, Indian Territory, May 9, 1901.

Mr. R. L. Pace,

Gadde, Indian Territory.

Dear Sir:

Referring to your letter to the Commission of the 2nd instant, it is stated that Mr. Jackson Risher, Jr., formerly the husband of your wife, Harriett Pace, died May 8, 1900.

For the purpose of making the fact of his death a matter of record, there is enclosed you herewith, a blank proof of death, which you will kindly have filled out and returned to the Commission. In having the same executed you will notice that there is a blank for the affidavit of a relative and an acquaintance. Both of these blanks should be filled, all names written in full, and the affidavits sworn to before a notary public. Should the relative or acquaintance making the affidavit be unable to write and their signatures are by mark, it will be necessary to have such signatures attested by two disinterested parties, witnesses thereto.

The notary public acknowledging the affidavits must affix his notarial jurat and seal to each separate affidavit. An envelope for reply is enclosed you herewith. The Commission will appreciate your prompt attention to this matter.

Yours truly,

Acting Chairman.

D.C.  
Env.  
7-3681.

Muskogee, Indian Territory, May 22, 1901.

Mr. T. W. Hunter,

Caddo, Ind. Ter.

Dear Sir;-

The Commission is in receipt of your affidavit and that of S. J. Homer, relative to the death of your cousin Jackson Riener, jr which occurred September 29, 1899, and the same being in proper form has been filed with the records of the Commission.

You have the thanks of the Commission in the matter.

Yours truly,

Acting Chairman.

7-3689.

Muskogee, Indian Territory, June 10, 1901.

Mr. Robert L. Pace,

C/o C. H. Eiting,

Oado, Indian Territory.

Dear Sir:

Referring to the affidavit of T. W. Hunter and S. J. Homer, relative to the death of Jackson Risener, Jr., receipt of which was acknowledged by the Commission under date of May 22, 1901, the same is hereby returned to you for the following reasons. In your letter of May 8, 1901, transmitting the application of Tennessee Pace for enrollment as a citizen of the Choctaw Nation, it is stated by you that after the death of JACKSON RISENER, JR., R. L. Pace; that Mrs. Harriet Risener was the daughter of Mrs. Kizzie Battisti, a full blood Choctaw.

You are informed that the records of the Commission show that on August 23, 1899, John Risener, 31 years of age, whose post office address is given as Bennington, I. T., and Harriet Risener, 25 years of age, and their four minor children were listed for enrollment as citizens of the Choctaw Nation. The records of the Commission show that John Risener was an intermarried citizen of the Choctaw Nation. The records of the Commission further show that the husband of Harriet Risener was admitted by this Commission in case No. 647 as John Risener.

R. L. Pace—S.

It is believed by the Commission that the John Risener referred to herein and the Jackson Risener, Jr., whose death occurred September 29, 1899, as stated in the affidavits of T. W. Hunter and S. J. Homer, is one and the same person. If it be true that Jackson Risener, Jr., mentioned in the affidavit of Mr. Hunter is identical with the John Risener described herein and listed with his family for enrollment August 22, 1899, you are requested to procure the signatures of T. W. Hunter and S. J. Homer to the enclosed blank proof of death, duly sworn to before a notary public, and return in the enclosed envelope at your earliest convenience.

Yours truly,

Acting Chairman.

7-3681.  
DeB (37) 63.  
Env.

Muskogee, Indian Territory, June 26, 1901.

Mr. T. W. Hunter,  
Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your affidavit and that of S. J. Homer, relative to the death of your cousin, John Risener, which occurred September 29, 1899, and the same being in proper form has been duly filed with the records of the Commission.

Yours truly,

Commissioner in charge.

McM

7-3681



Muskogee, Indian Territory, February 7, 1902.

R. L. Pace,

Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 5th instant, in which you desire to be informed if Tennessee Pace is properly enrolled.

Replying to your inquiry you are informed that it appears from the records of this office, that on May 9, 1901, Tennessee Pace, the infant daughter of Robert L. and Harriet Pace, was listed for enrollment as a citizen by blood of the Choctaw Nation upon presentation of proper affidavits as to her birth.

Yours truly,

Commissioner in Charge.

7-3681

Muskogee, Indian Territory, September 19, 1906.

C. W. Elting,  
Attorney at Law,  
Caddo, Indian Territory.

Dear Sir:

Replying to your letter of the 15th instant you are advised that it appears from the records of this office that on May 9, 1901, application was made for the enrollment of Tennessee Pace as a citizen by blood of the Choctaw Nation.

The record in this case shows that the applicant is the child of Robert L. and Harriet Pace and was born February 18, 1901. It further appears that the child died February 17, 1902, prior to the ratification by the citizens of the Choctaw and Chickasaw Nations of the Act of Congress approved July 1, 1902.

The application for the enrollment of the child was accordingly dismissed and her name does not appear upon the final roll of citizens by blood of the Choctaw Nation.

Respectfully,

Acting Commissioner

MEMORANDA.

*calls*

(Date) *Aug 27* 1899.

31 ✓

Name *John Risener*  
 Choctaw? *yes* County *Blue* Year *96* - No. *14985*  
 Chickasaw? County Year Page *398*  
 Citizen by blood? *yes* Mother's citizenship *Cherokee*  
 Intermarried citizen?  
 Married under what law?  
 License filed this day,

23

Wife's name, *Hannah Risener*  
 Choctaw? *yes* County *Blue* Year *96* No. *10911*  
 Chickasaw? County Year Page *280*  
 Citizen by blood? *yes* Mother's citizenship *Choc*  
 Intermarried citizen?  
 Married under what law?  
 License filed this day

Names of children:

- 5 *Adelaide Risener* County *Blue* Year *96* Page *280* No. *10912*
- 6 *Benjamin* " County " Year *a* Page *1* No. *10913*
- 3 *Rufus* County Year Page No.
- 9mo *Vivian* County Year Page No.
- County Year Page No.
- County Year Page No.
- County Year Page No.
- County Year Page No.
- County Year Page No.
- County Year Page No.

Admitted by Daves Com # 647  
 was to marriage of parents see testimony  
 of Jack Risener

3680

Choc 3682 Impson Sharkey

3682

MEMORANDA.

(Date) Aug 22 1899.

39 Name Impie Sharkey  
 Choctaw? yes County Jackson Year 1896 No. 115-70  
 Chickasaw? County Year Page 297  
 Citizen by blood? yes Mother's citizenship Choctaw  
 Intermarried citizen?  
 Married under what law?

42 Wife's name, Elsie Sharkey  
 Choctaw? yes County Jackson Year 96 No. 115-71  
 Chickasaw? County Year Page 299  
 Citizen by blood? yes Mother's citizenship Choctaw  
 Intermarried citizen?  
 Married under what law?  
 License filed this day

Names of children:

|    |                   |                |         |          |            |
|----|-------------------|----------------|---------|----------|------------|
| 12 | Emma Sharkey      | County Jackson | Year 96 | Page 299 | No. 115-75 |
| 16 | Albert Washington | County "       | Year "  | Page "   | No. 115-72 |
| 15 | Edward            | County "       | Year "  | Page "   | No. 115-73 |
| 9  | Asie              | County "       | Year "  | Page "   | No. 115-74 |
|    |                   | County         | Year    | Page     | No.        |
|    |                   | County         | Year    | Page     | No.        |
|    |                   | County         | Year    | Page     | No.        |
|    |                   | County         | Year    | Page     | No.        |
|    |                   | County         | Year    | Page     | No.        |

x on roll Albert Sharkey Orphans  
 = " " Edward "  
 // " " Asie "

13602

7-3682  
7-1400

Muskogee, Indian Territory, June 17, 1904.

Silas L. Bacon,  
Hugo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 4th inst., requesting to be advised relative to the enrollment of Albert Washington, Sarah, Frank, Jesse and Simeon Spring.

You are advised it appears from our records that Albert Washington, now about 22 years of age, of Jackson, Indian Territory, has been duly enrolled by this Commission as a citizen by blood of the Choctaw Nation, his enrollment as such having been approved by the Secretary of the Interior, February 4, 1903.

You are further advised that Sarah, Franklin, Jesse and Simeon Spring, minor children of Levy and Sophia Spring, of Hugo, Indian Territory, have been duly enrolled by this Commission as citizens by blood of the Choctaw Nation and their enrollment as such approved by the Secretary of the Interior December 12, 1902.

That part of your letter requesting information relative to certain lands described therein, has been made the subject of a separate communication.

Respectfully,

Chairman.

7-3682

Muskogee, Indian Territory, June 11, 1906.

Alfred B. Morris,  
Boswell, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 4, 1906, asking if you can enroll your two children one of whom was born February 1, 1904 and died March 10, 1904, and the other born March 12, 1905, and died August 10, 1905.

In reply to your letter you are advised that under the act of Congress approved April 26, 1906, only those children of Choctaw and Chickasaw citizens who were living March 4, 1906, are entitled to enrollment.

Respectfully,

Commissioner.

7-3682

Muskogee, Indian Territory, April 30, 1907.

Southern Trust Company,  
Atoka, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of April 20, 1907, in which you ask to be advised if George Washington and Sis or Sissie Washington, parents of Asie Washington, died subsequent to their enrollment as members of the Choctaw Nation, and if they would be entitled to their allotments; you state you request to be furnished this information so you may properly care for the interests of the minor, Asie Washington, as you have been appointed curator of his estate.

In reply to your letter you are advised that George Washington and Siss Washington the father and mother of Asie Washington, were dead at the time of original application for the enrollment of this child as a citizen by blood of the Choctaw Nation on August 22, 1899 and they would not therefore be entitled to allotment.

Respectfully,

Acting Commissioner.



Subject:  
Enrollment case  
of Elsie Sharkey.

Muskogee, Oklahoma, June 9, 1911.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith the record in the matter of the date of death of Elsie Sharkey, Choctaw by Blood, Roll No. 10417. The record shows that she was not living on September 25, 1902, and therefore, under the provisions of Section 35 of the Act of Congress of July 1, 1902 (32 Stat. L., 641), was not entitled to have any allotment of land or other tribal property made to her or her heirs.

It appears that the only heir in this case is Rogers Frasier of Albany, Oklahoma, son of the deceased, who was notified by registered mail May 4, 1911, that he would be allowed thirty days from receipt of notice within which to show cause, if he so desired, either in person at this office or by mail, why recommendation should not be made to the Secretary of the Interior that the following notation be placed opposite the name of Elsie Sharkey on the Choctaw roll:

Died prior to September 25, 1902;  
not entitled to land or money.

The notice was received May 6th, 1911, as shown by the return registry receipt attached to the record, but up to the present time no response to same has been received.

It is therefore recommended that there be placed upon the final roll of citizens by blood of the Choctaw Nation in the possession of the Department opposite the name of Elsie Sharkey appearing thereon at No. 10417, the notation above quoted; that such notation be placed upon the copy of the roll in the possession of the Indian Office, and that this office be authorized to make like notation upon the copies of the roll in its possession.

No allotment has been made in the name of said Elsie Sharkey.

Respectfully,

(SIGNED) Thos. Ryan,

Acting Commissioner.

MM 9/5

Through the Commissioner  
of Indian Affairs.

Indian Office Jul 18, 1911

Respectfully forwarded recommending approval.

(Signed) F. H. Abbett  
Assistant Commissioner.

Approved Jul. 10, 1911

( Signed ) Samuel Adams  
First Assistant Secretary.

DEPARTMENT OF THE INTERIOR.

OFFICE OF INDIAN AFFAIRS

WASHINGTON

Enrollment case of  
Elsie Sharkey

Jul 27, 1911

The Commissioner,  
to the Five Civilized Tribes,  
Muskogee, Oklahoma.

Sir:

Referring to the communication of June 9, 1911,  
from the Acting Commissioner to the Five Civilized Tribes,  
relative to the date of the death of Elsie Sharkey, whose  
name appears opposite No. 10417 on the final approved roll  
of citizens, by blood, of the Choctaw Nation, you are advised  
that the Department, on July 10, 1911, authorized placing oppo-  
site the name of Elsie Sharkey, on the above-mentioned roll,  
the notation:

Died prior to September 25, 1902;  
not entitled to land or money.

A copy of the Acting Commissioners letter of June 9,  
1911, approved by the Department on July 10, 1911, is enclosed  
for your information and guidance.

Respectfully,

F. H. Abbett  
Assistant Commissioner.

Choc 3683

Sallie A. Frazier

3683

7-3683  
-3685

INDEXED

Enrollment RE  
Application for Enrollment of

INFANT CHILD

Silwe Belvin

as a citizen of the

Choctaw Nation.

Approved FEB 12 1903 190



Commissioner.

Proof of birth of child for whom application was made Dec 23, 1902.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

FEB 12 1903



ACTING CHAIRMAN

CHOCTAW.

3683

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,  
 of Silwe Belvin, born on the 1 day of September, 1900  
(Here insert name of child)  
 Name of Father: Robert Belvin, a citizen of the Choctaw Nation.  
 Name of Mother: Sallie A. Belvin, a citizen of the Choctaw Nation.  
 Post-Office: Jackson

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, )  
 INDIAN TERRITORY, )  
Central District. }

I, Sallie A. Belvin, on oath state that I am 27  
 years of age and a citizen, by Blood, of the Choctaw Nation;  
 that I am the lawful wife of Robt. J. Belvin, who is a citizen, by  
Blood, of the Choctaw Nation, that a Female child was  
(Male or female.)  
 born to me on the 1st day of September, 1900, that said child has been  
 named Silwe Belvin, and is now living.

WITNESSES TO MARK } S. J. Belvin  
 (Must be Two } Roger Forzier  
 Witnesses) } Sallie A. Belvin  
 mark

Subscribed and sworn to before me this 13 day of December, 1900  
H. W. Ataway Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, )  
 INDIAN TERRITORY, )  
Central District. }

I, Emma Forzier, a Midwife, on oath state that I  
 attended on Mrs. Sallie A. Belvin, wife of Robt. J. Belvin,  
 on the 1st day of September, 1900; that there was born to her on said  
 date a Female child; that said child is now living and is said to have been  
(Male or female.)  
 named Silwe Belvin.

WITNESSES TO MARK } S. J. Belvin  
 (Must be Two } Roger Forzier  
 Witnesses) } Emma Forzier  
 mark

Subscribed and sworn to before me this 13 day of December, 1900  
H. W. Ataway Notary Public.

Muskogee, Indian Territory, December 23, 1902.

Robert Belvin,

Jackson, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Silwe Belvin, infant daughter of Robert and Sallie A. Belvin, born September 1, 1900; and the same is returned to you herewith.

It is stated in the affidavit of the mother that she is a citizen by blood of the Choctaw Nation. If this is correct, you are requested to state her full maiden name, the time and place application was made for her enrollment, the names of the other members of her family for whom application was made at the same time, and any other information you may have which will enable the Commission to identify Sallie A. Belvin as being duly listed for enrollment as a citizen by blood of the Choctaw Nation.

Upon receipt of the information requested, and return of the application for the enrollment of your child, the matter will receive further consideration.

Respectfully,

Enc B I 49.

Acting Chairman.

Muskogee, Indian Territory, January 16, 1903.

Robert Belvin,

Jackson, Indian Territory.

Dear Sir:

On December 23, 1902, there was received at this office an application for enrollment as a citizen of the Choctaw Nation of Silve Belvin, infant daughter of Robert and Sallie A. Belvin, born September 1, 1900; which was returned to you for further information relative to the mother of the child.

Receipt is hereby acknowledged of your letter of the 9th inst., returning said application but failing to furnish the information requested in our letter of the 23d ultimo, relative to the mother.

It is stated in your letter that she was listed for enrollment by this Commission at Caddo, Indian Territory, in 1899, at which time her name was Sallie A. Holton and she was the wife of Tobias Holton.

You are advised that the Commission is unable, from the



R B 2

information contained in your letter, to identify the mother of your child as being listed for enrollment under the name of Sallie A. Holton.

You are therefore requested to state her full maiden name, the time and place application was made for her enrollment, the names of the other members of her family for whom application was made at the same time, and any other information you may have which will enable the Commission to identify Sallie A. Holton as being duly listed for enrollment as a citizen by blood of the Choctaw Nation. You are also requested to state the name of her father and mother.

This matter should receive prompt and careful attention.

Respectfully,

Commissioner in Charge.

7-3683  
7-3685

Muskogee, Indian Territory, February 13, 1903.

Robert J. Belvin,  
Jackson, Indian Territory.

Dear Sir:

It appears from our records that on December 23, 1902, there was received at this office the application for enrollment as a citizen of the Choctaw Nation of Silwe Belvin, infant daughter of Robert and Sallie A. Belvin, born September 1, 1900.

It further appears from our records that the mother of this child was listed for enrollment August 22, 1899 under the name of Sallie A. Frazier, and the application being in proper form has been duly filed with the records of the Commission, and the child listed for enrollment as a citizen of the Choctaw Nation.

Respectfully,

Acting Chairman.

MEMORANDA.

(Date) Aug 27 1899.

Name .....

Choctaw ? ..... County ..... Year ..... No. ....

Chickasaw ? ..... County ..... Year ..... Page .....

Citizen by blood ? ..... Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day, .....

Wife's name, Samia A. Wilson

Choctaw ? ..... County ..... Year ..... No. ....

Chickasaw ? ..... County ..... Year ..... Page .....

Citizen by blood ? ..... Mother's citizenship Okla

Intermarried citizen ? .....

Married under what law ? .....

License filed this day .....

Names of children:

1. Samia County Wagon Year 16 Page 111 No. 1503

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

Wilson

3653

Choc 3684 Calvin S. Beams

3684

**MEMORANDA.**

(Date) ..... 1899.

15 Name Calvin S. ...

Choctaw? ... County Blue Year 96 No. 1000

Chickasaw? ... County ..... Year ..... Page 39

Citizen by blood? ... Mother's citizenship Choctaw

Intermarried citizen? .....

Married under what law? .....

License filed this day, .....

Wife's name, .....

Choctaw? ..... County ..... Year ..... No. ....

Chickasaw? ..... County ..... Year ..... Page .....

Citizen by blood? ..... Mother's citizenship .....

Intermarried citizen? .....

Married under what law? .....

License filed this day .....

**Names of children:**

|       |              |            |            |          |
|-------|--------------|------------|------------|----------|
| ..... | County ..... | Year ..... | Page ..... | No. .... |
| ..... | County ..... | Year ..... | Page ..... | No. .... |
| ..... | County ..... | Year ..... | Page ..... | No. .... |
| ..... | County ..... | Year ..... | Page ..... | No. .... |
| ..... | County ..... | Year ..... | Page ..... | No. .... |
| ..... | County ..... | Year ..... | Page ..... | No. .... |
| ..... | County ..... | Year ..... | Page ..... | No. .... |
| ..... | County ..... | Year ..... | Page ..... | No. .... |
| ..... | County ..... | Year ..... | Page ..... | No. .... |

3684

Choc 3685 Robert Belum

3685

Boothbay, Indian Territory, September 27, 1900.

Dear Sir,

Boothbay, Indian Territory.

Dear Sir,

The Justice of the Peace in receipt of your letter of the 24th instant in which you request a blank application for the enrollment of an Indian child be forwarded you.

There is enclosed you herewith a blank of the description required. In making the same completed, be careful to see that all blanks are filled, all names written in full and in the event that either the mother or father of the child are unable to write and their signatures are by word, that such signatures are attested by two disinterested parties or witnesses thereof. The Justice of the Peace taking the acknowledgment of the mother and attending registered or sworn not public notaries, must also seal in each separate affidavit.

Very truly yours,

W.C.

In Reply please  
refer to Page

7-3683  
7-3685

Muskogee, Indian Territory, February 12, 1903.

Robert J. Belvin,

Jackson, Indian Territory.

Dear Sir:

It appears from our records that on December 23, 1902, there was received at this office the application for enrollment as a citizen of the Choctaw Nation of Silwe Belvin, infant daughter of Robert and Sallie A. Belvin, born September 1, 1900.

It further appears from our records that the mother of this child was listed for enrollment August 22, 1899 under the name of Sallie A. Frasier, and the application being in proper form has been duly filed with the records of the Commission, and the child listed for enrollment as a citizen of the Choctaw Nation.

Respectfully,

Acting Chairman.



MEMORANDA.

Caddo

(Date) Aug 22 1899.

25

Name Robert Belvin  
 Choctaw? yes County Jefferson Year 1896 No. 1494  
 Chickasaw? County Year Page 37  
 Citizen by blood? no Mother's citizenship Choc  
 Intermarried citizen?  
 Married under what law?  
 License filed this day,

22

Wife's name, Mollie Belvin  
 Choctaw? yes County Jefferson Year 1896 No. 1180  
 Chickasaw? County Year Page 31  
 Citizen by blood? no Mother's citizenship Choc  
 Intermarried citizen?  
 Married under what law?  
 License filed this day

Names of children:

|       |             |           |           |         |
|-------|-------------|-----------|-----------|---------|
| ..... | County..... | Year..... | Page..... | No..... |
| ..... | County..... | Year..... | Page..... | No..... |
| ..... | County..... | Year..... | Page..... | No..... |
| ..... | County..... | Year..... | Page..... | No..... |
| ..... | County..... | Year..... | Page..... | No..... |
| ..... | County..... | Year..... | Page..... | No..... |
| ..... | County..... | Year..... | Page..... | No..... |
| ..... | County..... | Year..... | Page..... | No..... |
| ..... | County..... | Year..... | Page..... | No..... |
| ..... | County..... | Year..... | Page..... | No..... |

1 Con ad or Mary Belvin

3685

7-3685 ✓

32

INDEXED

IN RE  
THE DEATH OF

*Mollie Belvin*

a citizen of the

*Choctaw*

Nation.

Approved

DEC 6

1902

190

*[Signature]*  
Commissioner.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

DEC 6 1902

*[Signature]*  
ACTING CHAIRMAN.

CHOCTAW. #3685.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Mollie Belvin  
(Here insert name of deceased.)  
a citizen of the Choctaw Nation, who formerly resided at or near  
Jackson, Ind. Ter., and died on the 15 day of  
April, 1901.  
(Here insert name of postoffice.)

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA, }  
INDIAN TERRITORY,  
Central District. }

I, Robert Belvin, on oath state that I am 27  
years of age and a citizen, by blood, of the Choctaw Nation;  
that my post office address is Jackson, Ind. Ter.; that I am  
husband of Mollie Belvin,  
(State relationship as: the father; an uncle; a cousin, etc.) (Here insert name of deceased.)  
who was a citizen, by blood, of the Choctaw Nation;  
and that said Mollie Belvin died on the 15 day of  
April, 1901.  
(Here insert name of deceased.)

WITNESSES TO MARK:

Robert Belvin

(Must be Two Witnesses.)

Subscribed and sworn to before me this 3 day of December 1902.

H. H. Histen

Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA, }  
INDIAN TERRITORY,  
Central District. }

I, Levi Wickelbe, on oath state that I am 56  
years of age, and a citizen, by blood, of the Choctaw Nation;  
that my post office address is Wayhew, Ind. Ter.;  
that I was personally acquainted with Mollie Belvin,  
(Here insert name of deceased.)  
who was a citizen, by blood, of the Choctaw Nation;  
and that said Mollie Belvin died on the 15 day of  
April, 1901.  
(Here insert name of deceased.)

WITNESSES TO MARK:

Levi Wickelbe

(Must be Two Witnesses.)

Subscribed and sworn to before me this 3 day of December 1902.

H. H. Histen

Notary Public.

Choc 3686 David Frazier

3686

MEMORANDA.

(Date) ..... 1899.

3/14

Name .....

Choctaw ? ..... County ..... Year 47 No. 1111

Chickasaw ? ..... County ..... Year ..... Page

Citizen by blood ? 4/5 Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day .....

31

Wife's name, ..... Annie

Choctaw ? ..... County ..... Year 75 No. 1111

Chickasaw ? ..... County ..... Year ..... Page

Citizen by blood ? 1/2 Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day .....

Names of children:

10

~~..... County ..... Year ..... Page ..... No. ....~~

7

..... County ..... Year ..... Page ..... No. ....

10m

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

3686

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,  
of Robert Izquier, born on the 25 day of September, 1898.  
Name of father: David Izquier, a citizen of the Choctaw Nation.  
Name of mother: Josephine Izquier, a citizen of the Choctaw Nation.  
Post Office: Jackson, T.S.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Leah District.

I, Josephine Izquier, on oath, state that I am 31 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of David Izquier, who is a citizen, by blood, of the Choctaw Nation; that a male child was born to me on the 25 day of September, 1898; that said child has been named Robert Izquier, and is now living.

Subscribed and sworn to before me this 23 day of August, 1899.

Josephine Izquier  
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
District.

I, \_\_\_\_\_, a \_\_\_\_\_, on oath, state that I attended on Mrs. \_\_\_\_\_, wife of \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 1899; that there was born to her on said date a \_\_\_\_\_ child; that said child is now living and is said to have been named \_\_\_\_\_.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 1899.

Notary Public.

Choc 3687 Henry Jones

3687

*IN RE*

Application for Enrollment of

INFANT CHILD

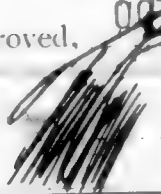
*Robert Henderson Jones*

as a citizen of the

*Choctaw*

Nation.

Approved, ~~OCT 1~~ 1901 1901

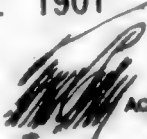


Commissioner.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

**FILED**

OCT 1 1901



ACTING CHAIRMAN.



Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,  
 of *Robert Henderson Jones*, born on the *29* day of *January*, 1901  
(Here insert name of child.)  
 Name of Father: *Henry Jones*, a citizen of the *Choctaw* Nation.  
 Name of Mother: *Susan Jones*, a citizen of the *Choctaw* Nation.  
 Postoffice, *Birmingham, D. T.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
 INDIAN TERRITORY,  
*Central* District.)

I, *Susan Jones*, on oath state that I am *25*  
 years of age and a citizen, by *Blood*, of the *Choctaw* Nation;  
 that I am the lawful wife of *Henry Jones*, who is a citizen, by  
*Blood*, of the *Choctaw* Nation; that a *male* child was  
(male or female)  
 born to me on the *29<sup>th</sup>* day of *January*, 1901; that said child has been  
 named *Robert Henderson Jones*, and is now living.

WITNESSES TO MARK: *Susan Jones*  
 (Must be Two Witnesses.)

Subscribed and sworn to before me this *28<sup>th</sup>* day of *September* 1901  
*C. C. McClard*  
 NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,  
 INDIAN TERRITORY,  
*Central* District.)

I, *Wallace Jones*, as *midwife*, on oath state that I  
 attended on Mrs. *Susan Jones*, wife of *Henry Jones*,  
 on the *29<sup>th</sup>* day of *January*, 1901; that there was born to her on  
 said date a *male* child; that said child is now living and is said to have been  
 named *Robert Henderson Jones*.

WITNESSES TO MARK: *Wallace Jones*  
(Must be Two Witnesses.)  
*J. M. Jones*  
*Jacob Jones*

Subscribed and sworn to before me this *28<sup>th</sup>* day of *September* 1901  
*C. C. McClard*  
 NOTARY PUBLIC

Muskogee, Indian Territory, October 1, 1901.

Mr. Henry Jones,

Bennington, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Robert Henderson Jones, the infant son of Henry and Susan Jones, born February 29, 1901 and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

7-3687

Acting Chairman.

MEMORANDA.

6220

(Date) ..... 1899.

Name .....

Choctaw? yes County ... Year 76 No. ...

Chickasaw? ..... County ..... Year ..... Page ...

Citizen by blood? yes Mother's citizenship ...

Intermarried citizen? .....

Married under what law? .....

License filed this day, .....

Wife's name, Jones

Choctaw? yes County ... Year 76 No. ...

Chickasaw? ..... County ..... Year ..... Page ...

Citizen by blood? yes Mother's citizenship ...

Intermarried citizen? .....

Married under what law? .....

License filed this day .....

Names of children:

... County ..... Year 76 Page ..... No. ...

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

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..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

12687

Choc 3688 William C. McClard

Granted 11-14-05

Myrtle McClard

3688

DEPARTMENT OF THE INTERIOR,  
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment as  
a citizen by intermarriage of the Chickasaw Nation of - - -

William C. McClard,

7-3688.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
Muskogee, Indian Territory, May 31, 1905.

In the matter of the application of William C. McClard for enrollment as a citizen by intermarriage of the Choctaw Nation.  
N. A. Gibson, Esq., appearing for the applicant.

William C. McClard being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A William C. McClard.  
Q What is your postoffice address? A Hot Springs, Arkansas.  
Q How old are you? A Twenty-seven years old.  
Q Are you an applicant for enrollment as a citizen by intermarriage of the Choctaw Nation? A Yes sir.  
Q What is the name of the Indian, Choctaw Indian, whom you married? A Louisa Bell McCurtain.  
Q Was she a recognized citizen by blood of the Choctaw Nation?  
A Yes sir.  
Q When were you married to her? A Married in 1899, January 4th  
Q Did you secure a tribal license at the time you were married?  
A Yes sir.  
Q From whom did you get that license? A From the judge.  
Q What judge? Do you remember his name? A Wright I think.  
Q Didn't you get that license from the County and Probate Judge?  
A Well, it might be; some judge.  
Q Where were you married at the time you married this woman?  
A Bennington.  
Q What nation? A Choctaw Nation.  
Q Where was she living at that time? A She was living at Bennington in the Choctaw Nation.  
Q At the time you married her how long had you been living in the Choctaw Nation? A Been living there 8 years, somewhere along there.  
Q Do you know how long she had been living in that nation?  
A Yes, she had been living there ever since she was born, I guess.  
Q Had you ever been married to anyone else at the time you married her? A No sir.  
Q Had she ever been previously married? A No, not that I know of.  
Q Where did you live after you married her? A Lived at Bennington.  
Q How long did you continue to live at Bennington?  
A Thirteen months I think it was.  
Q Then where did you go? A Hot Springs, Arkansas.  
Q You were married to her in 1899 and lived in the Choctaw Nation for 13 months after that and then moved to Arkansas?  
A Yes sir.  
Q Have you made your home in Arkansas ever since? A No-Arkansas and back in the Territory; I haven't had any home particularly  
Q How long did you live in Arkansas after the first time you went there? A One year I think.  
Q Lived there for a year? A Yes, and then came back to Texas.  
Q So you lived in Arkansas until about February, 1900?  
A I lived there until November, 1900.

2-Wm.C.McClard.

- Q Then where did you go? A I went back to Texas.
- Q And how long did you stay in Texas? A Couple of months I think.
- Q And from there where did you go? A Back to Arkansas.
- Q And have you lived in Arkansas ever since that time?
- A Yes sir.
- Q So that you have not had a home in the Indian Territory at all since about 13 months after you were married? A No, I haven't had any home at all.
- Q You haven't had any in the Territory anyway? A No sir.
- Q Is your wife living? A No sir.
- Q When did she die? A Died in June.
- Q June of what year? A 1900
- Q She was living where when she died? A She was living at Bennington.
- Q And it was after her death was it, that you went to Arkansas?
- A No, it was before.
- Q Did you live with this woman as her husband from the time you married her until the time of her death? A No sir.
- Q Did you separate? A Yes sir.
- Q How long after you married was it that you separated?
- A Thirteen months.
- Q Didn't you say that she died in June, 1900? A Yes, that's what I said.
- Q Did you have any children by that woman? A One.
- Q What is the name of that child? A Myrtle.  
Myrtle McClard, daughter of the applicant, is identified on Choctaw Card No. 3688, and as No. 10434 on the final roll approved by the Secretary of the Interior February 4, 1903.
- Q Have you married again since the death of your wife? A Yes.
- Q What is your present wife's name? A Lizzie.
- Q Is she a white woman? A Yes sir.
- Q She has no Indian blood? A No sir.
- Q You have no Indian blood yourself, have you? A No sir.
- Q Do you remember who it was that performed the ceremony of marriage between yourself and Louisa Bell McCurtain? A The probate judge of Jackson county.
- Q Do you remember his name? A I get them names mixed up; it was Dwight or Belvin.
- Q How much did you pay for that license? A \$100.
- Q There is on file with the Commission a license issued for the marriage of Will McClark and Louisa McCurtain. Are you the same person mentioned in that license as Will McClark? A Yes sir
- Q How does it come that the license was issued in the name of McClark? A I guess the clerk misunderstood the name; he couldn't understand English very well.
- Q When were you married to your present wife? A In 1892 I think it was.
- Q You don't mean 1892--you mean 1902 don't you? A Yes, 1902.
- Q That was after the death of your first wife, wasn't it?
- A Yes sir.
- Q And you haven't lived in the Territory since the time you separated from your wife some 13 months after you were married to her? A Yes, I have lived here but I haven't had a home here.

3-Wm. McClard.

Q During what period of time did you live here in the Territory?

A I lived here in 1902, I think it was.

Q What part of 1902? A In the summer.

Q Where were you living? A Haileyville and Melvin, Indian Territory.

Q When did you first return to the Territory after you were separated from your wife? A I disremember now the exact date.

Q Well, you testified didn't you, that you lived with her for about 13 months and then went to Arkansas? A Yes sir.

Q Staid there about two months and then went to Texas, and then back to Arkansas? A No, I said that I staid there during the fall--yes, I guess it was about two months.

Q Where was it you were living in the Territory; you say you returned to the Territory sometime. I want to find out when and how long you lived here? A Well, I lived in the Territory about six months.

Q Between what periods was that six months? A 1903 I think. I come here in May I think and left in December.

Q December, 1902? A No, December, 1903.

Q So that from the time that you separated from your wife up to December, 1902, you didn't live in the Territory at all, did you?

A No, I didn't live here.

Examination by Mr. Gibson.

Q What were you doing during the time that you stayed in Texas?

A Picking cotten.

Q Did you have any home there? A No sir.

Q What were you doing in Arkansas? A I was working on the carpenter's trade most of the time.

Q Did you live at any particular place? A I lived at Hot Springs.

Q Did you have a home? A No sir.

Q Did you board or keep house? A I boarded.

Q How old are you now? A 27 years.

Q Where does your father live? A Bennington, Indian Territory

Q How long has he lived there? A About 12 years.

Q When were you married the second time? A Hot Springs.

Q Where is your present wife living now? A Hot Springs.

Q Do you keep house there? A Yes sir.

Q What month were you married to her? A December.

Q What year? A 1903.

Q How long has it been since you were married to her? A About two years I guess; two or three.

Q Which is it? Answer if you know.

A Well, I disremember how many years it has been; I don't know the date.

Q What year is this? A 1905.

Q How long has it been since you were married to this second wife? How many months. A I can't tell you.

Q Have you lived in Arkansas ever since you were married to her?

A Yes sir.

Q And you don't remember whether it was December, 1902 or December, 1903? A No, that's what I don't know.

Q How long have you lived in Arkansas? How long did you live in Arkansas continuously before you married her? A I lived there about a year.

Q All the time? A Yes--not all the time; I was in and out.

Q Where did you go when you went out? A Texas.

Q Did you go to the Choctaw Nation during any of that time?

A Yes sir.



4-Wm. McClard.

Q How much of the time did you spend in the Choctaw Nation during the year you were married to this wife? A About 6 or 8 months.

Q Your first wife died in June, 1900, did she? A Yes sir.

Q And you went to Texas and staid two months? A No, I went to Arkansas.

Q Where were you living when she died? A Living in Arkansas.

Q How long did you stay there?

A Staid there about two months I guess.

Q And then how long did you stay in Texas on the trip after you left Arkansas? A I staid in Texas about three months I guess.

Q Then where did you go? A Back to Arkansas.

Q How long did you stay there? A Staid there about a year.

Q Then where did you go? A I went back to Texas.

Q Did you go to the Choctaw Nation? Did you go to the Choctaw Nation any more to live after you separated from your wife?

A Yes, I lived there about six or eight months.

Q Tell, as near as you can what six or eight months it was that you lived in the Choctaw Nation after you separated from your wife? A As well as I remember it was in 1903.

Q Was it before or after you married the second time? A Before

Q You said that you didn't know whether you were married in 1902 or 3; can you tell anything about it now? A The best I remember it was 1903

Q When you lived down in the Choctaw Nation 6 or 8 months before you married her? A Yes sir.

Q Who did you live with? A I didn't live with anyone particularly; I was working on the railroad, construction outfit.

Q Where? A Milburn.

Q Have you any farm or other property in the Choctaw Nation?

A No sir.

By the Commission:

Q Your first wife secured the divorce from you? A No sir, there was not any divorce.

Witness excused.

W? H. Loring being first duly sworn testified as follows:

By the Commission:

Q What is your name? A W. H. Loring.

Q Are you a Choctaw Indian? A Yes sir.

Q What is your postoffice address? A Bennington.

Q Do you know this William C. McClard who has just testified?

A Yes sir.

Q Did you know his wife? A Yes sir.

Q Was she an Indian? A Yes sir.

Q Do you know where she was living at the time he married her?

A Yes sir.

Q Where? A Bennington.

Q How long had you known him at that time? A At that time, about two years, I expect; somewhere between that.

Q During that two years where had he been living? A There at Bennington.

Q How long had you known his wife? A I had not known her very long; they lived out there in the country.

Q Do you know how long she had been living in the Choctaw Nation at that time? A All her life I suppose. I never knew her to live anywhere else.

Q Do you know how long they lived together as husband and wife?

A No, I couldn't tell you exactly the date or the time they

5-Wm.C.McClard.

lived together; they married in January somewhere just a little after the first and I think they separated the next fall or early part of the winter.

Q Did she continue to live there in Bennington after they separated? A No, not there in Bennington at that time. The town has been changed, gone two miles south; at the time they was married and lived at the place they called Bennington it was two miles north at that time; her step father and her mother lived where the new town is now, and she moved there with her mother.

Q Did she continue to live in the Choctaw nation after they separated? A Yes sir.

Q Do you know where she died? A No, I can't tell you

Q Do you know when she died? A No sir.

Q You didn't see anything of the applicant, did you, after the separation until just lately? A No, I never did; never seen him any more.

Q When did you next see him after the separation? A It was last Friday, the first I have seen him.

Q So you know absolutely nothing as to where he has lived since the time she separated from him until last Friday? A No, I don't

Witness excused.

William C. McClard being first duly ~~examined~~<sup>recalled</sup> testified as follows:

By the Commission:

Q Is this child, Myrtle McClard, living with you now? A No sir.

Q With whom is she living? A Living with her grandmother.

Q Has the child ever lived with you? A Not since we parted?

Q At the time you separated from your wife the child was not more than a month or two old was it? A Yes, about two months.

Q Have you ever seen the child since? A No sir.

-----o-----

Frances R. Lane upon oath states that as stenographer to the Commission to the Five Civilized Tribes she correctly recorded the testimony in the above entitled cause and that the foregoing is an accurate transcript of her stenographic notes thereof.

*Frances R. Lane*

Subscribed and sworn to before me this May 31, 1905.

*J. S. Hawkins*

Notary Public.

# MARRIAGE LICENSE.

To all whom these presents shall come, greeting know ye that I, in  
pursuance of an application of Will Mc Clark  
a citizen of the United States for a license to marry  
Louisa Mc Carlain a citizen of the Choctaw Nation the  
same being in due form and satisfying the requirements of the laws of  
said Nation in reference to inter-marriage with non-citizens; and by  
virtue of the authority vested in me; do hereby issue this license for the  
above named parties to be joined together in matrimony.

Witness my hand and official seal this 2nd day of  
Jan A.D. 1899

James Belwin  
County and Probate Clerk

## CERTIFICATE OF SOLEMNIZATION.

This is to certify that, I, in accordance with the above authority,  
have united Mr. Will Mc Clark and  
Miss Louisa Mc Carlain the parties mentioned in the  
above license on this the 4th day of January  
1899 Edwin A. Wright Co. and Mr. Judge of Jc  
Recorded Book pp 509  
this 10th day of January 1899

James Belwin  
Co. and Probate Clerk  
J. C. N.

7-3688.

DEPARTMENT OF THE INTERIOR,  
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of William C. McClard as a citizen by intermarriage of the Choctaw Nation.

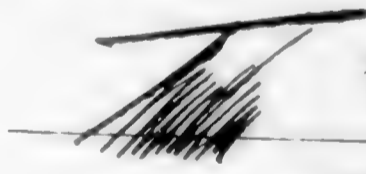
- - : D E C I S I O N : - -

It appears from the census card record in this case that on August 22, 1899, application was made to the Commission to the Five Civilized Tribes for the enrollment of William C. McClard as a citizen by intermarriage of the Choctaw Nation.

It further appears from the record herein that on January 4, 1899, the applicant was married in accordance with the laws, customs and usages of the Choctaw Nation, to Louisa McClard (nee McCurtain), a recognized and enrolled citizen by blood of the Choctaw Nation, who is identified upon the 1896 Choctaw Census Roll, Blue County, No. 9420, and as the mother of Myrtle McClard, whose name appears as No. 10434 upon the lists prepared by said Commission under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation, and approved by the Secretary of the Interior February 4, 1903; that at the date of said marriage both the applicant and the said Louisa McClard were residents in good faith of the Choctaw Nation, and that they lived together in said Nation as husband and wife for a few months when they separated; that the said Louisa McClard died June 15, 1900.

It further appears from the record herein that the applicant was a resident in good faith of the Choctaw Nation on June 28, 1898.

I am therefore of opinion that William C. McClard should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the Acts of Congress approved June 28, 1898 (30 Stats., 495), and July 1, 1902 (32 Stats., 641), and it is so ordered.



Commissioner.

Muskogee, Indian Territory,

NOV 1 1905

7-3688

CONF

Muskogee, Indian Territory, November 14, 1905.

William C. McClard,  
Hot Springs, Arkansas,

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered November 14, 1905, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from the date of this notice within which to file protest against your enrollment. If at the expiration of said time no protest has been filed, your name will be placed upon the final roll of citizens by intermarriage of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

*James C. Doby*

Commissioner.

Registered.

Incl. 7-3688

7-3688

COPY.

Muskogee, Indian Territory, November 14, 1905

H. A. Gibson,  
Attorney at Law,  
Muskogee, Indian Territory,

Dear Sir:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on November 14, 1905, rendered his decision granting the application for the enrollment of William C. McClard as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from the date of this notice within which to file protest against his enrollment. If at the expiration of that time no protest has been filed, the name of William C. McClard will be placed upon the final roll of citizens by intermarriage of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

SIGNED

Commissioner.

Registered.

7-3688

C

Muskogee, Indian Territory, November 14, 1905.

Mansfield, McMurray & Cornish,  
Attorneys for Choctaw and Chickasaw Nations,  
South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered November 14, 1905, granting the application for the enrollment of William C. McClard as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from the date of this notice within which to file protest against the enrollment of this applicant. If at the expiration of that time no protest has been filed, the name of William C. McClard will be placed upon the final roll of citizens by intermarriage of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Commissioner.

Registered.

Incl. 7-3688

IN RE

Application for Enrollment of

INFANT CHILD

*Myrtle M. Card*

as a citizen of the

*Choctaw* Nation.

Approved **SEP 28 1901** 190

*C. H. Buckner*  
Commissioner.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

~~FILED~~

~~SEP 28 1901~~  
~~ACTING CHAIRMAN~~

~~SEP 28 1901~~  
~~ACTING CHAIRMAN~~

~~FILED~~

~~DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.~~



Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the *Pleasant* Nation,  
of *Myrtle McBlard*, born on the *15<sup>th</sup>* day of *December*, 18*99*  
(Here insert name of child)  
Name of Father: *W. B. McBlard*, a citizen of the *United States* Nation.  
Name of Mother: *Belle McBlard nee McClinton*, a citizen of the *Pleasant* Nation.  
Postoffice, *Birmingham Ala.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, )  
INDIAN TERRITORY. )  
District. )

I, \_\_\_\_\_, on oath state that I am \_\_\_\_\_  
years of age and a citizen, by \_\_\_\_\_, of the \_\_\_\_\_ Nation;  
that I am the lawful wife of \_\_\_\_\_, who is a citizen, by \_\_\_\_\_  
of the \_\_\_\_\_ Nation; that a \_\_\_\_\_ child was  
(male or female)  
born to me on the \_\_\_\_\_ day of \_\_\_\_\_; that said child has been  
named \_\_\_\_\_, and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 190

NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, )  
INDIAN TERRITORY. )  
*Central* District. )

I, *James J. Long*, a *Physician*, on oath state that I  
attended on Mrs. *Belle McBlard*, wife of *W. B. McBlard*,  
on the *15<sup>th</sup>* day of *December*, 18*99*, that there was born to her on  
said date a *female* child; that said child is now living and is said to have been  
named *Myrtle McBlard*.

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this *22* day of *August* 1901

*G. B. McBlard*

NOTARY PUBLIC

*United States of America*



CHOCTAW.

32

IN RE  
THE DEATH OF

*Louisa Belle McHard*

a citizen of the

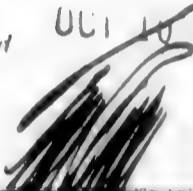
*Choctaw*

Nation.

Approved

OCT 10 1901

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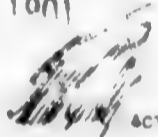


Commissioner.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

OCT 10 1901



ACTING CHAIRMAN

CHOCTAW.

3688

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of *Louisa Belle McClard*  
a citizen of the *Choctaw* Nation, who formerly resided at or near  
*Birmingham*, Ind. Ter., and died on the *15<sup>th</sup>* day of *June*  
*1900*

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
*Central* District.

I, *Napoleon B. McClure* on oath state that I am *25*  
years of age and a citizen, by *Blood*, of the *Choctaw* Nation;  
that my post office address is *Birmingham*, Ind. Ter.; that I am  
*a cousin* of *Louisa Belle McClard*  
who was a citizen, by *Blood*, of the *Choctaw* Nation;  
and that said *Louisa Belle McClard* died on the *15<sup>th</sup>* day of  
*June*, *1900*

WITNESSES TO MARK  
(Must be Two Witnesses)

*Napoleon B. McClure*

Subscribed and sworn to before me this *5<sup>th</sup>* day of *October* *1900*  
*C. C. McClard*  
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
*Central* District.

I, *Bernetta A. Durant*, on oath state that I am *23*  
years of age, and a citizen, by *Blood*, of the *Choctaw* Nation;  
that my post office address is *Birmingham*, Ind. Ter.;  
that I was personally acquainted with *Louisa Belle McClard*  
who was a citizen, by *Blood*, of the *Choctaw* Nation;  
and that said *Louisa Belle McClard* died on the *15<sup>th</sup>* day of  
*June*, *1900*

WITNESSES TO MARK  
(Must be Two Witnesses)

*Bernetta A. Durant*

Subscribed and sworn to before me this *8<sup>th</sup>* day of *October* *1901*  
*C. C. McClard*  
Notary Public.

Muskogee, Indian Territory, September 4, 1901.

W. C. McClard,

Birmingham, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Myrtle McClard, the infant daughter of W. C. and Belle McClard, born December, 15, 1899, and the same is returned to you herewith.

The records of this office show that the name of your wife was Louisa McClard, at the time you were listed for enrollment. The name of her father appears as Jack McCurtain and her mother Lucy Risener. If this is the party who now appears as the mother of your child, Myrtle McClard, you are requested to explain the discrepancy in the names.

Upon receipt of this information the matter will be given further attention.

Yours truly,

Commissioner in Charge.

9-3688

Enc k

Muskegee, Indian Territory, September 28, 1901.

Mrs. Lucy Risner,  
Bennington, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Myrtle McClard, the infant daughter of W. C. and Belle McClard, born December 15, 1899.

On September 4, 1901, this application was returned to W. C. McClard, Bennington, Indian Territory, for the reason that it appeared from the records that the name of his wife was Louisa McClard at the time application was made for her enrollment. He was also informed that it appeared from the records that his wife Louisa was a daughter of Jack McCurtain and Lucy Risner, and he was requested to state whether or not the mother of the child was the same person that was listed for enrollment as Louisa McClard, and if so, to explain the discrepancy in the names.

It is stated in your letter that the mother of the child for whose enrollment application is made was called by both given names "Belle" and "Louisa." You also state that there is an error in the records in reference to the name of her father who you say was "Edmond" instead of Jack McCurtain, and request to be advised what

L. R.--2.

steps are necessary for you to take to have the error corrected.

You are informed that your letter has been duly filed with the records of the Commission and if any further steps are required to correct the discrepancy in the name of the mother of the child or her father, the same will be made a matter of a further communication.

The application for the enrollment of the infant child, Myrtle McClard, has been accepted and duly filed and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

7-3688

Muskogee, Indian Territory, September 28, 1901.

Mrs. Lucy Risner,  
Pennington, Indian Territory.

Dear Madam:

Referring to your letter of the 23rd instant, and the application for the enrollment of the infant child Myrtle McClard, it is noted from the affidavit of Tryphenia Risner that Belle McClard, the mother of the child, is dead.

For the purpose of making the fact of her death a matter of record there is enclosed you herewith a blank for proof of death, which you are kindly requested to have filled and return to this office with as little delay as possible.

In having the same executed be careful to see that all blanks are properly filled, all names written in full, and in referring to the name of Louisa McClard it will be well if it should appear as "Belle Louisa or Louisa Belle."

You will notice there is a blank for the affidavit of a relative and an acquaintance. Both affidavits should be sworn to before a notary public who must affix his notarial jurat and seal to each separate affidavit. If either of the persons whose names are to be affixed to the affidavits are unable to write and their sig-



Muskogee, Indian Territory. October 20, 1904.

William C. McClard,

Bennington, Indian Territory.

Dear Sir:

You have been, several times, notified that, before your right to enrollment as an intermarried citizen of the Choctaw Nation could be determined, it would be necessary for you to appear before the Commission and testify as to your intermarried status on September 25, 1902.

You are again notified that, before further consideration can be given to your application for enrollment as an intermarried citizen of the Choctaw Nation, it will be necessary for you to appear in person before the Commission, at its office in Muskogee, Indian Territory, to testify in regard to your status, on September 25, 1902, as an intermarried citizen of the Choctaw Nation.

You should attend to this matter at once, as the record now is, the Commission is unable to pass upon your application.

Respectfully,

Chairman.

Choctaw-3688.

Muskogee, Indian Territory, August 11, 1904.

William C. McClard,

Bennington, Indian Territory.

On February 27, 1903, October 26, 1903 and again on May 31, 1904, you were notified that before your right to enrollment as a citizen by intermarriage of the Choctaw Nation could be determined, it would be necessary for you to appear in person before the Commission for the purpose of giving your testimony as to your intermarried status on September 28, 1902.

You are again notified that before the Commission can determine your rights as such citizen it will be necessary for you to so appear.

Such appearance may be made before the Commission at its office, at Muskogee, Indian Territory at any time; or at the Choctaw Land Office, Atoka, Indian Territory, September 6-7, 1904; or at the Chickasaw Land Office, Tishomingo, Indian Territory, September 8-9, 1904.

Respectfully,

Commissioner in Charge.

7-3688.

Muskogee, Indian Territory, May 31, 1904.

Mr. William C. McClard,

Bennington, Indian Territory.

Dear Sir:

On February 27, 1903 and again on October 26, 1903, you were notified that before your right to enrollment as an intermarried citizen of the Choctaw Nation could be determined, it would be necessary for you to appear before the Commission and testify as to your status on September 25, 1902.

You are again notified that before further consideration can be given to your application for enrollment as a citizen by intermarriage of the Choctaw Nation, it will be necessary for you to appear in person before the Commission at its office in Muskogee, Indian Territory, there to be examined with reference to your status on September 25, 1902 as an intermarried citizen of the Choctaw Nation.

You should give this matter your immediate attention.

Respectfully,

Chairman.

Choctaw 3688.

Muskogee, Indian Territory, October 26, 1903.

William C. McClard,

Bernington, Indian Territory.

Dear Sir:

On February 27, 1903, you were notified that before your right to enrollment as an intermarried citizen of the Choctaw Nation could be determined, it would be necessary for you to appear before the Commission and testify as to your status on September 25, 1902.

You are again notified that before further consideration can be given to your application for enrollment as a citizen by intermarriage of the Choctaw Nation, it will be necessary for you to appear in person before the Commission, at its offices, at Muskogee, Indian Territory, there to be examined with reference to your status as an intermarried citizen of the Choctaw Nation on September 25, 1902. This matter should receive your immediate attention.

Respectfully,

Commissioner in Charge.

Muskogee, Indian Territory, February 27, 1903.

William C. McClard,  
Bennington, Indian Territory.

Dear Sir:

It is the present intention of the Commission to establish land offices in the Choctaw and Chickasaw nations April 1, 1903. The act of Congress approved July 1, 1902, provides:

"No person whose name does not appear upon the rolls as herein provided shall be entitled in any manner to participate in the distribution of the common property of the Choctaw and Chickasaw tribes."

It will be necessary, before your right to enrollment as an intermarried citizen of the Choctaw Nation can be determined, that you appear before the Commission and testify as to your status on September 25, 1902.

For this purpose the Commission has made an appointment at Atoka, Indian Territory, March 10 to 13, 1903, and you should personally appear at said place on one of the above dates for the purpose herein indicated. No further action can be taken relative to the determination of your right to enrollment until this testimony is received.

Respectfully,

Chairman.

Muskogee, Indian Territory, October 10, 1901.

Wapelson B. McClure,

Bannington, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of proof of death of  
Louisa Belle McClard on the 15th day of June, 1900, and the same  
has been duly filed with the records of this office.

Yours truly,

Acting Chairman.

7-3688

Mrs. L. R.--2.

natures are by mark, such signatures must be attested by two disinterested parties, witnesses thereto.

There is enclosed you herewith for the return of the affidavits an envelope which requires no postage.

Yours truly,

7-3688

Acting Chairman.

Enclosures.  
Env. & D.C.

Choc 3689 morris S. Smith

3689



Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,  
 of Ruth Smith, born on the 13<sup>th</sup> day of August, 1897.  
 Name of father: M. S. Smith, a citizen of the Choctaw Nation.  
 Name of mother: Caroline Smith, a citizen of the Choctaw Nation.  
 Post Office: Birmingham, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
 INDIAN TERRITORY,  
 District. }

I, Caroline Smith, on oath, state that I am 22 years of age and a  
 citizen, by Blood, of the Choctaw Nation; that I am the  
 lawful wife of M. S. Smith who is a citizen, by Blood, of the  
Choctaw Nation; that a ~~female~~ child was born to me on the 13<sup>th</sup> day  
 of August, 1897; that said child has been named Ruth Smith,  
 and is now living.

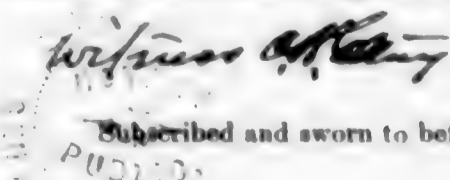


Subscribed and sworn to before me this 21<sup>st</sup> day of August, 1899  
W. H. Kelley Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,  
 INDIAN TERRITORY,  
 District. }

I, Celia Risner, a midwife, on oath, state that I  
 attended on Mrs. Caroline Smith, wife of M. S. Smith  
 on the 13 day of August, 1897; that there was born to her on said date a ~~female~~ child;  
 that said child is now living and is said to have been named Ruth Smith.



Subscribed and sworn to before me this 21<sup>st</sup> day of August, 1899  
W. H. Kelley Notary Public.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,  
 of George Gumma Smith, born on the 14 day of April, 1899  
 Name of father: M. S. Smith, a citizen of the Choctaw Nation.  
 Name of mother: Caroline Smith, a citizen of the Choctaw Nation.  
 Post Office: Birmingham, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }  
 INDIAN TERRITORY, }  
 District. }

I, Caroline Smith, on oath, state that I am 22 years of age and a  
 citizen, by Blood, of the Choctaw Nation; that I am the  
 lawful wife of M. S. Smith who is a citizen, by Blood, of the  
Choctaw Nation; that a male child was born to me on the 14 day  
 of April, 1899; that said child has been named George Gumma Smith  
 and is now living.

Subscribed and sworn to before me this 21st day of August, 1899  
Caroline Smith  
A. H. Elling Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }  
 INDIAN TERRITORY, }  
 District. }

I, Celia Risner, a Midwife, on oath, state that I  
 attended on Mrs. Caroline Smith, wife of M. S. Smith  
 on the 14 day of April, 1899; that there was born to her on said date a male child;  
 that said child is now living and is said to have been named George Gumma Smith.

Subscribed and sworn to before me this 21st day of August, 1899  
Celia Risner  
A. H. Elling Notary Public.

7-3689

INDEXED ✓

20

IN RE

Application for Enrollment of

INFANT CHILD

*Leo Horne Colburn Smith*

as a citizen of

*Choctaw* Nation.

Approved

*NOV 28 1904*

190

*[Signature]*  
Commissioner.

ATTEST

CHOCTAW

#3689

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,  
of *Geo. Homer Colbert Smith*, born on the *28<sup>th</sup>* day of *March*, 1902  
(Here insert name of child.)  
Name of Father: *M. S. Smith* a citizen of the *Choctaw* Nation.  
Name of Mother: *Caroline Smith* a citizen of the *Choctaw* Nation.  
Post-office *Birmingham D. T.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }  
INDIAN TERRITORY }  
*Central* District. }

I, *Caroline Smith*, on oath state that I am *25*  
years of age and a citizen, by *birth*, of the *Choctaw* Nation;  
that I am the lawful wife of *M. S. Smith*, who is a citizen, by  
*birth*, of the *Choctaw* Nation; that a *male* child was  
(male or female.)  
born to me on the *28<sup>th</sup>* day of *March* 1902; that said child has been  
named *Geo. Homer Colbert Smith*, and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this *17<sup>th</sup>* day of *November*, 1902  
*C. C. McLeod*  
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }  
INDIAN TERRITORY }  
*Central* District. }

I, *B. C. Rutherford*, a *Physician*, on oath state that I  
attended on Mrs. *Caroline Smith*, wife of *M. S. Smith*  
on the *28<sup>th</sup>* day of *March*, 1902 that there was born to her on  
said date a *male* child; that said child is now living and is said to have been  
(male or female.)  
named *Geo. Homer Colbert Smith*

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this *17<sup>th</sup>* day of *November*, 1902  
*C. C. McLeod*  
NOTARY PUBLIC

MEMORANDA.

(Date) ..... 1899.

35 ✓ Name ..... *Smith* .....

Choctaw ? ..... County ..... *Adair* ..... Year ..... *7* ..... No. ..... *1155* ..... *2*

Chickasaw ? ..... County ..... Year ..... Page ..... *115*

Citizen by blood ? ..... Mother's citizenship ..... *Adair* .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day, .....

37 x Wife's name, ..... *Smith* .....

Choctaw ? ..... County ..... Year ..... *7* ..... No. ..... *1155* ..... *3*

Chickasaw ? ..... County ..... Year ..... Page ..... *118*

Citizen by blood ? ..... Mother's citizenship ..... *Adair* .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day .....

Names of children:

|             |              |        |      |      |     |
|-------------|--------------|--------|------|------|-----|
| 2           | <i>Smith</i> | County | Year | Page | No. |
| <i>1155</i> |              | County | Year | Page | No. |
|             |              | County | Year | Page | No. |
|             |              | County | Year | Page | No. |
|             |              | County | Year | Page | No. |
|             |              | County | Year | Page | No. |
|             |              | County | Year | Page | No. |
|             |              | County | Year | Page | No. |
|             |              | County | Year | Page | No. |
|             |              | County | Year | Page | No. |

3689

choc 3690 cealy Risener

3690

**MEMORANDA.**

*Cal. Co.*

(Date) *11 15* 1899.

Name .....

Choctaw ? ..... County ..... Year ..... No. ....

Chickasaw ? ..... County ..... Year ..... Page .....

Citizen by blood ? ..... Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day, .....

*50*

Wife's name, *C* .....

Choctaw ? ..... County ..... Year *11* No. *0*

Chickasaw ? ..... County ..... Year ..... Page .....

Citizen by blood ? ..... Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day .....

Names of children :

|       |              |            |            |          |
|-------|--------------|------------|------------|----------|
| ..... | County ..... | Year ..... | Page ..... | No. .... |
| ..... | County ..... | Year ..... | Page ..... | No. .... |
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| ..... | County ..... | Year ..... | Page ..... | No. .... |
| ..... | County ..... | Year ..... | Page ..... | No. .... |

*5190*

choc 3691 Daniel S. moran

3691



7

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

The record herein is in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of

WILLIE AGNES MORAN,

7 - 3691

Department of the Interior.  
Commission to the Five Civilized Tribes.  
Atoka, I. T., November 21st, 1902.

Choctaw 3691  
Intermarried

-----oOo-----

In the matter of the application of Willie Agnes Moran for enrollment as an intermarried citizen of the Choctaw Nation.

Willie Agnes Moran being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Willie Agnes Moran.  
Q How old are you? A Twenty-nine the 16th of next January.  
Q What is your post office address? A Ego.  
Q Is Ego in the Choctaw Nation? A Yes sir.  
Q How long have you been a resident of the Choctaw Nation?  
A Twelve years, or twelve next March.  
Q Lived here continuously for that length of time? A Yes sir.  
Q Do you claim intermarried rights in the Choctaw Nation?  
A Yes sir.  
Q What is the name of your Choctaw husband through whom you claim these rights? A Daniel S. Moran.  
Q Is he a recognized and enrolled citizen of the Choctaw Nation?  
A Yes sir.  
Q When were you married to Daniel S. Moran? A 1891.  
Q Where were you living at that time? A Chickasaw.  
Q Since your marriage to Daniel S. Moran have you lived together continuously as husband and wife up to the present time? A Yes sir.  
Q There has been no separation, abandonment or divorce? A No sir.  
Q Are you at present living together as bona fide residents of the Choctaw Nation? A Yes sir.  
Q Were you an applicant before this Commission in 1896 for admission to intermarried citizenship in the Choctaw Nation? A Yes sir.  
Q What action was taken upon your application at that time, do you know? A No sir.  
Q Was your case ever appealed to the United States Court? A No sir.

-----  
Albert G. McMillan being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 21st day of November, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

Subscribed and sworn to before me this 14 day of January, 1903.

*Albert G. McMillan*  
*Charles H. Sawyer*

Notary Public.

*West*

7 - 3691

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Willie Agnes Moran as a citizen by intermarriage of the Choctaw Nation.

DECISION.


It appears from the census card record in this case that Willie Agnes Moran appeared before the Commission at Caddo, Indian Territory, on August 22, 1899, and made personal application for enrollment as a citizen by intermarriage of the Choctaw Nation. Further proceedings were had in the matter of this application at Atoka, Indian Territory, on November 21, 1902.

It further appears from the records of the Commission that on September 5, 1896, in the case entitled "Willie Agnes Moran vs. Choctaw Nation," (1896 Choctaw Citizenship Docket, case No. 481), the applicant herein made original application to this Commission under the provisions of the act of Congress approved June 10, 1896 (29 Stat., 321), for admission to citizenship in the Choctaw Nation, claiming her right thereto by virtue of her marriage with Daniel S. Moran, a recognized and enrolled citizen by blood of the Choctaw Nation, and on December 2, 1896, the said Willie Agnes Moran was by this Commission admitted to citizenship in the Choctaw Nation as a citizen by intermarriage, from which decision of the Commission no appeal was taken.

It further appears from the evidence in this case that the applicant herein was a resident in good faith of Indian Territory on June 28, 1898, and that her status as an intermarried citizen has remained unchanged from the date of her said admission in 1896 up to and including September 25, 1902.

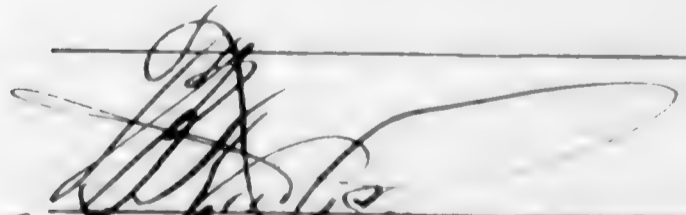

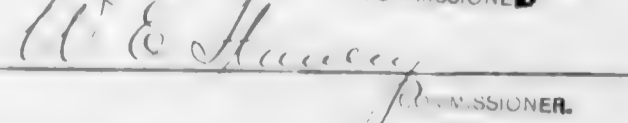
It is, therefore, the opinion of this Commission that Willie Agnes Moran should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495) and July 1, 1902 (32 Stat., 641) and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

  
Chairman.

Muskogee, Indian Territory,

JUL 20 1903

  
COMMISSIONER.  
  
COMMISSIONER.  
  
COMMISSIONER.

Choctaw 3691

COPY:

Muskogee, Indian Territory, July 20, 1903.

Willie Agnes Moran,  
Mgo, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 20, 1903, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

SIGNED:

*T. B. Needles.*  
Commissioner in Charge.

Registered.

Enc. NYC 17/20

Choctaw 3691

COPY.

Muskogee, Indian Territory, July 20, 1903.

Mansfield, McMurray & Cornish,  
Attorneys for the Choctaw and Chickasaw Nations,  
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 20, 1903, granting the application of Willie Agnes Moran for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

*T. B. Needles.*

Commissioner in Charge.

Registered.

Enc MYC 18/20

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,  
of Ernest B. Moran, born on the 21<sup>st</sup> day of Dec, 1898.

Name of father: Daniel S. Moran, a citizen of the Choctaw Nation.

Name of mother: Willie Agnes Moran, a citizen of the Choctaw Nation.

Post Office: Eggs S. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Central Judicial District.

I, Willie Agnes Moran, on oath, state that I am 25 years of age and a  
citizen, by Marriage, of the Choctaw Nation; that I am the  
lawful wife of Daniel S. Moran who is a citizen, by blood, of the  
Choctaw Nation; that a Male child was born to me on the 21<sup>st</sup> day  
of Dec, 1898; that said child has been named Ernest Barkley Moran,  
and is now living.

Willie Agnes Moran

Subscribed and sworn to before me this 26<sup>th</sup> day of Aug, 1899.

E. J. Ball

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
..... District.

I, ....., a ....., on oath, state that I  
attended on Mrs. ...., wife of .....,  
on the ..... day of ....., 1 ....., that there was born to her on said date a ..... child;  
that said child is now living and is said to have been named .....

Subscribed and sworn to before me this ..... day of ....., 1 .....

Notary Public.

I J. P. McRae a practicing  
Physician of Esq Ind Ter.  
waited on Mrs Millie Agnes Moran  
Wife of D. S. Moran and that  
on the 21<sup>st</sup> Day of December 1898  
there was born to them a Boy named  
Ernest Buckley Moran

Dr. J. P. McRae

Affirmed and subscribed to  
before me this 3<sup>rd</sup> Day of May 1899  
E. J. Ball  
Notary Public,

*IN RE*

Application for Enrollment of

INFANT CHILD

*Wida S. Moran*

as a citizen of

*Choctaw* Nation.

JAN 11 1902

Approved

190

*[Signature]*

Commissioner.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

**FILED**

JAN 11 1902

*[Signature]*

ACTING CHAIRMAN.

3691



DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,  
of Ova. S. Moran, born on the 12<sup>th</sup> day of Oct, 1901  
(Here insert name of child.)  
Name of Father: Daniel. S. Moran a citizen of the Choctaw Nation.  
Name of Mother: Willie. A. Moran a citizen of the Choctaw Nation.  
Post-office Ego J. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Central District.

I, Willie A Moran, on oath state that I am 28  
years of age and a citizen, by Marriage, of the Choctaw Nation;  
that I am the lawful wife of Daniel. S. Moran, who is a citizen, by  
Blood, of the Choctaw Nation; that a male child was  
(male or female.)  
born to me on 12<sup>th</sup> day of Oct, 1901; that said child has been  
named Ova. S. Moran, and is now living.

WITNESSES TO MARK:  
(Must be Two Witnesses.) } Willie Moran

Subscribed and sworn to before me this 8<sup>th</sup> day of June, 1902  
E. J. Ball  
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Central District,

I, J. P. McRae, a Physician, on oath state that I  
attended on Mrs. Willie A Moran, wife of Daniel. S. Moran  
on the 12<sup>th</sup> day of Oct, 1901; that there was born to her on  
said date a Male child; that said child is now living and is said to have been  
(male or female.)  
named Ova. S. Moran

WITNESSES TO MARK:  
(Must be Two Witnesses.) } Dr. J. P. McRae

Subscribed and sworn to before me this 10<sup>th</sup> day of Dec, 1901.  
E. J. Ball  
NOTARY PUBLIC

Choctaw Nation Ind. Territory

This is to certify that Mr. D. S. Moran and  
Miss Willie M. Agnes Melton were duly united in  
matrimony, by the undersigned, according to the laws  
of the Choctaw Nation, on March 12<sup>th</sup> 1891

R. J. Hoque

Minister of the Gospel

Subscribed and sworn to before me  
this 12<sup>th</sup> day of August 1896

L. M. Mace

Notary Public

Atoka, Indian Territory, June 5, 1900.

Daniel S. Moran, Esq.,

Ego, Indian Territory.

Dear Sir:

The Commission is in receipt of an application for the enrollment of Curtis Moran, the infant son of Daniel S. and Millie Agnes Moran, born April 8th, 1900, as a citizen of the Choctaw Nation, and the same being in proper form has been filed with the records of this Commission.

Yours truly,



Acting Chairman.

In replying to this letter  
please refer to 7-3691

Choctaw 3691.

Muskogee, Indian Territory, January 16, 1903.

J. S. Mullen,

Ardmore, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of December 31, 1902, asking if D. A. Moran, whose post office address is Ego, Indian Territory, has been listed for enrollment as a Choctaw.

In reply to your letter you are advised that it does not appear from our records that any person by the name of D. A. Moran has been listed for enrollment as a citizen of the Choctaw Nation. It does appear, however, that Daniel S. Moran, of Ego, Indian Territory, has been listed for enrollment as a citizen by blood of the Choctaw Nation, together with his minor children, Marmaduke L., Ernest B., Curtis and Ora S. Moran, and his wife, Willie A. Moran, has been listed for enrollment as an intermarried citizen of the Choctaw Nation. If this is not the person to whom you refer, and you will write again giving more definite information regarding the person concerning whom you inquire, the matter of your inquiry will receive proper consideration.

Respectfully,

IN RE

Application for Enrollment of

INFANT CHILD

*Curtis Moran,*

as a citizen of the

CHOCTAW, Nation.

Approved, JUN -5 1900 190



Commissioner.

FILED  
JUN 5 1900  
COMMISSION TO FIVE TRIBES.

*Chas.*

3691.

Department of the Interior,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,  
of Curtis Moran, born on the 8<sup>th</sup> day of April, 1900  
(Here insert name of child)  
Name of Father: Daniel S. Moran, a citizen of the Choctaw Nation.  
Name of Mother: Willie Agnes Moran, a citizen of the Choctaw Nation.  
Postoffice, Eps 9-9.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Central District.

I, Willie Agnes Moran, on oath state that I am 26 years of age and a citizen, by Marriage, of the Choctaw Nation; that I am the lawful wife of Daniel S. Moran, who is a citizen, by blood, of the Choctaw Nation; that a Male child was born to me on the 8<sup>th</sup> day of April, 1900; that said child has been named Curtis Moran, and is now living.

WITNESSES TO MARK:

Willie Agnes Moran

(Must be Two Witnesses)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 1900.

NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Central District.

I, H. M. Bryant, a practicing Physician, on oath state that I attended on Mrs. Willie Agnes Moran, wife of Daniel S. Moran, on the 8<sup>th</sup> day of April, 1900; that there was born to her on said date a Male child; that said child is now living and is said to have been named Curtis Moran.

WITNESSES TO MARK:

H. M. Bryant

(Must be Two Witnesses)

Subscribed and sworn to before me this 29<sup>th</sup> day of May, 1900.  
E. J. Ball

NOTARY PUBLIC

7-3691

INDEXED

IN RE  
THE DEATH OF

*Curtis Moran*  
a citizen of the

*Choctaw* Nation.

Approved NOV 26 1902 190

*G. H. McKinstry*  
Commissioner.

1762

5282

ACTING CHAIR

CHOCTAW #3691

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Curtis Moran  
(Here insert name of deceased)

a citizen of the Choctaw Nation, who formerly resided at or near  
Ego, Ind. Ter., and died on the      day of  
August, 1901

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,

Central District.

I, Daniel Moran, on oath state that I am 42  
years of age and a citizen, by Blood, of the Choctaw Nation;  
that my post office address is Ego, Ind. Ter.; that I am  
father of Curtis Moran  
(state relationship as the father, an uncle, a cousin, etc.) (Here insert name of deceased)  
who was a citizen, by Blood, of the Choctaw Nation;  
and that said Curtis Moran died on the      day of

August, 1901 D. S. Moran

WITNESSES TO MARK

(Must be Two Witnesses.)

Subscribed and sworn to before me this 27 day of November, 1902  
R. H. Linebaugh  
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,

Central District.

I, Willie A. Moran, on oath state that I am 25  
years of age, and a citizen, by Marriage Blood, of the Choctaw Nation;  
that my post office address is Ego, Ind. Ter.;  
that I was personally acquainted with mother of Curtis Moran  
(Here insert name of deceased)  
who was a citizen, by Blood, of the Choctaw Nation;  
and that said Curtis Moran died on the      day of

August, 1901 Willie A. Moran

WITNESSES TO MARK

(Must be Two Witnesses.)

Subscribed and sworn to before me this 24 day of November, 1902  
R. H. Linebaugh  
Notary Public.



Muskogee, Indian Territory, January 11, 1902.

Daniel S. Moran,

Ego, Indian Territory.

Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Ova S. Moran, the infant son of Daniel S. and Willie A. Moran, born October 12, 1901, and the same being in proper form has been accepted and filed with the records of the Commission and the child listed for enrollment as a citizen by blood of the Choctaw Nation.

Yours truly,

Commissioner in Charge.

7-36-91.

MEMORANDA.

(Date) \_\_\_\_\_ 1899.

39

Name \_\_\_\_\_

Choctaw ? \_\_\_\_\_ County Bleu Year 1891 No. 810

Chickasaw ? \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page 311

Citizen by blood ? \_\_\_\_\_ Mother's citizenship White

Intermarried citizen ? \_\_\_\_\_

Married under what law ? \_\_\_\_\_

License filed this day, \_\_\_\_\_

25

Wife's name, Anna A. ...

Choctaw ? \_\_\_\_\_ County Bleu Year 1891 No. 14831

Chickasaw ? \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page 394

Citizen by blood ? \_\_\_\_\_ Mother's citizenship \_\_\_\_\_

Intermarried citizen ? \_\_\_\_\_

Married under what law ? White

License filed this day \_\_\_\_\_

Names of children:

7 Mammaduke L. County Bleu Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

8ms Emmett B. County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

3691

Choc 3692 Elizabeth Moran

3692

Choctaw 3692

Muskogee, Indian Territory, December 29, 1903.

J. G. Ralls,

Attorney at Law,

Atoka, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of December 23, asking for certificate showing the enrollment of Elizabeth Moran by the Commission and by the Secretary of the Interior, and that she has selected her allotment in the Choctaw-Chickasaw country.

In reply to your letter there is inclosed you herewith a certificate showing the enrollment of Elizabeth Moran, and also that she has selected her allotment.

Respectfully,

Chairman.

AB 4-29

Department of the Interior,  
Commission to the Five Civilized Tribes.

I, Tans Bixby, Chairman of the Commission to the Five Civilized Tribes, do hereby certify that the name of Elizabeth Moran appears upon the approved roll of the citizens by blood of the Choctaw Nation, opposite Number 10445, and that her enrollment was approved by the Secretary of the Interior, February 4, 1903.

I further certify that the said Elizabeth Moran, Choctaw by blood, roll Number 10445, made application for and there was allotted to her, at the Chickasaw Land Office of the Commission at Tishomingo, Indian Territory, on July 15, 1903, the N/2 of the NE/4 of Section 13 T 6 S R 5 E as a homestead and the S/2 of the NE/4 of Section 13 T 6 S R 5 E as allotment exclusive of the homestead.

In Testimony Whereof I have hereunto set my hand at Muskogee Indian Territory, this December 29, 1903.

Chairman.

Choctaw D684  
Choctaw 3692

Muskogee, Indian Territory, February 12, 1903.

John W. Teague,  
Olney, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of February 7, in which you say that your wife, Sarah Teague, is a sister of Alice Teague, and was admitted to citizenship by the act of the Choctaw Council of 1879 in which Elizabeth Moran was admitted to citizenship in said nation, but that she has never made application to this Commission for enrollment as a citizen of the Choctaw Nation. You further ask if Elizabeth Moran is on a doubtful card.

In reply to your letter you are advised that under the provisions of the act of Congress of July 1, 1902, the rolls of citizenship of the Choctaw Nation closed as of September 25, 1902, the date of the final ratification by the Choctaw and Chickasaw Nations of said act of Congress above referred to, and on December 24, 1902, the ninety days expired within which the Commission could receive and consider applications for enrollment in the Choctaw Nation, and since that date the Commission is without authority to receive or consider any original applications for enrollment in said nation.

As you were advised in a previous letter, it does not ap-

J W T 2

pear from our records that any application has been made to this Commission for the enrollment of Sarah Teague as a citizen by blood of the Choctaw Nation, and under the provision of law above referred to, the Commission is now without authority to receive or entertain any such application. For your information there is inclosed you herewith a copy of the act of Congress of July 1, 1902, which was ratified by the Choctaw and Chickasaw Nations on September 25, 1902, and your attention is especially invited to section thirty four thereof.

You are informed that it appears from our records that Elizabeth Moran, eighty two years of age, daughter of Betsey Buckholts, has been enrolled by this Commission as a citizen by blood of the Choctaw Nation, and on February 4, 1903, her enrollment was approved by the Secretary of the Interior.

Respectfully,

Acting Chairman.

Choctaw-Chickasaw agreement.

Muskogee, Indian Territory, March 18, 1905.

W. C. Nix,

Jesse, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the affidavits of Lucinda E. Nix and Mattie Moran to the birth of Grace Nix, infant daughter of W. C. and Lucinda Nix, July 13, 1904, and the same have been filed with our records as an application for the enrollment of said child.

Respectfully,

Chairman.



MEMORANDA.

(Date) 1899.

Name

Choctaw? County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day,

Wife's name,

Choctaw? County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

3692

Choc 3693 John B. Moran

3693

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for enrollment as a citizen by intermarriage of the Choctaw Nation of:

MARY MORAN

7-3693.

Department of the Interior.  
Commission to the Five Civilized Tribes.  
Atoka, I.T. March 12, 1903.

7-3693

In the matter of the application of Mary Moran for enrollment  
as an inter-married citizen of the Choctaw Nation.

Mary Moran being sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Mary Moran.  
Q How old are you? A Forty three.  
Q What is your post office address? A Ego, I.T.  
Q What Nation is that in? A Choctaw Nation.  
Q How long have you resided in the Choctaw Nation? A I have been  
here about 14 years.  
Q Have you lived here continuously for the past 14 years? A Yes  
sir.  
Q Never made your home anywhere else during that time? A No sir.  
Q Are you a white woman? A Yes sir.  
Q Do you claim the right to enrollment as an inter-married citizen  
of the Choctaw Nation? A Yes sir.  
Q What is the name of your Choctaw husband through whom you claim  
this right? A John B. Moran.  
Q Is he a recognized and enrolled citizen by blood of the Choctaw  
Nation? A Yes sir.  
Q When were you married to this man? A Twenty one years ago.  
Q Where was this marriage ceremony performed? A Dallas, Texas.  
Q At that time were you living in the State of Texas? A Yes sir.  
Q Was your husband also a resident of the State of Texas? A Yes  
sir.  
Q How long after this marriage did you live in Texas? A One year  
and then come to the nation and then moved back on account of my  
health; and we had own daughters here.  
Q And you stayed there until about 14 years ago? A Yes sir.  
Q Since that time you have lived here continuously? A Yes sir.  
Q Were you married under the laws of the State of Texas to this man?  
A Yes sir.  
Q Were you ever married any other time to him? A No sir.  
Q Were you ever married before your marriage to John B. Moran?  
A No sir.  
Q Was he ever married before? A No sir.  
Q Since that marriage have you lived together continuously as  
husband and wife up to the present time? A Yes sir.  
Q There has been no separation of any kind whatsoever? A No sir.  
Q Are you at present living together as actual and bona fide  
residents of the Choctaw Nation? A Yes sir.  
Q Were you an applicant before this Commission in 1896 for admis-  
sion to citizenship in the Choctaw Nation? A Yes sir.  
Q Do you know what action was taken upon your application by the  
Commission? A No sir, I don't.  
Q You never found that out? A No sir; we never received any  
letter from the Commission at all.

It appears from the records of the Commission that in 1896

M. Moran---2

you made application to this Commission for admission to citizenship in the Choctaw nation as an inter married citizen; at that time your application was denied, and that there was no appeal to the United States Court.

Q You haven't re-married your husband since your first marriage?  
A No sir.

Henry G. Wains being sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported the above testimony and that this is a full, true and correct transcript of his stenographic notes in same on March 12, 1903.

*Henry G. Wains*

Subscribed and sworn to before me this 17 day of March, 1903.

*Charles H. Sawyer*

Notary Public.

*Certified Copy,*

**MARRIAGE LICENSE.**

*John B. Moran*  
AND  
*Mary Ross.*

Issued *14* day of *Nov* 18*91*

Clerk

By

Deputy.

*License and Return, Recorded*

*in Marriage Record No*

*Page*

*Filed for Record*

*day of* 18*9*

*County Clerk.*

*Per*

*Deputy.*

*Fees 1<sup>00</sup>*  
*Paid*



To any ~~Regularly Licensed or Ordained~~ Minister of the Gospel, Jewish Rabbi, Judge  
 Ordained Minister of the Gospel, and for Dallas County,  
 of the District or County Court, or Justice of the Peace in the State of Texas.

**GREETING:**  
 YOU ARE HEREBY AUTHORIZED TO CELEBRATE THE

**• RITES OF MATRIMONY •**

Between John B. Moran,  
 and Mary Ross  
 and make due return to the County Clerk of said county within  
 sixty days thereafter certifying your action under this license

WITNESS my official signature and seal of  
 office at office in Dallas this 14  
 days of Nov. A.D. 1881

By \_\_\_\_\_ Deputy County Clerk

J. M. Price, J. P. hereby certify that  
 on the 15 day of November, A.D. 1881  
 I united in Marriage John B. Moran and  
 Mary Ross the parties above mentioned  
 Witness my hand this 15 days of Nov. A.D. 1881

J. M. Price, J. P.  
 Precinct 1, Dallas Co. Texas

The State of Texas }  
County of Dallas } J. L. McHughes Clerk  
of the County Court of  
Dallas County Texas, do hereby certify  
that the foregoing is a true and  
correct copy of the record of the mar-  
riage license issued Nov. 14, 1881,  
by A. Harwood, County Clerk to Geo.  
B. Moran and Mary Ross, as the  
same now appears of record in my  
office in Volume 1, page 260,  
Marriage records of Dallas County.

Given under my hand and  
seal of Office at Dallas Texas this  
1st day of September A. D. 1896.  
J. L. McHughes Clerk  
County Court Dallas Co.  
By A. B. Perkins Deputy.



7-3693.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Mary Moran as a citizen by intermarriage of the Choctaw Nation.

--: D E C I S I O N :--

It appears from the record herein that on November 15, 1881 the applicant Mary Moran was lawfully married to John B. Moran, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 10447 upon the lists prepared by this Commission, under the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation and approved by the Secretary of the Interior on February 4, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the State of Texas; that for about one year after said marriage said parties resided in the State of Texas; that they then removed to the Choctaw Nation and subsequently went back to the State of Texas, where they continued to reside until 1889, when they again removed to the Choctaw Nation; and that since the date of said marriage they have lived together continuously as husband and wife and have been residents in good faith of the Choctaw Nation since 1889, up to and including September 25, 1902.

It appears from the records of the Commission that on September 9, 1896, in the case entitled "Mrs. Mary Moran vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, case number 350) the applicant Mary Moran made original application to this Commission, under the provisions of the act of Congress approved June 10, 1896 (29 Stat., 321), for admission to citizenship in the Choctaw Nation, claiming her right thereto by virtue of her marriage with the said John B. Moran, and on December 2, 1896 the said Mary Moran was by this Commission denied admission to citizenship in the Choctaw Nation, from which decision of the Commission no appeal was taken.

It appears from the census card record in this case that on August 22, 1899 the said Mary Moran again made application to this Commission for enrollment as a citizen by intermarriage of the Choctaw Nation, claiming her right thereto by reason of her said marriage with the said John B. Moran. Further proceedings were had in the matter of said

2.

application at Atoka, Indian Territory on March 12, 1903.

It appears from an examination of the tribal rolls in the possession of the Commission that the applicant is identified upon the 1896 Choctaw Census Roll, Blue County, number 14835, enrolled thereon as a citizen by intermarriage of said nation.

It is, therefore, the opinion of this Commission that, following the ruling of the Department in the case of Angeline White (I.T.D. 1130-1905), Mary Moran should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495) and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

  
Chairman.  
Commissioner.  
Commissioner.

Muskogee, Indian Territory,

MAR 29 1905

7-3693

Muskogee, Indian Territory, March 29, 1905.

Mary Moran,

Ego, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered March 29, 1905, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of said decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

*James Bixby*

*James Bixby*

Chairman.

Registered.

Incl. 7-3693.

Muskogee, Indian Territory, March 26, 1906.

Mansfield, McMurray & Cernish,  
Attorneys for Choctaw and Chickasaw Nations,  
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of this Commission, rendered March 29, 1906, granting the application for the enrollment of Mary Moran as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling said applicant as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, her name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

~~THOMAS~~

*Thomas Bixby*

Chairman.

Registered.

Incl. 7-3693.

See 7-3547 for registry receipt for this letter.

Department of the Interior,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,  
of *Robert R Moran*, born on the *27* day of *Dec*, 1886  
Name of father: *John B Moran*, a citizen of the *Choctaw* Nation.  
Name of mother: *Mary Moran*, a citizen of the *Choctaw* Nation.  
Post Office: *Ego*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }  
INDIAN TERRITORY, }  
*Central* District. }

I, *Mary Moran*, on oath, state that I am *37* years of age and a  
citizen, by *intermarriage*, of the *Choctaw* Nation; that I am the  
lawful wife of *John B Moran*, who is a citizen, by *Blood*, of the  
*Choctaw* Nation; that a *Boy* child was born to me on the *27* day  
of *Dec*, 1886; that said child has been named *Robert R Moran*,  
and is now living.

*Mary Moran*  
Subscribed and sworn to before me this *24* day of *Aug*, 1888.  
*J. G. Ruder* Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }  
INDIAN TERRITORY, }  
*Central* District. }

I, *D. M. Morgan*, a *Physician*, on oath, state that I  
attended on Mrs. *Mary Moran*, wife of *John B. Moran*  
on the *27* day of *Dec*, 1886; that there was born to her on said date a *Boy* child;  
that said child is now living and is said to have been named *Robert R Moran*.

*D. M. Morgan*  
Subscribed and sworn to before me this *24* day of *Aug*, 1888.  
*J. G. Ruder* Notary Public.

Madame Justice

1000

to identify some of the  
persons who had been  
mentioned in the report  
of the committee on the  
subject of the  
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7-3693

In the matter of the application for enrollment as agent of the Cleveland Station of  
Nora May Overstreet

INDEXED

approved NOV 26 1902

Commissioner

DEPARTMENT OF THE INSURANCE  
COMMISSION TO THE FIVE CITIES  
F. L. P.  
NOV 26 1902

7-3693

Indian Territory U.S.A.  
Central Dist.  
Affidavit of mother.

I, Addie A Overstreet  
do solemnly swear that  
there was a female child  
born to me on the 3rd day  
of July A.D. 1902.

And the child is still  
living, and the child's name is  
Nora May Overstreet  
Addie A Overstreet.

I sworn and subscribed  
to before me this 15th day  
of November A.D. 1902.

F. J. Hoover  
Notary Public  
Clinton, Mo.



IN RE

Application for Enrollment of

INFANT CHILD

*Hora May Overstreet*

as a citizen of the

*Choctaw* Nation.

Approved NOV 26 1902 190

*[Handwritten Signature]*  
Commissioner

DEPARTMENT OF THE INTERIOR,  
MISSION TO THE FIVE CIVILIZED TRIBES,  
FILED  
NOV 26 1902

*[Handwritten Signature]*  
ACTING CHAIRMAN

No. 899

# Certificate of Record of Marriages.

UNITED STATES OF AMERICA, }  
THE INDIAN TERRITORY, } SCT.  
CENTRAL DISTRICT.

I, E. J. FANNIN, Clerk of the United States Court in the Indian Territory and District aforesaid, do hereby CERTIFY that the License for and Certificate of the Marriage of

Mr. J. W. Overstreet and

Miss Addie Marace

was filed in my office in said Territory and District the 25 day of Oct A. D. 1902 and duly recorded in Book 171 of Marriage Record, Page 430

WITNESS my hand and seal of said Court, at Atoka this 25 day of October A. D. 1902

E. J. FANNIN,  
Clerk.

By J. A. Cotten Deputy.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

**FILED**  
DEC 5 1902

  
ACTING CHAIRMAN.

# MARRIAGE LICENSE.

No. [REDACTED]

UNITED STATES OF AMERICA, }  
THE INDIAN TERRITORY, } SS.  
CENTRAL DISTRICT. }

To Any Person Authorized by Law to Solemnize Marriage—Greeting:

*You are hereby commanded to solemnize the Rite and publish the BANS OF MATRIMONY between*  
*Mr. A. N. Overstreet*  
*of 690 in the Indian Territory, aged 21*  
*years, and Miss Addie Maran*  
*of 690 in the Indian Territory, aged 15*  
*years, according to law, and do you officially sign and return this License to the parties therein named.*

.....  
WITNESS My hand and official seal, this 23 day of Nov A. D. 1900

*Don J. Tolson*  
Deputy.

*E. J. Garrison*  
Clerk of the United States Court.

## CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA, }  
INDIAN TERRITORY, } SS.  
CENTRAL DISTRICT. }

I, *H. P. Hoop*  
a *minister of gospel*  
do hereby CERTIFY, that on the 25 day of November A. D. 1900  
I did duly and according to law, as commanded in the foregoing License, solemnize the Rite and publish the BANS OF MATRIMONY between the parties therein named.

Witness my hand this 25 day of Nov A. D. 1900

My credentials are recorded in the office of the Clerk of the United States Court in the Indian Territory, Central District, Book B, Page 166

*Respectfully*

*H. P. Hoop*  
a. m. of G.

COMMISSIONER

HENRY L. DAWES,  
TAMM BIXBY,  
THOMAS B. NEEDLES,  
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,  
SECRETARY.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

7-3693.

ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, November 26, 1902.

John B. Moran,

Ego, Indian Territory.

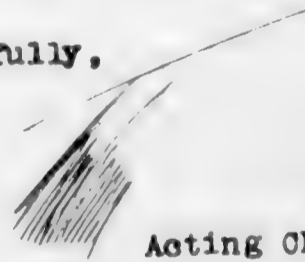
Dear Sir:

Receipt is hereby acknowledged of the affidavits of Addie A. Overstreet and Mrs. Eric Fox relative to the birth of Nora May Overstreet, July 3, 1902; and the same being in proper form have been duly filed with the records of the Commission, and the child listed for enrollment as a citizen of the Choctaw Nation.

You are requested to advise the Commission if your daughter, Addie Moran, has married a man by the name of Overstreet since the time she was listed for enrollment as a citizen of the Choctaw Nation.

If so, kindly state his full name, and residence; also forward either the original or certified copy of the marriage license and certificate, as authority for the change of the name of your daughter upon our records from her maiden name to her present married name.

Respectfully,



Acting Chairman.

7-3693

(Copy)

D.S. 23472-1902.

December the 3rd 1902

Department of the Interior

Commission to the five civilized tribes

Sirs by your Request I here with enclose the original copy of marriage license of William V. Overstreet and Addie a. Moran hoo now Resids three miles South of Ego indian territory they was married november the 25 A D 1900 licens shoing date of marriage

yours Resetifully

(Signed)

John B. Moran, Ego, I.T.

7-3693.

Muskogee, Indian Territory, December 5, 1902.

John B. Moran,

Ego, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 3d inst., enclosing marriage license and certificate between W.N. Overstreet and Addie Moran, November 25, 1900; and the same have been duly filed with the records of the Commission as authority for the change of the name of your daughter, Addie Moran, upon our records from her maiden name to her present married name.

Respectfully,

Acting Chairman.

7-3693

Muskogee, Indian Territory, February 3, 1903.

John B. Moran,

Eagle, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 26, 1903, in which you state that your wife, Mary Moran, is sick, and can not appear before the Commission, and you ask how to proceed in order to protect her rights as an intermarried citizen of the Choctaw Nation.

In reply to your letter you are advised that it appears from our records that Mary Moran, wife of John B. Moran, has been listed for enrollment as an intermarried citizen of the Choctaw Nation.

You are further advised that the Commission is now preparing rolls of the citizens and freedmen of the Choctaw and Chickasaw Nations for submission to the Secretary of the Interior in accordance with the provisions of the act of Congress of July 1, 1902, which was ratified by the Choctaw and Chickasaw Nations on September 25, 1902, and it is necessary to secure the testimony of all intermarried citizens of said Nations relative to their status on September 25, 1902, the date of the final ratifi-

John B Moran-----8

ation of the act of Congress above referred to.

It will be necessary for Mary Moran to appear before the Commission for the purpose of giving this testimony before her application for enrollment as an intermarried citizen of the Choctaw Nation can receive further consideration.

Respectfully,

Acting Chairman.



7-3693

Muskogee, Indian Territory, February 27, 1903.

Mary Moran,

Ego, Indian Territory.

Dear Madam:

It is the present intention of the Commission to establish land offices in the Choctaw and Chickasaw nations April 1, 1903. The act of Congress approved July 1, 1902, provides:

"No person whose name does not appear upon the rolls as herein provided shall be entitled in any manner to participate in the distribution of the common property of the Choctaw and Chickasaw tribes."

It will be necessary, before your right to enrollment as an intermarried citizen of the Choctaw Nation can be determined, that you appear before the Commission and testify as to your status on September 25, 1902.

For this purpose the Commission has made an appointment at Atoka, Indian Territory, March 10 to 13, 1903, and you should personally appear at said place on one of the above dates for the purpose herein indicated. No further action can be taken relative to the determination of your right to enrollment until this testimony is received.

Respectfully,

Chairman.

7-3693

Muskogee, Indian Territory, July 7, 1903.

Addie A. Overstreet,  
Kemp, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter without date relative to your enrollment and stating that you are not the wife of John Overstreet but the wife of William Newton Overstreet and the daughter of John B. Moran. You ask if you can file on land which is held by another citizen in excess of the amount to which he is entitled.

In reply to your letter you are informed that it appears from our records that Addie Overstreet, daughter of John B. and Mary Moran and wife of N. W. Overstreet, and her minor child Nora May Overstreet, have been enrolled by this Commission as citizens by blood of the Choctaw Nation and their enrollment as such has been approved by the Secretary of the Interior.

You are informed that section twenty-five of the act of Congress of July 1, 1902, copy of which is herewith inclosed, provides the method by which allotments may be selected from the lands which are held by other citizens in excess of the amount to which they are entitled.

Respectfully,

Ches-Chick agreement.

Commissioner in Charge.

*W. O. S.*

COMMISSIONERS:  
TAMM BIXBY,  
THOMAS B. NEEDLES,  
C. R. BRACKINRIDGE.  
—  
WM. O. BEALL,  
Secretary.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

|                                  |
|----------------------------------|
| REFER IN REPLY TO THE FOLLOWING: |
| 7-3693                           |

ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES. Muskogee, Indian Territory, September 1, 1904.

Mary Moran,  
Hugo, Indian Territory.

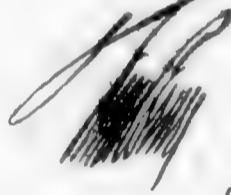
Dear Madam :-

Receipt is hereby acknowledged of your letter of August 25, 1904, requesting to be advised whether your application for enrollment as an intermarried citizen of the Choctaw Nation has been approved.

You are informed that your application is under consideration by the Commission, but a decision therein has not been reached.

As soon as the matter is decided, you will be duly notified.

Respectfully,



Chairman.

Muskogee, Indian Territory, April 4, 1905.

John B. Moran,

Ego, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of March 23, 1905, asking if your wife's name has come before the Commission and if so that disposition has been made of her case.

In reply to your letter you are informed that on March 29, 1905, the Commission rendered its decision granting the application of Mary Moran, wife of John B. Moran for enrollment as an intermarried citizen of the Choctaw Nation and copy thereof was forwarded her to Ego, Indian Territory on the same date.

Respectfully,

Commissioner in Charge.

DEPARTMENT OF THE INTERIOR,  
WASHINGTON.

JP

LLB

I.T.D. 7794-1907.

March 4, 1907.

LRS

FLO

Commissioner to the Five Civilized Tribes,  
Muskogee, Indian Territory.

Sir :

In answer to Departmental telegram of February 23, 1907, and letter of the same date, you reported in letter of February 27, 1907, after inspection of the partial rolls of the Choctaw and Chickasaw Nations, prepared under the act of June 28, 1898 (30 Stat., 495), and subsequent legislation, the persons whose names have been placed on such partial rolls, in your opinion, contrary to the views expressed in the Attorney-General's opinion of February 19, 1907, in the case of Myrtie Randolph and others, copy of which was transmitted to you with letter of February 23, 1907, and which names you recommend be stricken from the partial rolls, opposite the numbers mentioned by you.

Your list is as follows:

CHOCTAWS BY BLOOD AND INTERMARRIAGE.

Charley S. Vincent, opposite No. 1468, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 251; no appeal. Patents recorded.

John Calvin Gray, opposite No.1518, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No.80, and denied by the United States court for the central district of Indian Territory on appeal; no appeal to the Choctaw and Chickasaw Citizenship Court.

Daisy Shelton, Frank Shelton, Emma Shelton, opposite Nos. 15951, 15952, 15953, respectively, upon the final roll of citizens by blood of the Choctaw Nation. All denied by Commission in 1896 in case No. 1407; admitted by United States court for southern district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court. Patents for No. 15951 recorded.

John Shelton, opposite No. 1495, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.1407; admitted by United States court for southern district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court.

Jacob D. Sumpter, opposite No.1469, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 1073; no appeal. Patents recorded.

John Sumpter, Amanda Isabella Sumpter, Jim Andy Sumpter, and Scott Taylor Sumpter, opposite Nos. 15645, 15646, 15647, and 15648, respectively, upon the final roll of citizens by blood of

the Choctaw Nation. Denied by Commission in 1896 in case No.1073; no appeal. Patents for No.15648 recorded; homestead patent for No.15647 recorded.

Dixon D. Sumpter, opposite No. 15649, upon the final roll of citizens by blood of the Choctaw Nation. Son of Nancy Sumpter, deceased, who was denied by Commission in 1896 in case No. 1073, and no appeal. Born in 1897.

Mattie S. Mitchell, opposite No. 1519, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 1299; no appeal.

Georgia Hyden, opposite No.1601, upon final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.1344; admitted by United States court for the central district of Indian Territory; denied by the Choctaw and Chickasaw Citizenship Court. Decision of Commissioner of October 1, 1906, granting enrollment affirmed by Department November 17, 1906 (I.T.D.22524-1906).

Eva Marguerite Hyden, opposite No.16102, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No.1344; admitted by United States court for central district of Indian Territory; denied by Choctaw and Chickasaw Citizenship Court. Application for enrollment granted by

Commissioner October 1, 1906; affirmed by Department November 17, 1906 (I.T.D. 22524-1906).

J. W. Kirk, opposite No.1399, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.948; appeal to United States district court dismissed.

Sarah Kirk and Gabriella Kirk, opposite Nos.15393 and 15394, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No.948; appeal to United States district court dismissed. Patents recorded.

William J. Crowder, Abigail Crowder, Maggie Crowder, Rosa Crowder, William H. Crowder and John F. Crowder, opposite Nos. 15899, 15900, 15901, 15902, 15903 and 15904, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Denied by the Commission in 1896 in case No.760; no appeal. Patents for No.15899 recorded.

Winnie Gertrude Crowder, born June 6, 1901, opposite No.15905 upon the final roll of citizens by blood of the Choctaw Nation. Daughter of William J. Crowder, who was denied by Commission in 1896 in case No.760; no appeal.



Josephine Crowder, opposite No. 1523, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 763; no appeal. Wife of William J. Crowder opposite No. 15899.

George W. Crowder, Louisa Crowder, Joe Crowder and Belzori Crowder, opposite Nos. 15906, 15907, 15908 and 15909, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 712; no appeal. Patents for Nos. 15906, 15907 and 15908 recorded.

Willie Crowder, born October 16, 1898, opposite No. 15910, upon the final roll of citizens by blood of the Choctaw Nation. Son of George W. Crowder, who was denied by Commission in 1896 in case No. 712, no appeal. Patents recorded.

Parlee C. Crowder, opposite No. 1524; upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 699; no appeal.

Van Crowder, opposite No. 15911, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 749; no appeal. Patents recorded.

Ambrose L. Rice, opposite No. 1400, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 662; no appeal. Patents recorded.

Betsy Wright, Thomas E. Wright, Opposite Nos. 15912 and 15913, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 507; no appeal. Patents recorded.

Mary M. Wright and Lenard Dalco Wright (both born since 1896), opposite Nos. 15914 and 15915, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Children of Betsy Wright, who was denied by Commission in 1896 in case No. 507; no appeal. Patents recorded.

Andrew J. Allen, opposite No. 1628, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No. 488; admitted by United States court for central district of Indian Territory; no appeal to the Choctaw and Chickasaw Citizenship Court.

Elizabeth Allen, opposite No. 16103, upon the final roll of citizens by blood of the Choctaw Nation. Admitted by Commission in 1896 in case No. 488; admitted by United States court for central district of Indian Territory; no appeal to the Choctaw and Chickasaw Citizenship Court.

William N. Tucker, opposite No. 1470, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No. 288; admitted by United States court for central district of Indian Territory; no appeal to the

Choctaw and Chickasaw Citizenship Court. Patents recorded.

Arthur Jennings and Clyde Jennings, opposite Nos. 15972 and 15973, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 1048; admitted by United States court for Southern district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court.

William Reichert, opposite No. 1491, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 1117; no appeal. Patents recorded.

Ella Reding, opposite No. 1490, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No. 1243; admitted by United States court for central district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court.

Ardella Kiefer, opposite No. 15916, upon the final roll of citizens by blood of the Choctaw Nation. Admitted by Commission in 1896 in case No. 1243; admitted by United States Court for central district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court.

Angeline White, opposite No. 1403, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 950; no appeal. Enrollment

ordered by Department February 3, 1905 (I.T.D.1130-1905).

David Ritter, opposite No.16104, upon the final roll of citizens by blood of the Choctaw Nation. Admitted by Commission in 1896 in case No. 488; denied by Commission in 1896 in case No. 1107; admitted by United States Court for central district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court.

Ida Crutchfield, Ima Crutchfield, Louvinia Crutchfield, William Crutchfield and Loutitia Crutchfield, opposite Nos. 16105, 16107, 16108, 16109 and 16110, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Admitted by Commission in 1896 in case No. 488; admitted by United States court for central district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court.

Everet Crutchfield, opposite No. 16106, upon the final roll of citizens by blood of the Choctaw Nation. Born in 1887, and son of Ida Crutchfield, above mentioned. Was not before the Commission in 1896, and possesses no tribal status.

George W. Crutchfield, opposite No. 16111, upon the final roll of citizens by blood of the Choctaw Nation. Born since 1896, and child of Ida Crutchfield, opposite No. 16105.

James T. Leard, opposite No. 1626, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by

Commission in 1896 in case No. 1223; admitted by United States court for the central district of Indian Territory; denied by the Choctaw and Chickasaw Citizenship Court.

Robert L. Rabon, opposite No. 1406, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 1017; no appeal. Patents recorded.

Sarah Merryman, opposite No. 1405, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 345; no appeal.

Nellie F. Beagles, opposite No. 15917, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 11; no appeal. Patents recorded.

August Klugh, opposite No. 290, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 223; no appeal. Patents recorded.

Henry Pebworth, opposite No. 9258, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 1376; no appeal. Patents recorded.

Mary M. Bowling, opposite No. 1408, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 1031; no appeal. Patents recorded.

Alice E. James, Maggie M. James, Ellis E. James,

Analaurie James and Evalena James, opposite Nos. 15450, 15451, 15452, 15453, and 15454, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 1031; no appeal. Patents for Nos. 15450, 15451, 15453, and 15454, recorded.

Chester C. Atwood, opposite No. 1409, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 1127; no appeal. Patents recorded.

William D. Paxton, opposite No. 1410, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No. 582; No appeal. Patents recorded.

Charles A Woodward, opposite No. 662, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No. 522; denied by United States court for central district of Indian Territory; no appeal to the Choctaw and Chickasaw Citizenship Court. Homestead patent recorded.

Frederick R. Robinson, opposite No. 1531, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No. 675; admitted by United States court for central district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court.

Virginia P. Mitchell, opposite No. 1215, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by

Commission in 1896 in case No.389; no appeal. Patents recorded.

Andrew Beal, opposite No.1473, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.77; no appeal.

Benjamin B. Gunter, opposite No.1216, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No.267; denied by United States court for central district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court. Patents recorded.

Calvin Q. Harris, opposite No.1329, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No.423; denied by United States court for central district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court. Homestead patent recorded.

Lydia Ann Crowder, opposite No.1412, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.742; no appeal.

Madell McClure, opposite No.1414, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.1326; no appeal.

Mary E. Robinson and Mary A. Trice, opposite Nos.15856 and 15857, respectively, upon the final roll of citizens by blood

of the Choctaw Nation. Denied by Commission in 1896 in case No.661; no appeal. Patents for No.15856 recorded.

Lucy McMurtry, opposite No.1407, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.1324; no appeal.

Eli W. Crowder, James Crowder, Katie B. Crowder and Pinkie B. Crowder, opposite Nos.15921, 15922, 15923 and 15924, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No.762; no appeal.

John A. Crowder, opposite No.15925, upon the final roll of citizens by blood of the Choctaw Nation. Born in 1897, and son of Eli W. Crowder, opposite No.15921. Patents recorded.

Henry Southerland, opposite No.668, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.1381; no appeal. Patents recorded.

Robert A. Travis, opposite No.340, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.436; no appeal.

Mary Moran, opposite No.1416, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.350; no appeal. Patents recorded.



George W. Roberts, opposite No.1219, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No.659; denied by United States court for central district of Indian Territory; no appeal to the Choctaw and Chickasaw Citizenship Court. Patents recorded.

Vickey Lewis, opposite No.1476, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No.1239; admitted by United States court for central district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court. Patents recorded.

Ira L. Smith, opposite No.1127, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.790; denied by United States court for central district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court. Patents recorded.

Mattie Freeny, opposite No.1421, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.468; no appeal. Patents recorded.

Rosa E. Rigney, opposite No.1478, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No.708; admitted by United States court for central district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court. Patents recorded.

Josiah T. Marshal, opposite No.1341, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No.372; denied by United States court for the central district of Indian Territory; appeal to Choctaw and Chickasaw Citizenship court dismissed on May 4, 1903, on general demurrer, in case No.3 upon the McAlester docket.

Fannie Shults, opposite No.1423, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.1067; no appeal. Patents recorded.

Hattie A. Perkins, opposite No.1027, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.554; no appeal. Patents recorded.

John T. Staton, opposite No.1428, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.1072; no appeal. Patents recorded.

Amanda Choate, opposite No.1559, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.757; no appeal.

Eva Coleman, opposite No.1586, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.971; no appeal.

William F. Kelly, opposite No.1480, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No.1198; admitted by United States court for central district of Indian Territory; no appeal to the Choctaw and Chickasaw Citizenship Court.

Mattie M. Russell, opposite No.1353, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.1116; no appeal.

Grover Randall, opposite No.15928, upon the final roll of citizens by blood of the Choctaw Nation. Admitted by Commission in 1896 in case No.667; admitted by United States court for central district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court.

Agnes James, opposite No.15961, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No.1019; no appeal.

Martha Hyden, opposite No.1609, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.1344; admitted by United States court for Southern district of Indian Territory; denied by Choctaw and Chickasaw Citizenship Court.

Wiley Adams, opposite No.15027, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No.1128; no appeal.

Mary A. Foster, opposite No.985, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.437; no appeal.

Jeannetta H. Buckholts, opposite No.1537, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.943; no appeal.

Selden T. Lindsey, opposite No.1150, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No.25; denied by United States court for central district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court. Patents recorded.

Henry A. Cummings, opposite No.1464, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No.963; admitted by United States court for central district of Indian Territory; no appeal to the Choctaw and Chickasaw Citizenship Court. Ordered enrolled by Department April 1, 1905 (I.T.D. 3131-1905). Patents recorded.

Allen Beagles, opposite No.1486, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.11; no appeal. Patents recorded.

William Newton Gann, opposite No.1489, upon the final roll of citizens by intermarriage of the Choctaw Nation. Admitted by Commission in 1896 in case No.1010; admitted by United States court for central district of Indian Territory; no appeal to the Choctaw and Chickasaw Citizenship Court.

John W. Carter, opposite No.1543, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.982; no appeal.

Julia Omo, opposite No.1550, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.1407; admitted by United States court for southern district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court.

Robert C. McLendon, opposite No.16032, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No.1329; no appeal. Directed to be enrolled by Department April 5, 1906 (I.T.D. 5932-1904).

Martha J. McGahey, opposite No.1614, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.1268; no appeal. Decision of Commissioner of June 5, 1906, granting application affirmed by Department October 30, 1906 (I.T.D. 21238-1906).

Mattie L. Armstrong, Layton B. Armstrong and Bonnie D. Armstrong, opposite Nos. 16054, 16055 and 16056, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in cases No. 477 and 478; admitted by United States Court for southern district of Indian Territory; denied by Choctaw and Chickasaw Citizenship Court. Decision of Commissioner of July 9, 1906, granting application affirmed by Department August 11, 1896 (I.T.D. 13700-1906).

Rebecca K. Armstrong, opposite No. 16057, upon the final roll of citizens by blood of the Choctaw Nation. Born in 1898 and child of Mattie L. Armstrong, opposite No. 16054.

Thomas J. Howard, Horace Howard, Lonnie Howard, Emery Howard and Elmer Howard, opposite Nos. 16033, 16034, 16035, 16036 and 16037, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 1354; no appeal. Directed to be enrolled by Department April 6, 1906 (I.T.D. 5364-1904).

Bettie Perney Howard and Dora Lee Howard, opposite Nos. 16038 and 16039, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Born in 1897 and 1899, respectively, children of Thomas J. Howard, opposite No. 16033.

Carrie Howard, opposite No. 1578, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Com-

mission in 1896 in case No.1354; no appeal. Wife of Thomas J. Howard, opposite No.16033.

Gertrude Beaver, Clarence Beaver, Nellie Beaver and Myrtle Beaver, opposite Nos. 16040, 16041, 16042 and 16043, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Nos.16040 and 16041 denied by Commission in 1896 in case No.1354; no Appeal. Nos.16042 and 16043 born in 1896 and 1900, respectively, and children of Gertrude Beaver, opposite No.16040. Ordered enrolled by Department April 6, 1906 (I.T.D. 5364-1904).

Burrell F. McLendon, John B. McLendon, Thomas McLendon, Ida M. McLendon, Ralph McLendon, Harry McLendon and Fannie McLendon, opposite Nos. 16025, 16026, 16027, 16028, 16029, 16030 and 16031, respectively, upon the final roll of citizens by blood of the Choctaw Nation. All but Nos. 16030 and 16031 denied by Commission in 1896 in case No. 1271; no appeal. Nos. 16030 and 16031 born in 1896 and 1898, respectively, and children of No.16025. Directed to be enrolled by Department April 6, 1906 (I.T.D. 6372-1904).

Corneal McLendon, opposite No.1577, upon the final roll of citizens by intermarriage of the Choctaw Nation. Denied by Commission in 1896 in case No.1271; no appeal. Wife of Burrell F. McLendon, opposite No.16025.

George A. Bumgarner, opposite No.16112, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No.620; no appeal.

James S. Long, Joseph Long, Forbis Long, opposite Nos. 16003, 16004, and 16005, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Placed on 1896 Choctaw Census Roll by Choctaw Revisory Board without authority of law, as in William C. Thompson case. Ordered enrolled by Department January 19, 1905 (I.T.D. 3192-1905).

Columbus B. Autry, Lenora Green and Teddy Green, opposite Nos. 16048, 16049 and 16050, respectively. Nos. 16048 and 16049 placed on 1896 Choctaw Census Roll by Choctaw Revisory Board without authority of law as in William C. Thompson case. No. 16050 born February 14, 1901; son of 16049. Record transmitted to Department December 21, 1906, for consideration in case of Hezekiah Enoch Autry.

CHOCTAW MINORS, ACT OF CONGRESS APPROVED

APRIL 26, 1906 (34 Stats., 137).

Nettie Myrl Crowder, opposite No. 674, child of George W. Crowder, opposite No. 15906, upon the final roll of citizens by blood of the Choctaw Nation, and Parlee C. Crowder, opposite No. 1524, upon the final roll of citizens by intermarriage of the Choctaw Nation.

Rufus Clay Crowder, opposite No. 4, child of William J. Crowder, opposite No. 15899, upon the final roll of citizens by blood of the Choctaw Nation, and Josephine Crowder, opposite



No.1523, upon the final roll of citizens by intermarriage of the Choctaw Nation.

Fannie Jane Wright, opposite No.253, child of J. W. Wright, non-citizen, and Betsy Wright, opposite No.15912, upon the final roll of citizens by blood of the Choctaw Nation.

Lee Green, opposite No.685, child of W. F. Green, non-citizen, and Lenora Green, opposite No.16049, upon the final roll of citizens by blood of the Choctaw Nation.

Ruth McLendon, opposite No.706, child of Robert C. McLendon, opposite No.16032, upon the final roll of citizens by blood of the Choctaw Nation, and Ennis McLendon, a non-citizen.

Roy D. McLendon, opposite No.268, child of Burrell F. McLendon, opposite No.16025, upon the final roll of citizens by blood of the Choctaw Nation, and Corneal McLendon, opposite No. 1577, upon the final roll of citizens by intermarriage of the Choctaw Nation.

Jennie Louise Braudrick, opposite No.724, child of Mary A. Trice, opposite No.15857, upon the final roll of citizens by blood of the Choctaw Nation, and William M. Braudrick, non-citizen.

Hazel Calvin Beaver, Claud Dawson Beaver and Herbert Howard Beaver, opposite No. 457, 458, and 459, respectively, children of Gertrude Beaver, opposite No.16040, upon the final roll

of citizens by blood of the Choctaw Nation, and Calvin Beaver, a non-citizen.

Effie Barnett, Opposite No.367, child of Amanda Isabella Sumpter, opposite No.15646, upon the final roll of citizens by blood of the Choctaw Nation, and A. F. Barnett, a non-citizen.

Odis A. Kiefer and Eurana Kiefer, opposite Nos.790 and 791, respectively, children of Ardella Kiefer, opposite No.15916, upon the final roll of citizens by blood of the Choctaw Nation, and Charles Kiefer, a non-citizen.

Josephine Laflore Long, Francis Long and Jake Laflore Long, opposite Nos. 921, 669 and 922, respectively, children of Forbis Long, opposite No.16005, upon the final roll of citizens by blood of the Choctaw Nation, and Lummie Long, a non-citizen.

CHICKASAWS BY BLOOD AND INTERMARRIAGE.

Gustavus A. Ramsey, opposite No.514, upon the final roll of citizens by intermarriage of the Chickasaw Nation. Admitted by Commission in 1896 in case No.123; denied by United States court for southern district of Indian Territory; no appeal to the Choctaw and Chickasaw Citizenship Court. Patents recorded.

Sallie J. Hargis, opposite No.626, upon the final roll of citizens by intermarriage of the Chickasaw Nation; denied by Commission in 1896 in case No.281; no appeal.

John E. Goldsby, Linniel E. Goldsby and Bessie Goldsby, opposite No. 4984, 4985, and 4986, respectively, upon the final roll of citizens by blood of the Chickasaw Nation. All admitted by Commission in 1896 in case No. 254; admitted by United States court for southern district of Indian Territory; no appeal to the Choctaw and Chickasaw Citizenship Court. Decision of Commission of May 23, 1905, granting application affirmed by Department October 6, 1905 (I.T.D. 8148-1905).

Murray Milton Goldsby, opposite No. 4987, upon the final roll of citizens by blood of the Chickasaw Nation. Born in 1898, and son of John E. Goldsby, opposite No. 4984.

Joe Perry and Dillard Perry, opposite Nos. 5013 and 5014, respectively, upon the final roll of citizens by blood of the Chickasaw Nation. Denied by Commission in 1896 in case No. 116; no appeal. Ordered enrolled as citizens by blood of the Chickasaw Nation by Department on October 10, 1906 (I.T.D. 18962-1906). The names of these persons formerly appeared opposite Nos. 267 and 268 upon the roll of Chickasaw freedmen, approved by the Secretary of the Interior December 12, 1902; and in the event their names are stricken from the approved roll of citizens by blood of the Chickasaw Nation, their names should be re-instated upon the Chickasaw freedmen roll.

Benjamin J. Vaughan, opposite No. 605, upon the final roll of citizens by intermarriage of the Chickasaw Nation.

Admitted by Commission in 1896 in case No.92; admitted by United States court for southern district of Indian Territory; no appeal to the Choctaw and Chickasaw Citizenship Court. Patents recorded.

Edward A. Vaughan, Grover Cleveland Vaughan and Oscar S. Vaughan, opposite Nos. 4969, 4970 and 4971, respectively, upon the final roll of citizens by blood of the Chickasaw Nation. Admitted by Commission in 1896 in case No.92; affirmed by United States court; no appeal to Choctaw and Chickasaw Citizenship Court. Patents recorded.

William T. Lancaster, opposite No.612, upon the final roll of citizens by intermarriage of the Chickasaw Nation. Admitted by Commission in 1896 in case No.202; appealed to United States Court and affirmed; no appeal to Choctaw and Chickasaw Citizenship Court. Patents recorded.

John W. Archerd, opposite No.622, upon the final roll of citizens by intermarriage of the Chickasaw Nation. Admitted by Commission in 1896 in case No.178; appealed to United States court for southern district of Indian Territory and affirmed; no appeal to Choctaw and Chickasaw Citizenship Court.

James W. Ragland, opposite No.631, upon the final roll of citizens by intermarriage of the Chickasaw Nation. Denied by Commission in 1896 in case No.55; appealed to United States court for southern district of Indian Territory, and appeal dismissed.

Action of the Commissioner of October 25, 1905, enrolling applicant affirmed by the Department January 9, 1906 (I.T.D. 17405-1905).

Thomas St. John, opposite No. 596, upon the final roll of citizens by intermarriage of the Chickasaw Nation. Denied by Commission in 1896 in Choctaw case No. 1059; no appeal. Papers recorded.

John Quincy Adams, opposite No. 621, upon the final roll of citizens by intermarriage of the Chickasaw Nation. Admitted by Commission in 1896 in case No. 2; denied by United States court for southern district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court.

Mary A. Shanks, opposite No. 629, upon the final roll of citizens by intermarriage of the Chickasaw Nation. Denied by Commission in 1896 in case No. 219; admitted by United States court for southern district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court.

Clay McCoy, opposite No. 606, upon the final roll of citizens by intermarriage of the Chickasaw Nation. Admitted by Commission in 1896 in case No. 141; admitted by United States court for southern district of Indian Territory; no appeal to the Choctaw and Chickasaw Citizenship Court. Directed to be enrolled by Department April 1, 1905 (I.T.D. 3128-1905).

The Indian Office, to which was referred your letter of the 27th ultimo for report, concurs in letter of March 2, 1907, in your recommendation that such names be stricken from the rolls.

The Department is compelled to rely upon your investigation, as the act of April 26, 1906 (34 Stat., 137), provides in section 2 that the rolls of the Choctaw and Chickasaw Nations shall be completed on or before the 4th day of March, 1907, and that the Secretary of the Interior shall have no jurisdiction to approve the enrollment of any person after such date. Assuming, therefore, that your information is correct, the names of the persons mentioned, not heretofore stricken from the partial rolls, are stricken from such rolls this day, notwithstanding any decision that may have been made by the Department in favor of such persons.

As recommended by you, the names of Joe and Dillard Perry have been reinstated upon the Chickasaw freedman roll, opposite Nos. 27 and 28.

The Department concurs in your views relative to the following persons:

Anna Mitchell and Allen Yates Mitchell, opposite Nos. 1200 and 1201, respectively, upon the final roll of citizens by blood of the Choctaw Nation, listed by Commission in 1896 in case No. 1291, as agreed. Patents recorded.

David E. Strickland and Mertie P. Strickland, opposite Nos. 15919 and 15920, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 941; no appeal.

Nettie P. McMurtry and Martha E. McMurtry, opposite Nos. 15448 and 15449, respectively, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 1324; no appeal. Homestead patents recorded.

Rufus Satterfield, opposite No. 15930, upon the final roll of citizens by blood of the Choctaw Nation. Denied by Commission in 1896 in case No. 1062, no appeal.

Charles William Thompson, opposite No. 4968, on the final roll of citizens by blood of the Chickasaw Nation. Admitted by Commission in 1896 in case No. 162; admitted by United States court for southern district of Indian Territory; no appeal to Choctaw and Chickasaw Citizenship Court.

You state that such persons are minor children of duly enrolled citizens by blood of the Choctaw or Chickasaw Nation, and that the names of one parent of each of these children appears upon the final roll of citizens by blood of the Choctaw or Chickasaw Nation approved by the Department prior to March 3, 1905, and that while under the opinion of the Attorney-General of February 19, 1907, it would appear that these children are

not entitled to enrollment as citizens by blood of the Choctaw or Chickasaw Nation under the acts of June 28, 1898 (30 Stat., 495), and July 1, 1902 (32 Stat., 641), you believe that such children can be enrolled under a provision of the act of March 3, 1905 (33 Stat., 1060), which is as follows:

"That the Commission to the Five Civilized Tribes is hereby authorized for sixty days after the date of the approval of this Act to receive and consider applications for enrollment of infant children born prior to September twenty-fifth, nineteen hundred and two, and who were living on said date, to citizens by blood of the Choctaw and Chickasaw tribes of Indians whose enrollment has been approved by the Secretary of the Interior prior to the date of the approval of this Act, and to enroll and make allotments to such children."

In this the Department concurs, and as you suggest, the names of these children will be permitted to stand as they are at present on the rolls of citizens by blood of these two nations.

If by inadvertence the name of anyone has been left on any partial roll after decision adverse to him was made by the Department prior to March 5, 1907, and since the opinion of the Attorney-General referred to, the name of such person will be stricken from the roll as of this date.

A copy of Indian Office letter of March 2, 1907, is inclosed.

Respectfully,

(Signed) E. A. Hitchcock,

Secretary.

1 inclosure.



DEPARTMENT OF THE INTERIOR  
OFFICE OF INDAIN AFFAIRS,  
WASHINGTON.

March 2, 1907.

C O P Y.

The Honorable,

The Secretary of the Interior.

Sir:

Acknowledgement is hereby made of the receipt of Departmental letter of this date, (I.T.D. 6902-1907), enclosing for report copy of letter of February 27, 1907 from the Commissioner to the Five Civilized Tribes, relative to the names of persons who have heretofore been placed on the final rolls of citizens by blood of the Choctaw and Chickasaw Nations, who are affected by the opinion of the Attorney General of the United States of February 19, 1907.

Commissioner Bixby sets out in his letter the names of all the persons now appearing on the rolls who are deemed by him to be without right to enrollment under the opinion of the Attorney General mentioned. In some of these cases patents have been executed and recorded, and in others no patents have been issued.

The office is of the opinion that the list prepared by the Commissioner contains the names of persons who in the light of the opinion of the Attorney General are not entitled to enrollment, and it is therefore recommended that the action of

--2--

the Commissioner in striking the names of these persons from the roll be approved, and that their names also be stricken from the copies of the rolls in the possession of the Department and of this office.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

EBH-LC

Choctaw 3693

Muskogee, Indian Territory, March 29, 1907.

Mary Moran,

Ego, Indian Territory,

Dear Madam:

You are hereby advised that in accordance with an opinion of the Attorney General of the United States of February 19, 1907, the Secretary of the Interior, on March 4, 1907, directed the cancellation of your enrollment upon the roll of citizens by marriage of the Choctaw Nation.

Your name has accordingly been stricken from the copy of said roll in the possession of this office.

Respectfully,

Acting Commissioner.

C O P Y

DEPARTMENT OF THE INTERIOR,  
WASHINGTON.

Address only  
The Secretary of the Interior.

G W W

January 19, 1909.

The Commissioner to the  
Five Civilized Tribes,  
Muskogee, Oklahoma.

Sir:

November 30, 1908, the Supreme Court rendered decisions in what are known as the Goldsby and Allison cases. These suits were brought to obtain mandates against the Secretary of the Interior to correct the rolls as to said Goldsby and Allisons, on the ground that the Secretary of the Interior after placing their names upon approved rolls of citizenship had attempted to strike them from these rolls without notice and an opportunity to be heard. The decisions of the Supreme Court is that mandate shall issue in these cases.

There are many suits of a similar nature pending against the Secretary of the Interior, and after careful conferences between this Department and the Department of Justice it was decided that judgment should be allowed in all pending mandamus actions in which the relators stand clearly in the same position as Goldsby and the Allisons. Pursuant to these conferences and to the judgments which may be entered on account of the above decisions of the Supreme Court, you are hereby directed to erase the interlineations

and notations which purport to strike any of the following names from the rolls of citizens of the respective nations of the Five Civilized Tribes:

PERSONS WHO HAD PRIOR TO THE GOLDSBY DECISION INSTITUTED SUITS, THE PRINCIPLES OF WHICH ARE UNDOUBTEDLY SIMILAR TO THE OPINION OF THE SUPREME COURT IN THAT DECISION.

Chickasaws by Blood.

| <u>Roll No.</u> | <u>Name.</u>       | <u>Suit No.</u> | <u>Court.</u> |
|-----------------|--------------------|-----------------|---------------|
| 4984            | Goldsby, John E.   | 246             | U.S.S.C.      |
| 4985            | Goldsby, Linnel E. | 50033           | S.C.D.C.      |
| 4986            | Goldsby, Bessie    | 50033           | S.C.D.C.      |
| 4987            | Goldsby, Murray A. | 50033           | S.C.D.C.      |
| 4969            | Vaughan, Edward A. | 372             | U.S.S.C.      |
| 4970            | Vaughan, Grover C. | 371             | U.S.S.C.      |
| 4971            | Vaughan, Oscar S.  | 371             | U.S.S.C.      |

Chickasaws by Intermarriages

|     |                       |       |          |
|-----|-----------------------|-------|----------|
| 621 | Adams, John Quincy    | 50033 | S.C.D.C. |
| 621 | Lancaster, William T. | 50033 | S.C.D.C. |
| 606 | McCoy, Clay           | 49358 | S.C.D.C. |
| 631 | Rugland, James W.     | 51025 | S.C.B.C. |
| 596 | St. John, Thomas      | 50363 | S.C.D.C. |
| 605 | Vaughan, Benjamin F.  | 372   | U.S.S.C. |

-3-

| <u>Roll No.</u> | <u>Name.</u>                     | <u>Suit No.</u> | <u>Court.</u> |
|-----------------|----------------------------------|-----------------|---------------|
| 15027           | Adams, Wiley                     | 50033           | S.C.D.C.      |
| 16048           | Autrey, Columbus S.              | 49722           | S.C.D.C.      |
| 16040           | Beaver, Gertrude                 | 50033           | S.C.D.C.      |
| 16041           | Beaver, Clarence                 | 50033           | S.C.D.C.      |
| 16042           | Beaver, Nellie                   | 50033           | S.C.D.C.      |
| 16043           | Beaver, Myrtle                   | 50033           | S.C.D.C.      |
| 15917           | Beagles, Nellie F.               | 50033           | S.C.D.C.      |
| 15911           | Crowder, Van                     | 50033           | S.C.D.C.      |
| 15910           | Crowder, Willie                  | 50033           | S.C.D.C.      |
| 16909           | Crowder, Belzooi                 | 50033           | S.C.D.C.      |
| 15908           | Crowder, Joe                     | 50033           | S.C.D.C.      |
| 15907           | Crowder, Louisa                  | 50033           | S.C.D.C.      |
| 15906           | Crowder, George W.               | 50033           | S.C.D.C.      |
| 16050           | Green, Teddy                     | 49724           | S.C.D.C.      |
| 16049           | Green, Lenora                    | 49724           | S.C.D.C.      |
| 16033           | Howard, Thomas J.                | 50033           | S.C.D.C.      |
| 16034           | Howard, Horace                   | 50033           | S.C.D.C.      |
| 16035           | Howard, Lonnie                   | 50033           | S.C.D.C.      |
| 16036           | Howard, Emery                    | 50033           | S.C.D.C.      |
| 16037           | Howard, Elmer                    | 50033           | S.C.D.C.      |
| 16038           | Howard, Bettie Parney            | 50033           | S.C.D.C.      |
| 16039           | Howard, Dora Lee                 | 50033           | S.C.D.C.      |
| 15451           | James, (Or Richardson) Maggie M. | 50033           | S.C.D.C.      |

| <u>Roll No.</u>              | <u>Name.</u>             | <u>Suit No.</u> | <u>Court.</u> |
|------------------------------|--------------------------|-----------------|---------------|
| 15452                        | James, Ellis B.          | 50033           | S.C.D.C.      |
| 15453                        | James, Annalaurie        | 50033           | S.C.D.C.      |
| 15454                        | James, Evalina           | 50033           | S.C.D.C.      |
| 15961                        | James, Agnes             | 50033           | S.C.D.C.      |
| 15394                        | Kirk, Gabriella          | 50355           | S.C.D.C.      |
| 15393                        | Kirk, Sarah              | 50355           | S.C.D.C.      |
| 15953                        | Shelton, Emma            | 51240           | S.C.D.C.      |
| 15952                        | Shelton, Frank           | 51240           | S.C.D.C.      |
| 15645                        | Sumpter, John            | 50033           | S.C.D.C.      |
| 15646                        | Sumpter, Amanda Isabella | 50033           | S.C.D.C.      |
| 15647                        | Sumpter, Jim Andy        | 50033<br>51240  | S.C.D.C.      |
| 15648                        | Sumpter, Scott Taylor    | 50033<br>51240  | S.C.D.C.      |
| 15649                        | Sumpter, Dixan D.        | 51240           | S.C.D.C.      |
| 15912                        | Wright, Betsy            | 50033           | S.C.D.C.      |
| 15913                        | Wright, Thomas E.        | 50033           | S.C.D.C.      |
| 15914                        | Wright, Mary H.          | 50033           | S.C.D.C.      |
| 15915                        | Wright, Leonard D.       | 50033           | S.C.D.C.      |
| <u>Choctaws by Marriage.</u> |                          |                 |               |
| 1628                         | Allen, Andrew J.         | 50033           | S.C.D.C.      |
| 1409                         | Atwood, Chester C.       | 50355           | S.C.D.C.      |
| 1473                         | Beal, Andrew             | 50947           | S.C.D.C.      |
| 1408                         | Bowling, Mary M.         | 51026<br>50033  | S.C.D.C.      |

| <u>Roll No.</u> | <u>Name.</u>              | <u>Suit No.</u> | <u>Court.</u> |
|-----------------|---------------------------|-----------------|---------------|
| 1543            | Carter, John W.           | 50534           | S.C.D.C.      |
| 1444            | Cummings, Henry A.        | 50033           | S.C.D.C.      |
| 1524            | Crowder, Parlee C.        | 50033           | S.C.D.C.      |
| 1329            | Harris, Calvin Q.         | 49723           | S.C.D.C.      |
| 1578            | Howard, Carrie            | 50033           | S.C.D.C.      |
| 1399            | Kirk, J. W.               | 50354           | S.C.D.C.      |
| 290             | Klugh, August             | 50033           | S.C.D.C.      |
| 1027            | Perkins, Hattie A.        | 50353           | S.C.D.C.      |
| 1491            | Reichert, William         | 51026           | S.C.D.C.      |
| 1400            | Rice, Ambrose L.          | 5374            | S.C.D.C.      |
| 1423            | Shults (or Shults) Fannie | 51026           | S.C.D.C.      |
| 1495            | Shelton, John             | 50946           | S.C.D.C.      |
| 1469            | Sumpter, Jacob D.         | 50033           | S.C.D.C.      |
| 340             | Travis, Robert A.         | 50948           | S.C.D.C.      |
| 1403            | White, Angelina           | 51026           | S.C.D.C.      |
| 662             | Woodard, Charles A.       | 49494           | S.C.D.C.      |

Minor Choctaws.

Act of Congress Approved April 26, 1906.

|     |                      |       |          |
|-----|----------------------|-------|----------|
| 367 | Barnett, Effie       | 50033 | S.C.D.C. |
| 457 | Beaver, Hazel Calvin | 50033 | S.C.D.C. |
| 458 | Beaver, Claud D.     | 50033 | S.C.D.C. |
| 459 | Herbert, Howard      | 50033 | S.C.D.C. |
| 674 | Crowder, Nettie Myrl | 50033 | S.C.D.C. |
| 685 | Green, Lee           | 49724 | S.C.D.C. |
| 253 | Wright, Fannie Jane  | 50033 | S.C.D.C. |



Cherokees by Blood.

| <u>Roll No.</u> | <u>Name.</u>        | <u>Suit No.</u> | <u>Court.</u> |
|-----------------|---------------------|-----------------|---------------|
| 31910           | Allison, John       | 49434           | S.C.D.C.      |
| 31960           | Allison, Johnnie S. | 49436           | S.C.D.C.      |
| 31961           | Allison, Frankie P. | 49437           | S.C.D.C.      |
| 31956           | Allison, Ida B.     | 249             | U.S.S.C.      |
| 31957           | Allison, George A.  | 250             | U.S.S.C.      |

A careful investigation of those names concerning which no suits were brought, but which, after being upon an approved roll of citizens or freedmen of any of the Five Civilized Tribes, were stricken therefrom without notice and an opportunity to be heard, has thus far developed a list which undoubtedly falls within the principles expressed by the Supreme Court in the Goldsby decision. All these persons are in the same position as those named in the above list of those who had filed suits prior to that decision. It follows necessarily that, if suits were instituted in these cases, judgment must be allowed as was done in the case of the names on the above list. For this reason I have decided that it would be improper to delay the correction of the rolls as far as these persons are concerned. Such delay would continue the rolls in an incorrect condition according to the opinion of the Supreme Court, would bring hardship and expense upon the citizens and freedmen involved, and would delay completion of the work of the Commission to the Five Civilized Tribes.

The correction of As cases does not add  
names to the rolls, but merely erases from the rolls interlineations  
and notations which the court says the Secretary of the Interior  
has no power to place there. For those reasons you are hereby  
directed to erase the interlineations and notations which purport  
to strike any of the following names from the rolls of citizens  
of the respective nations of the Five Civilized Tribes:  
PERSONS WHO HAD NOT INSTITUTED SUITS PRIOR TO THE GOLDSBY DECISION  
BUT WHOSE CASES FALL INDUBITABLY UNDER THE PRINCIPLES  
OF THAT DECISION.

Chickasaws by Blood.

| <u>Roll No.</u> | <u>Name</u> | <u>Roll No.</u> | <u>Name.</u>   |
|-----------------|-------------|-----------------|----------------|
| 5013            | Perry, Joe  | 5014            | Perry, Billard |

Chickasaws by Marriage.

|     |                   |     |                     |
|-----|-------------------|-----|---------------------|
| 622 | Archerd, John W.  | 629 | Shanks, Mary A.     |
| 626 | Hargis, Sallie J. | 514 | Ramsay, Gustavus A. |

Choctaws by Blood.

|       |                          |       |                        |
|-------|--------------------------|-------|------------------------|
| 16103 | Allen, Elizabeth         | 16110 | Crutchfield, Loutitia  |
| 16112 | Bumgarner, George A.     | 16106 | Crutchfield, Everet    |
| 15925 | Crowder, John A.         | 16111 | Crutchfield, George W. |
| 15924 | Crowder, Pinkie B.       | 15450 | James, Alice E.        |
| 15923 | Crowder, Katie B.        | 15972 | Jennings, Arthur       |
| 15921 | Crowder, Eli W.          | 15973 | Jennings, Clyde        |
| 15922 | Crowder, James           | 15916 | Keifer, Ardella        |
| 15905 | Crowder, Winnie Gertrude | 16003 | Long, James S.         |
| 15904 | Crowder, John P.         | 16004 | Long, Joseph           |

| <u>Roll No.</u>              | <u>Name.</u>           | <u>Roll No.</u> | <u>Name.</u>            |
|------------------------------|------------------------|-----------------|-------------------------|
| 15903                        | Crowder, William H.    | 16005           | Long, Forbis,           |
| 15902                        | Crowder, Rosa          | 921             | Long, Josephine LaFlora |
| 15901                        | Crowder, Maggie        | 922             | Long, Jake Laflora      |
| 15900                        | Crowder, Abigail       | 9258            | Peabworth, Henry        |
| 15899                        | Crowder, William J.    | 15928           | Randall, Grover         |
| 16105                        | Crutchfield, Ida       | 16104           | Ritter, David           |
| 16107                        | Crutchfield, Ina       | 15856           | Robinson, Mary E.       |
| 16108                        | Crutchfield, Louvinia  | 15951           | Shelton, Daisy          |
| 16109                        | Crutchfield, William   | 15857           | Trice, Mary A.          |
| <u>Choctaws by Marriage.</u> |                        |                 |                         |
| 1486                         | Baughs, Allen          | 1414            | McClure, Madell         |
| 1537                         | Buekholtz, Jeanetta H. | 1614            | McCahey, Martha J.      |
| 1559                         | Choate, Amanda         | 1407            | McMurtry, Lucy          |
| 1412                         | Crowder, Lydia Ann     | 1550            | Omo, Julia              |
| 1523                         | Crowder, Josephine     | 1410            | Paxton, William D.      |
| 986                          | Foster, Mary A.        | 1406            | Rabon, Robert L.        |
| 1421                         | Freeny, Mattie         | 1490            | Heding, Ella            |
| 1489                         | Gann, William Newton   | 1478            | Rigney, Rosa E.         |
| 1518                         | Gray, John Calvin      | 1219            | Roberts, George W.      |
| 1216                         | Gunter, Benjamin B.    | 1531            | Robinson, Frederick R.  |
| 1480                         | Kelly, William P.      | 1353            | Russell, Mattie M.      |
| 1476                         | Lewis, Visey           | 1127            | Smith, Ira L.           |
| 1150                         | Lindsey, Selden T.     | 1428            | Staton, John T.         |

| <u>Roll No.</u> | <u>Name.</u>          | -9- | <u>Roll No.</u> | <u>Name.</u>        |
|-----------------|-----------------------|-----|-----------------|---------------------|
| 1405            | Merryman, Sarah       |     | 668             | Sutherland, Henry   |
| 1215            | Mitchell, Virginia P. |     | 1470            | Tucker, William W.  |
| 1519            | Mitchell, Mattie B.   |     |                 |                     |
| 1416            | Moran, Mary           |     | 1468            | Vincent, Charlie E. |

Minor Choctaw Citizens.

| <u>Roll No.</u> | <u>Name</u>              | <u>Roll No.</u> | <u>Name.</u>   |
|-----------------|--------------------------|-----------------|----------------|
| 724             | Braudrick, Jennie Louise | 791             | Kiefer, Surana |
| 4               | Crowder, Rufus Clay      | 669             | Long, Francis  |
| 790             | Kiefer, Odie A.          |                 |                |

Cherokee by Blood.

|       |                   |       |                    |
|-------|-------------------|-------|--------------------|
| 31956 | Allison, Elmer C. | 31959 | Allison, Jasper P. |
|-------|-------------------|-------|--------------------|

In order that the action of erasures may be uniform for all names and upon all rolls, you will make such erasures in the following manner: The lines drawn through and purporting to cancel the names from the rolls shall be lined out by drawing across them short transverse lines in red ink. The notations purporting to cancel the names from the rolls shall be lined out by drawing through each line of said notations red horizontal lines. In addition to lining out the interlineations and notations you will insert a note at the foot or side of each page containing any of these corrections, said note to be indicated by stars placed before the names involved. The note shall read as follows:

"Words and lines purporting cancellation erased by authority of departmental letter of January 19, 1909 (File 5-51)."

You will notify all persons, whose status on the rolls

has been recognized as above, of the action taken, and that they have all the rights to allotment and payments enjoyed by other citizens, as though no attempt had ever been made to cancel their names from the rolls.

Except for the Allisona named in above lists, I am not ready to give you a list of the Cherokees and Creeks whose status upon the rolls will be corrected under the principles of the Goldsby decision. Direction concerning them will follow within a week.

There are other names which were upon approved rolls and were erased or stricken therefrom by the Secretary of the Interior without notice. Some of these are already the subject of injunction or mandamus actions against the Secretary of the Interior, and in other cases such action has not been instituted. There are reasons which make it doubtful whether those persons fall indubitable under the principles of the Goldsby decision. Careful consideration of the matter will be given at once, and, according to the decision reached in each case, the persons involved will be left to such court action as they deem wise or will have the rolls corrected by departmental action in the manner indicated for the two lists set forth above.

A sample page is inclosed, showing the method of erasure to be followed by all officers in the correction of the rolls.

Very respectfully,  
(Signed) James Endolph Garfield  
Secretary.

7-3693  
B-1416

Muskogee, Oklahoma, February 8, 1909.

Mary Moran,

Ego, Oklahoma.

Madam:

I am instructed by the Department of the Interior that your case falls within the principles of the decision of the Supreme Court of the United States in the case of John E. Goldsby et al., seeking to have their names restored to the rolls of citizens of the Choctaw and Chickasaw Nations, and that the notations striking your name from the roll of citizens by intermarriage of the Choctaw Nation shall be erased and that you have all the rights to allotment and payments enjoyed by other citizens as if no attempt had ever been made to cancel your name from this roll.

Said instructions have been carried out by this office, and you are now advised that the status of your name on the approved roll of citizens of the Choctaw Nation and of your allotment selection in said nation is the same as prior to March 4, 1907, when the Secretary of the Interior directed that your name be stricken from the roll.

Respectfully,

WHA(CM)

Acting Commissioner.

MEMORANDA.

(Date) \_\_\_\_\_ 1899.

Name \_\_\_\_\_

Choctaw? \_\_\_\_\_ County Blue Year 78 No. 8756

Chickasaw? \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page 117

Citizen by blood? \_\_\_\_\_ Mother's citizenship \_\_\_\_\_

Intermarried citizen? \_\_\_\_\_

Married under what law? \_\_\_\_\_

License filed this day, \_\_\_\_\_

Wife's name, \_\_\_\_\_

Choctaw? \_\_\_\_\_ County Blue Year 76 No. 196

Chickasaw? \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page 374

Citizen by blood? \_\_\_\_\_ Mother's citizenship \_\_\_\_\_

Intermarried citizen? \_\_\_\_\_

Married under what law? \_\_\_\_\_

License filed this day \_\_\_\_\_

Names of children:

13 Maple Moran County Blue Year 96 Page 119 No. 8757

8 Charles County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. 8758

2 Robert R. County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

3693

Choc 3694 Silway Fallis

3694



IN RE

Application for Enrollment of

INFANT CHILD

*Milson Belwin*

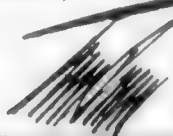
as a citizen of

*Choctaw*

Nation.

Approved, DEC 24 1902

190



Commissioner.

*This application received Muskogee I.T. July 7, 1902. returned for information relative to identity of mother, same data*

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

DEC 24 1902



ACTING CHAIRMAN.

*3073694*

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the *Cherokee* Nation,  
of *Wilson Belvin*, born on the *18th* day of *September*, 1900  
(Here insert name of child)  
Name of Father: *Solomon J Belvin*, a citizen of the *Cherokee* Nation,  
Name of Mother: *Sallie Belvin*, a citizen of the *Cherokee* Nation.  
Post-office, *Jackson, T. T.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,

*Central* INDIAN TERRITORY, District.

I, *Sallie Belvin*, on oath state that I am *19*  
years of age and a citizen, by *Blood*, of the *Cherokee* Nation;  
that I am the lawful wife of *Solomon J Belvin*, who is a citizen, by  
*Blood*, of the *Cherokee* Nation, that a *Male* child was  
(male or female)  
born to me on the *18th* day of *September*, 1900; that said child has been  
named *Wilson Belvin*, and is now living.

WITNESSES TO MARK

(Must be Two Witnesses)

*Sallie Belvin*

Subscribed and sworn to before me this *30th* day of *June*, 1902

*H W Utaway* NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,

*Central* INDIAN TERRITORY, District.

I, *Silvay Follis*, a *Midwife*, on oath state that I  
attended on Mrs. *Sallie Belvin*, wife of *Solomon J Belvin*,  
on the *18th* day of *September*, 1900; that there was born to her on  
said date a *Male* child; that said child is now living and is said to have been  
(male or female)  
named *Wilson Belvin*

WITNESSES TO MARK:

(Must be Two Witnesses)

*Silvay Follis*

Subscribed and sworn to before me this *30th* day of *June*, 1902

*H W Utaway* NOTARY PUBLIC

INDEXED

CHOCTAW.

20

*IN RE*

*Application for Enrollment of  
INFANT CHILD*

Enc Y 2

*Lizzy Belvin*  
*39*  
*as a citizen of the*

*Choctaw* Nation.

Approved ~~DEC 21 1902~~ 190



Commissioner.

*This application received Muskogee I.T.  
July 7 1902 - returned for information relative to  
identity of mother, same date*

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

DEC 21 1902



ACTING CHAIRMAN.

CHOCTAW.

3144

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choclaw Nation,  
of Lizzy Belvin, born on the 4<sup>th</sup> day of March, 1902  
Name of Father: Solomon J. Belvin, a citizen of the Choclaw Nation.  
Name of Mother: Sallie Belvin, a citizen of the Choclaw Nation.  
Post-Office: Jackson I T

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, )  
INDIAN TERRITORY, )  
Central District. }

I, Sallie Belvin, on oath state that I am 21  
years of age and a citizen, by Blood, of the Choclaw Nation;  
that I am the lawful wife of Solomon J. Belvin, who is a citizen, by  
Blood, of the Choclaw Nation, that a Female child was  
born to me on the 4<sup>th</sup> day of March, 1902; that said child has been  
named Lizzy Belvin, and is now living.

Sallie Belvin

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 30<sup>th</sup> day of June, 1902

H. W. Ataway  
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, )  
INDIAN TERRITORY, )  
Central District. }

I, Willway Hollis, a Midwife, on oath state that I  
attended on Mrs. Sallie Belvin, wife of Solomon J. Belvin,  
on the 4<sup>th</sup> day of March, 1902; that there was born to her on said  
date a Female child; that said child is now living and is said to have been  
named Lizzy Belvin.

Willway Hollis

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 30<sup>th</sup> day of June, 1902

H. W. Ataway  
Notary Public.

Choctaw 3587

Muskogee, Indian Territory, July 7, 1902.

Solomon J. Belvin,  
Jackson, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the applications for enrollment as citizens of the Choctaw Nation of Wilson Belvin, born September 18, 1900, and Lizzy Belvin, born March 4, 1902, the children of Solomon J. and Sallie Belvin, and the same is returned to you herewith for further information regarding the mother of these children.

It is stated in the affidavit of the mother that her name is Sallie Belvin, that she is a citizen by blood of the Choctaw Nation and the wife of Solomon J. Belvin. If this is correct, you are requested to state her maiden name, the time and place application was made for her enrollment, the names of other members of her family for whom application was made at the same time and such other information as you may have as will enable us to identify her upon our records. If she has been married to you since the time she was so listed for enrollment, you are requested to forward either the original or certified copy of your marriage certificate.

B J B 2

Upon receipt of the information requested above and the return of the applications, the matter will be given further consideration.

Yours truly,

Commissioner in Charge.

Enc Y 2

7-3694.

Muskogee, Indian Territory, March 3, 1903.

Solomon J. Belvin,

Jackson, Indian Territory.

Dear Sir:

It appears from our records that on July 17, 1902, there was received at this office the application for enrollment as citizens of the Choctaw Nation of Wilson Belvin, born September 18, 1902; and Lizzie Belvin, born March 4, 1902; infant children of Solomon J. and Sallie Belvin; and the same were returned to you for information relative to the mother which would enable the Commission to identify her as listed for enrollment as a citizen by blood of the Choctaw Nation.

Receipt is hereby acknowledged of return of the applications for enrollment of the above named children, and the required information relative to the mother having been recently received by the Commission showing that she was listed for enrollment under the name of Sila Polite; and the applications being in proper form have been duly filed with the records of the Commission, and these children listed for enrollment as citizens of the Choctaw Nation.

Respectfully,

Chairman.

MEMORANDA.

(Date) Aug 22 1899.

Name

Choctaw? County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day,

31 ✓ Wife's name, Silvia Hallis

Choctaw? County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

11 X H. County Year Page No. 76

18 H. E. County Year Page No. 75

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

3694



Choc 3695 Laura A. James

3695

Muskogee, Indian Territory, September 7, 1901.

T. V. McReynolds,

Mayhew, Indian Territory.

Receipt is hereby acknowledged of your letter of August 29th, enclosing applications for the enrollment of John Wesley Mosley, Mary James and Columbus James, infant children.

The application for enrollment as a Choctaw freedman of John Wesley Mosley, the infant son of Charley and Martha Mosley, born May 28th, 1901, being in proper form has been duly filed with the records of this office and the child listed for enrollment as a Choctaw freedman.

The application for enrollment as a citizen of the Choctaw Nation of Mary James, the infant daughter of J. S. and Melly James, born February 22nd, 1901, is returned to you herewith for the reason that the parents of this child cannot be identified as listed for enrollment as citizens or freedmen of the Choctaw Nation. You are therefore requested to state the full names of the parents of this child, the time and place they made application for enrollment, the names of other members of their family for whom application was made at the same time and any other information which you may have which will identify one or both of them as listed for enrollment. Upon receipt of this information and the return of the application the matter will receive further attention.

T Y 201 2--

The application for the enrollment as a citizen of the Choctaw Nation of Columbus James, the infant son of Johnnie and Laura James, born April 26, 1901, being in proper form has been duly filed with the records of this office and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Commissioner in Charge.

7-2693

17-063

17-023

Enc 2

RECORDED  
INDEXED  
MAY 10 1901  
U.S. DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS

## Department of the Interior,

## COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,  
of Addie James, born on the 8th day of January, 1899.  
Name of father: John James adopted, a citizen of the Choctaw Nation.  
Name of mother: Laura Ann James, a citizen of the Choctaw Nation.  
Post Office: Mayhew Ind Ter

## AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }  
INDIAN TERRITORY, }  
Central District. }

I, Laura Ann James on oath, state that I am 25 years of age and a  
citizen, by Blood, of the Choctaw Nation; that I am the  
lawful wife of John James who is a citizen, by Adoption of the  
Choctaw Nation; that a Girl child was born to me on the 8th day  
of January, 1899; that said child has been named Addie James,  
and is now living.

Subscribed and sworn to before me this 24th day of August, 1899.

Thomas W. Maxwell  
Notary Public.

## AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }  
INDIAN TERRITORY, }  
Central District. }

I, Jinny Harris, a Midwife, on oath, state that I  
attended on Mrs. James, wife of John James  
on the 8th day of January 1899; that there was born to her on said date a Girl child;  
that said child is now living and is said to have been named Addie James.

Subscribed and sworn to before me this 25th day of August, 1899.

Thomas W. Maxwell  
Notary Public.

CHOCTAW 335

INDEXED

20

IN RE

Application for Enrollment of

INFANT CHILD

*Columbus James*  
as a citizen of (Col.)

*Choctaw* Nation.

SEP - 6 1901

Approved, 190

*C. R. Beedmore*  
Commissioner.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

SEP 7 1901



ACTING CHAIRMAN

CHOCTAW

3645

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,  
of Columbus James, born on the 26 day of Apr., 1901  
(Here insert name of child)  
Name of Father: Johnnie James, a citizen of the Choctaw Nation.  
Name of Mother: Laura James, a citizen of the Choctaw Nation.  
Post-office, Wagoner Indian

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Central District.

I, Laura James, on oath state that I am 25-  
years of age and a citizen, by birth, of the Choctaw Nation;  
that I am the lawful wife of Johnnie James, who is a citizen, by  
birth, of the Choctaw Nation, that a male child was  
(male or female)  
born to me on the 26 day of Apr., 1901; that said child has been  
named Columbus James, and is now living.

WITNESSES TO MARK  
(Must be Two Witnesses) } Chas S Lynch yarese Jorral

Subscribed and sworn to before me this 27 day of Aug., 1901.

Thomas O. McReynolds  
NOTARY PUBLIC  
My Com. expires Apr 27-1905

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Central District.

I, Eliza James, a midwife, on oath state that I  
attended on Mrs. Laura James, wife of Johnnie James,  
on the 26 day of Apr., 1901; that there was born to her on  
said date a male child; that said child is now living and is said to have been  
(male or female)  
named Columbus James.

WITNESSES TO MARK:  
(Must be Two Witnesses) } Chas S Lynch Eliza James

Subscribed and sworn to before me this 27 day of Aug., 1901.

Thomas O. McReynolds  
NOTARY PUBLIC  
My Com. expires Apr 27-1905

7 3695 ✓

22

IN RE  
THE DEATH OF

*Uadi James*

a citizen of the

*Chocoma* Nation.

Approved *NOV 28 1902* 190

*[Signature]*  
Commissioner.

28

ACTING CLERK

CHOCTAW.

\*3695

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Aadie James  
(Here insert name of deceased)  
a citizen of the Choctaw Nation, who formerly resided at or near  
Mayhew, Ind. Ter., and died on the 3 day of  
September, 1902.  
(Here insert name of post office)

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Central District.

I, John James, on oath state that I am 33  
years of age and a freeman citizen, by adoption, of the Choctaw Nation;  
that my post office address is Mayhew, Ind. Ter.; that I am  
father of Aadie James,  
(State relationship as: the father, an uncle, a cousin, etc.) (Here insert name of deceased)  
who was a citizen, by blood, of the Choctaw Nation;  
and that said Aadie James died on the 3 day of  
September, 1902.  
(Here insert name of deceased)

WITNESSES TO MARK:

John James

(Must be Two Witnesses)

Subscribed and sworn to before me this 20 day of November 1902  
H. Christen  
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Central District.

Jimmy James, on oath state that I am 46  
years of age, and a freeman citizen, by \_\_\_\_\_, of the Choctaw Nation;  
that my post office address is Mayhew, Ind. Ter.;  
that I was personally acquainted with Aadie James,  
(Here insert name of deceased)  
who was a citizen, by blood, of the Choctaw Nation;  
and that said Aadie James died on the 3 day of  
September, 1902.  
(Here insert name of deceased)

WITNESSES TO MARK:

Jimmy James

(Must be Two Witnesses)

Subscribed and sworn to before me this 20 day of November 1902  
H. Christen  
Notary Public.



MEMORANDA.

(Date)

1899.

Name .....

Choctaw ? County Year No.

Chickasaw ? County Year Page

Citizen by blood ? Mother's citizenship

Intermarried citizen ?

Married under what law ?

License filed this day,

24

Wife's name,

Choctaw ? County Year No.

Chickasaw ? County Year Page

Citizen by blood ? Mother's citizenship

Intermarried citizen ?

Married under what law ?

License filed this day

Names of children:

H  
Hanes

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

3695

Choc 3696 John Scott

3696

MEMORANDA.

(Date) 9 22 1899.

35

Name John Scott
Choctaw ? County Year No. 11560
Chickasaw ? County Year Page 298
Citizen by blood ? Mother's citizenship
Intermarried citizen ?
Married under what law ?
License filed this day,

40

Wife's name, Mary Scott
Choctaw ? County Jackson Year No.
Chickasaw ? County Year Page
Citizen by blood ? Mother's citizenship
Intermarried citizen ?
Married under what law ?
License filed this day,

Names of children :

Table with columns for County, Year, Page, and No. for listing children.

9696

Choc 3697 Jincy Follis

3697

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,  
of Emmie Battist (Here insert name of child.) born on the 23 day of Oct, 1901  
Name of Father: Rosho Battist a citizen of the Choctaw Nation.  
Name of Mother: Jincy Battist a citizen of the Choctaw Nation.  
Postoffice Bozwell I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY,  
Central DISTRICT.

I, Jincy Battist, on oath state that I am 26  
years of age and a citizen by blood of the Choctaw Nation;  
that I am the lawful wife of Rosho Battist, who is a citizen, by  
blood of the Choctaw Nation; that a female child was  
born to me on 23 day of Oct, 1901; that said child has been named  
Emmie, and was living Sept. 25-1902.

WITNESSES TO MARK:

(Must be Two Witnesses.) { D. F. Wade  
V. Bronaugh

Jincy + Battist  
mark

Subscribed and sworn to before me this 8 day of July, 1905.

S. D. Horton  
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,  
Central DISTRICT.

I, Sibbie Scott, a Midwife, on oath state that I  
attended on Mrs. Jincy Battist, wife of Rosho Battist  
on the 23 day of Oct, 1905; that there was born to her on said date a female  
child; that said child was living Sept. 25-1902, and is said to have been named Emmie.

WITNESSES TO MARK:

(Must be Two Witnesses.) { D. F. Wade  
V. Bronaugh

Sibby Scott  
mark

Subscribed and sworn to before me this 8 day of July, 1905.

S. D. Horton  
Notary Public.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Eunice Battiest  
(Here insert name of deceased.)  
a citizen of the Choctaw Nation, who formerly resided at or near  
Mayhew, Ind. Ter., and died on the 8 day of  
June 1904.  
(Here insert name of postoffice.)

AFFIDAVIT OF RELATIVE

UNITED STATES OF AMERICA, INDIAN TERRITORY, }  
Central Judicial DISTRICT. }

I, Jency Battiest, on oath state that I am 26  
years of age and a citizen, by blood of the Choctaw Nation;  
that my postoffice address is Boswell, Ind. Ter.; that I am  
(Here insert name of postoffice.)  
the mother of Eunice Battiest  
(State relationship: as the father; an uncle; a cousin, etc.) (Here insert name of deceased.)  
who was a citizen, by blood of the Choctaw Nation  
and that said Eunice Battiest died on the 8 day of  
(Here insert name of deceased.)  
June 1904.

WITNESSES TO MARK:

(Must Be Two Witnesses)

Nancy S. Haight  
Jency Battiest  
Sammie Durant  
mark

Subscribed and sworn to before me this 24 day of July 1905.

n 8

P. D. Horton  
Notary Public.

AFFIDAVIT OF ACQUAINTANCE

UNITED STATES OF AMERICA, INDIAN TERRITORY, }  
Central ~~District~~ DISTRICT. }

I, Sammie Durant, on oath state that I am 26  
years of age, and a citizen by blood of the Choctaw Nation;  
that my postoffice address is Boswell, Ind. Ter.;  
(Here insert name of postoffice.)  
that I was personally acquainted with Eunice Battiest  
(Here insert name of deceased.)  
who was a citizen, by blood of the Choctaw Nation;  
and that said Eunice Battiest died on the 8 day of  
(Here insert name of deceased.)

June 1904.

WITNESSES TO MARK:

(Must Be Two Witnesses)

Sammie Durant

Subscribed and sworn to before me this 24 day of July 1905.

n 8

P. D. Horton  
Notary Public.

83-26


IN RE

Application for Enrollment of  
INFANT CHILD

*Enrique Battist*  
as a citizen of

*Chocoma* Nation

Approved A 1905 190




Commissioner

application made for en-  
rollment of this child Dec.  
3, 1902

DEPARTMENT OF THE INTERIOR,  
BUREAU OF LANDS

FILED

AUG 7 1905



Commissioner

RECEIVED  
AUG 10 1905

7-3697

DEPARTMENT OF THE INTERIOR,  
**COMMISSION TO THE FIVE CIVILIZED TRIBES.**

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the *Shoalaw* Nation.

of *Shoalaw* District, born on the *3* day of *October*, *1701*

name of father *John Patton* a citizen of the *Shoalaw* Nation.

name of mother *John Patton* a citizen of the *Shoalaw* Nation.

Residence *Shoalaw*

**OPINION OF MOTHER**

STATE OF MISSISSIPPI, County of *Shoalaw*,  
 I, *John Patton*

do hereby state that I am *26*

years of age, and a citizen of the *Shoalaw* Nation.

and that *John Patton* who is a citizen, by

name, that a *female* child was

born that said child has been named

*Henry* Sept. 23 1893

*Henry Patton*

*John Patton*  
*John Patton*

*John Patton*  
*John Patton*

**OPINION OF APPLICANT, MINOR OR MARRIED**

STATE OF MISSISSIPPI, County of *Shoalaw*,  
 I, *John Patton*

do hereby state that I

am a *male* citizen of the *Shoalaw* Nation

and that there has been to me a *female*

*Henry Patton*

*John Patton*

*John Patton*  
*John Patton*

*John Patton*  
*John Patton*



Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,  
 of Lynnaia Follis, born on the 26 day of October, 1897  
 Name of father: Aaron Follis, a citizen of the Choctaw Nation.  
 Name of mother: Jincy Follis, a citizen of the Choctaw Nation.  
 Post Office: Jackson T.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
 INDIAN TERRITORY,  
Central District.

I, Jincy Follis, on oath, state that I am 21 years of age and a  
 citizen, by Blood, of the Choctaw Nation; that I am the  
 lawful wife of Aaron Follis who is a citizen, by Blood, of the  
Choctaw Nation; that a girl child was born to me on the 26th day  
 of October, 1897; that said child has been named Lynnaia Follis,  
 and is now living.

Subscribed and sworn to before me this 18th day of September, 1899  
Jincy Follis  
H. W. Cullaway  
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,  
 INDIAN TERRITORY,  
Central District.

I, Sibbie Scott, a Midwife, on oath, state that I  
 attended on Mrs. Jincy Follis, wife of Aaron Follis  
 on the 26 day of October, 1897; that there was born to her on said date a girl child;  
 that said child is now living and is said to have been named Lynnaia Follis.

Subscribed and sworn to before me this 18th day of September, 1899.  
Sibbie Scott  
H. W. Cullaway  
 Notary Public.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,  
 of Jacob Follis, born on the 3d day of June, 1899.  
 Name of father: Aaron Follis, a citizen of the Choctaw Nation.  
 Name of mother: Jinney Follis, a citizen of the Choctaw Nation.  
 Post Office: Jackson T. S.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
 INDIAN TERRITORY,  
Central District.

I, Jinney Follis, on oath, state that I am 21 years of age and a  
 citizen, by Blood, of the Choctaw Nation; that I am the  
 lawful wife of Aaron Follis who is a citizen, by Blood, of the  
Choctaw Nation; that a male child was born to me on the 3d day  
 of June, 1899; that said child has been named Jacob Follis,  
 and is now living.

Subscribed and sworn to before me this 18th day of September, 1899.  
H. W. Attaway  
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,  
 INDIAN TERRITORY,  
Central District.

I, Sibbie Scott, a midwife, on oath, state that I  
 attended on Mrs. Jinney Follis, wife of Aaron Follis  
 on the 3d day of June, 1899; that there was born to her on said date a male child;  
 that said child is now living and is said to have been named Jacob Follis.

Subscribed and sworn to before me this 18th day of September, 1899.  
H. W. Attaway  
 Notary Public.

7-3697.

Muskogee, Indian Territory, February 2, 1903.

Jinoy Follis,

Mayhew, Indian Territory.

Dear Madam:

It appears from our records that on December 5, 1902, application was made for enrollment as a citizen of the Choctaw Nation of your infant daughter, Eunice Battiest.

You are requested to furnish the Commission with your affidavit, and that of the attending physician or midwife, relative to the birth of this child at your earliest convenience, a blank for such purpose being enclosed herewith.

In having same executed, be careful to see that all blanks are properly filled, all names written in full, and in event either of the persons whose names are to be affixed to the affidavits are unable to write, and their signatures are by mark, that such signatures are attested by two disinterested parties, witnesses thereto.

The notary public before whom the same are acknowledged must affix his notarial jurat and seal to each separate affidavit.

Respectfully,

B.C.

Acting Chairman.

7-3697

Muskogee, Indian Territory, August 15, 1904.

Jincy Follis,

Mayhew, Indian Territory.

Dear Madam :-

It appears from our records that on December 5, 1902, at Antlers, Indian Territory, application was made for the enrollment of your infant daughter, Eunice Battiest, as a citizen of the Choctaw Nation, but it does not appear that any affidavits relative to the birth of said child have yet been filed with the Commission.

If said child is still living, before the application for its enrollment can receive further consideration it will be necessary that you forward your affidavit, and that of the attending midwife, and blanks for that purpose are enclosed herewith, together with an envelope for return of the same when properly executed.

This is a matter which should receive prompt attention.

Respectfully,

Env. B.C.

Commissioner in Charge.

7-3697.

Muskogee, Indian Territory November 14, 1904

Jincy Tollis,

Mayhew, Indian Territory.

Dear Madam:

It appears from the records of the Commission that on December 5, 1902 application was made for the enrollment, as a citizen by blood of the Choctaw Nation, of your infant daughter Eunice Battiest.

You have heretofore been twice requested to furnish the Commission with your affidavit and the affidavit of the attending physician or midwife, relative to the birth of said child. To such requests no reply has been received.

You are again requested to furnish the Commission with such evidence of birth of said child and a blank for that purpose is inclosed you herewith.

In having the same executed be careful to see that all names are written in full, all blanks properly filled and that the notary public before whom the affidavits are acknowledged attaches his name and seal to each separate affidavit. In case any signature is by mark it must be attested by two disinterested parties witnesses thereto.

You are advised that until the evidence requested

J F -2.

is received the Commission can not determine the right of  
Eunice Battiest to enrollment as a citizen by blood of the  
Choctaw Nation.

Respectfully,

Chairman.

B C  
Env.

Boswell, I. T., July 8th 1905.

Hon. Tams Bixby, Commissioner,  
Muskogee, Indian Territory.

Dear Sir: Mrs. Jincy Battiest, who I apprehend is enrolled as Jincy Follois, has shwon me a letter from your Hon. Commission, by Hon. T. B. Needles of date Aug. 15th, 1904 which states in substance that she had made an application for the enrollment of her minor daughter Eunice at Antlers, Dec 5, 1902- Also inclosing blank applicztion-I have had blank filled out and inclose it herewith- I understand that the child Eunice is now dead, but was living Sept. 25th 1905.

This application as you will see shows thatthe husband of this woman is Ratie Battiest- It may be Horatio, they are separated and I had no way of finding his actual name by which he is enrolled-

If you can accept and file this application now and will communicate with me as to what is further necessary, I will try to assist the woman in making the proofs required.

Yours very truly,

L. D. Horton.

Muskogee, Indian Territory, July 14, 1905.

L. D. Horton,

Boswell, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of July 8, 1905, transmitting affidavits of Jincy Battiest and Sibbie Scott to the birth of Eunice Battiest, daughter of Rosbo and Jincy Battiest, October 23, 1901, and the same have been filed with the records of this office in the matter of the application for the enrollment of said child.

If further evidence is necessary to determine her right to enrollment you will be duly advised.

Respectfully,

Commissioner.



7-3697

Muskogee, Indian Territory, July 26, 1905.

L. D. Horton,  
Boswell, Indian Territory.

Dear Sir:

In the matter of the application for the enrollment of Eunice Battiest there is inclosed herewith blank partially filled out which kindly have executed and returned to this office.

In the affidavit of Jincy Battiest heretofore filed in this case, the date of the birth of this child is given as October 23, 1901, while in the affidavit of Sibbie Scott, the date given as October 23, 1905; this is evidently in error and the date of the birth has been given throughout the blank enclosed as October 23, 1901. You will also have the correct date of the death of this child placed in the blank for that purpose in the enclosed affidavits and see that the names are signed as they appear in the body of the affidavits. This matter should receive immediate attention.

Respectfully,

EB 1-26

Commissioner.

DC-36562

Boswell, Ind. Ter., July 29th 1905.

Hon. Tams Bixby,  
Commissioner,  
Muskogee, I. T.

Dear Sir:

Mrs. Jincy Battiest and Mrs. Sibby Scott have been in and executed affidavits enclosed. They say Eunice died on the 8th of June, 1904, tho they first thought it was the 4. They are rather mixed on this date, but I changed it to the 8 at their request.

Is there any thing further necessary in the matter of the enrollment of Ruby Gertrude Crawford ?

Yours truly,

(signed) L. D. Horton.

7-3697

Muskogee, Indian Territory, August 2, 1905.

L. D. Horton,

Boswell, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of July 24, 1905, transmitting affidavits of Jincy Battice and Sammie Murant to the death of Eunice Battiest a citizen by blood of the Choctaw Nation which occurred June 8, 1904, and the same have been filed as evidence of the death of the above named child.

Respectfully,

Commissioner.

7-3697  
7-NB-1484

Muskogee, Indian Territory, August 4, 1905.

L. D. Horton,

Attorney at Law.

Boswell, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of July 29, 1905, enclosing affidavits to the birth and death of Eunice Battiest, born October 23, 1901, and died June 8, 1904, and the same have been filed in the matter of the enrollment of said child.

Replying to that portion of your letter in which you ask if anything further is necessary in the matter of the enrollment of Ruby Gertrude Crawford you are advised that on July 28, 1905, a letter was addressed to Minnie Durant, Bennington, Indian Territory, informing her that it would be necessary for her to furnish a certified copy of the decree of divorce from her former husband Barney Crawford, but this evidence has not yet been received.

Respectfully,

Commissioner.

7-3697

Muskogee, Indian Territory, October 25, 1905

V. Bronough,

Boswell, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of October 20, 1905, stating that you have been appointed administrator of Eunice Battiest, deceased, and asking when you can file on land in her name.

In reply to your letter you are advised that the name of Eunice Battiest has been placed upon a schedule of citizens by blood of the Choctaw nation which has been forwarded the Secretary of the Interior, but her enrollment has not yet been approved by him. You will be notified when her enrollment is approved by the Secretary of the Interior.

Respectfully,

Commissioner.

7-3697

Muskogee, Indian Territory, May 8, 1907.

Downs & Whitley,  
Attorneys at Law,  
Boswell, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of May 4, 1907, in which you ask if Aaron Follis has been allotted; you state that his wife Jincy Follis was enrolled and has selected her allotment; that Aaron is dead and has been for some time and his widow now wishes to know whether he has been allotted or not and if so who has charge of the allotment and why she is getting nothing from it.

In reply to your letter you are advised that it appears from the records of this office that Aaron Follis, husband of Jincy Follis was dead in 1899 at the time application was made for the enrollment of Jincy Follis and her children Lymia and Jacob Follis, and under the Act of Congress approved July 1, 1902, those persons who died prior to September 25, 1902, the date of the ratification of said act, are not entitled to enrollment and allotment in the Choctaw and Chickasaw Nation. You will therefore see that Aaron Follis is not entitled to an allotment.

Respectfully,

MEMORANDA.

(Date) Aug 22 1899.

Name .....

Choctaw ? ..... County ..... Year ..... No. ....

Chickasaw ? ..... County ..... Year ..... Page .....

Citizen by blood ? ..... Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day, .....

201 Wife's name, Jinney Hallie

Choctaw ? yes County Jackson Year 96 No. 4263

Chickasaw ? ..... County ..... Year ..... Page 144

Citizen by blood ? yes Mother's citizenship Choctaw

Intermarried citizen ? .....

Married under what law ? .....

License filed this day .....

Names of children:

2 Lynise Hallie County ..... Year ..... Page ..... No. ....

3 Jacob " County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

✓ One - 100 Jinney Hallie

3697

choc 3698 John F. Boydston

George A. Boydston transferred from  
Choctaw Jacket #D-346 Oct 31, 1904

3698



In the matter of the application for the enrollment of  
George A. Boydston as a citizen by intermarriage of the Choctaw  
Nation.

7-D-345.

Commissioner to the Five Civilized Tribes,  
Caddo, Indian Territory.

In the enrollment of George A. Boydston as an intermarried Choctaw; being sworn and examined by Com'r McKennon he states:

- Q What is your name? A George A. Boydston.
- Q How old are you? A Forty-three.
- Q You were married September 7th 1879 to Mary Stewart, was she a Choctaw Indian? A Yes sir.
- Q Did you live with her until her death? A Yes sir.
- Q When did she die? A She died in October 1897.
- Q You then afterwards married a white woman did you?  
A Yes sir.
- Q What was her name? A Gardner.
- Q When did you marry her? A About three months ago.
- Q She was an intermarried citizen? A Yes sir.
- Q What is her name? A Jamie Gardner, I think she has been on the roll.
- Q Had she married any other white man but you? A No sir.
- Q Was her husband dead? A No sir, they had separated.
- Q Were they divorced? A Yes sir.
- Q Which one got the divorce? A I think she did.
- (Here witness produces Bill of Divorce to Jamie Gardner from Daniel Gardner, February 8th, 1898.)
- Q He is still living? A Yes sir.
- Q You know where they were living when they were married?  
A In the Choctaw Nation.

-----  
Department of the Interior,  
Commissioner to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

*W. McKennon*

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
ATOKA, INDIAN TERRITORY, DECEMBER 11, 1900.

Choctaw Nation

vs

D 345

George A. Boydstun.

George A. Boydstun, having been first duly sworn by Acting Chairman, Tams Bixby, testifies as follows:

Examined by J. G. Ralls, attorney for applicant.

- Q State your full name? A George A. Boydstun.  
Q How old are you? A Nearly 45  
Q What is your post office address? A Caddo, I.T.  
Q How long have you lived in the Choctaw Nation? A Ever since '72  
About twenty years.  
Q To whom were you first married? A Mary Ann Stewart.  
Q What was her nationality? A Choctaw.  
Q Recognized Choctaw? A Yes, recognized Choctaw.  
Q Did you procure a marriage license from the Choctaw authorities?  
A Yes sir, I did.  
Q Were you married to her under that license? A Yes sir, I was.  
Q Is that the marriage license that is on file here with the Commission?  
A Yes sir, that is a certified copy of it.  
Commission: When did you marry her? A In '79 I believe.

Mr. Ralls: We offer the marriage license in evidence.

Certified copy of marriage license offered in evidence and placed on file and made a part of the record in the case.

- Q She is now dead, is she? A Yes sir.  
Q When did she die? A She died in 1897. Q Did you live with her until she died? A Yes sir.  
Q After her death you married again, did you? A Yes sir.  
Q To whom did you marry this second time? A Mary J. Gardner.  
Q Who was she? A She was a widow of Daniel Gardner.  
Q Was Daniel Gardner a Choctaw? A Yes sir.  
Q Then she was an intermarried citizen was she? A Yes sir.  
Q She was still living in the Choctaw Nation? A Yes sir.  
Q She had been divorced from Daniel Gardner ~~sixty~~ had she? A Yes sir  
Q She procured the divorce against him in the Choctaw courts? A I think so; I aint positive about that; any way they got the divorce  
Q You were admitted by the Dawes Commission in 1896 as an intermarried citizen were you? A Yes sir.  
Q You have been enrolled by the Choctaws on the 1896 roll, have you?  
A Yes sir.  
Q Was your present wife also enrolled by them? A Yes sir, Choctaw toll she was.

Cross Examination by Mr. Cornish.

- Q You are a white man? A Yes sir.  
Q What is the name of your present wife? A Mary J. Boydstun.  
Q What was her name when you married her? A Mary J. Gardner.  
Q When did you marry her? A I married her, it has been about 18 months ago.  
Q That is since your admission as an intermarried citizen by the Dawes Commission, was it? A Yes sir.

Boydston-2

- Q She is a white woman? A Yes sir.  
Q She don't claim to be a Choctaw by blood? A No sir.  
Q You are a whiteman? A Yes sir.  
Q You don't claim to be Choctaw by blood? A No sir.

Witness excused.

Anna Bell, having been first duly sworn, on her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on December 11th, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes in said cause on said date.

*Anna Bell*

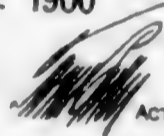
Subscribed and sworn to before me this 11th day of December, 1900.



Acting Chairman.

75345

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
**FILED**  
DEC 11 1900

  
ACTING CHAIRMAN.

The Choctaw Nation

County of Blue

Know ye that whereas  
George A. Baydston a citizen  
of the United States have this  
day to me made Application  
for license for the purpose of being  
united in marriage to Miss Mary  
Steward a citizen of said nation  
and it being considered that he the  
said George A. Baydston has  
complied with the law of the Choctaw  
Nation Now therefore the same is  
hereby granted unto said George  
A. Baydston for the purpose set  
forth in said application

This the 3rd day of  
September A D 1879

Green H. Gardner  
County & Probate Judge  
Blue County

Choctaw Nation

This is to certify that George A. Baydston  
and Mary Stewart was married  
by me according to the laws of the  
Choctaw This sept 7<sup>th</sup> 1879

Green H. Gardner  
Co & Probate Judge  
Blue Co C. N.

Recorded in the Circuit Clerk  
office This 12<sup>th</sup> day of September 1879

J. S. Homer  
Circuit Clerk  
of Blue County  
Chastan, N.C.

I do hereby certify that this is a  
true copy of the marriage license  
of George a Baydston now on record  
in the Circuit Clerk's office of  
the 3rd Judicial Dist. C.N.

Given under my hand  
and seal of office this the 4<sup>th</sup> day  
of Dec 18 96

P. L. Harris  
Circuit Clerk & 3rd  
Judicial Dist  
Chastan, N.C.

Department of the Interior.  
Commission to the Five Civilized Tribes.  
Atoka, I. T., November 21st, 1902.

Choctaw D-345  
Intermarried

-----oOo-----

In the matter of the application of George A. Boydston  
for enrollment as an intermarried citizen of the Choctaw Nation.

George A. Boydston being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A George A. Boydston.  
Q How old are you? A Forty-eight.  
Q What is your post office address? A Caddo, I. T.  
Q How long have you been a resident of the Choctaw Nation?  
A Thirty-one years.  
Q Have you lived here continuously for that length of time?  
A Yes sir.  
Q Never made your home anywhere else during that time? A No sir.  
Q Do you claim intermarried rights in the Choctaw Nation? A Yes  
sir.  
Q What is the name of your Choctaw wife through whom you claim?  
A Mary Ann Stuart.  
Q Is she a recognized and enrolled citizen of the Choctaw Nation?  
A Yes sir.  
Q When were you married to Mary Ann Stuart? A 1879.  
Q Where was this marriage ceremony performed? A Northeast of  
Caddo about twelve miles.  
Q In the Choctaw Nation? A Yes sir, Choctaw Nation.  
Q Were both you and your wife at that time residents of the Choctaw  
Nation? A Yes sir.  
Q Did you procure a marriage license? A Yes sir.  
Q From whom did you get that license? A From Judge Gardner.  
Q Judge of what county? A Blue County.  
Q How much did you pay for the license? A \$25.  
Q Who performed the marriage ceremony? A Judge Gardner himself.  
Q How long did you live with this woman? A I lived with her from  
'79 until '93.  
Q Did she die at that time? A Yes sir.  
Q Did you remarry? A Yes sir.  
Q When did you remarry? A 1899.  
Q Was this second woman a white woman? A Yes sir.  
Q What was her name? A Mary Jane Gardner.  
Q Does she claim intermarried rights in the Choctaw Nation?  
A Yes sir.  
Q Are you living with her at the present time? A Yes sir.  
Q Were you an applicant before this Commission in 1896 for admission  
to intermarried citizenship in the Choctaw Nation? A Yes sir.



George A. Boydston---2

- Q What action was taken upon your case at that time? A They enrolled me.
- Q Was your case ever up in the United States Court on appeal?
- A Not that I know of.

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Albert G. McMillan being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 21st day of November, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

*Albert G. McMillan*

Subscribed and sworn to before me this 14<sup>th</sup> day of January, 1903.

*Charles H. Sawyer*  
Notary Public.

*West*

*RD*  
*Ned*  
7-D-345.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of  
George A. Boydston as a citizen by intermarriage of the Choctaw  
Nation.

--:--

D E C I S I O N .

It appears from the census card record of the Commission that George A. Boydston appeared before the Commission, August 22, 1890, and made personal application for the enrollment of himself as a citizen by intermarriage of the Choctaw Nation, and also made application for the enrollment of his wife, Mary J. Boydston as a citizen by intermarriage of the Choctaw Nation. The application of Mary J. Boydston being differently classified her rights are not adjudicated in this decision.

It further appears from the record herein that the applicant George A. Boydston, was on September 7, 1879, married in accordance with the laws, customs and usages of the Choctaw Nation to Mary Ann Boydston, a recognized and enrolled citizen by blood of the Choctaw Nation, who is identified upon the 1893 Choctaw Leased District Pay Roll, Blue County, page 16, number 172; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation, and lived together as husband and wife continuously from the date of said marriage until the death of said Mary Ann Boydston, in the year 1897; that subsequently thereto the applicant was married to Mary J. Boydston (formerly Gardner) a non-citizen white woman. The applicant had been a resident in good faith of the Choctaw Nation from the date of his said marriage to Mary Ann Boydston up to and including September 25, 1902.

Upon an examination of the tribal rolls in the possession of the Commission the applicant is identified upon the 1896 Choctaw Census Roll, page 382, number 14334, enrolled thereon as a citizen by intermarriage of the Choctaw Nation.

It further appears from the records of the Commission that on September 7, 1896, in the case entitled "Geo. O. Boydston vs. Choctaw Nation", 1896 Choctaw Citizenship Docket, case number 648, application was made to the Commission under the provisions of

the Act of Congress approved June 10, 1896 (29 Stat., 521), for the admission of the applicant herein to citizenship in the Choctaw Nation by reason of his marriage to said Mary Ann Boydston; that the said George A. Boydston was on December 2, 1896 admitted by the Commission to citizenship in the Choctaw Nation, from which decision no appeal was taken.

It is, therefore, the opinion of this Commission that following the ruling of the Department in the case of Thornton D. Pearce (I. T. D. 4060-1904), relative to the question of forfeiture, George A. Boydston should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the Acts of Congress approved June 23, 1898 (30 Stat., 495) and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.



Chairman.



Commissioner.



Commissioner.

Muskogee, Indian Territory,

001 20 1904

7-D-345.

Muskogee, Indian Territory, October 15, 1904.

COPY.

George A. Boydston,  
Caddo, Indian Territory.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered October 15, 1904, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

*Tame Dixby.*

Chairman.

Registered.

Encl. 7-D-345.

7-D-345.

Muskogee, Indian Territory, October 15, 1904.

COPY:

Mansfield, McMurray & Cornish,  
Attorneys for Choctaw and Chickasaw Nations,  
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of this Commission, rendered October 15, 1904, granting the application for the enrollment of George A. Boydston as a citizen by intermarriage of the Choctaw Nation.

You are hereby notified that you will be allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling said applicant as a citizen of the Choctaw Nation. If at the expiration of said time no protest has been filed, his name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

*James Bixby.*

Chairman.

Registered. For registry receipt

Encl. 7-D-345. see 7-D-15.

Muskogee, Indian Territory, October 15, 1904.

COPY.

J. G. Ralls,

Attorney-at-Law,

Atoka, Indian Territory.

Dear Sir:

You are hereby notified that the Commission to the Five Civilized Tribes, on October 15, 1904, rendered its decision granting the application of George A. Boydston for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw nations have been furnished a copy of this decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling said George A. Boydston as a citizen of the Choctaw Nation. If at the expiration of said time no protest has been filed, his name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

*Tamc Dixby.*

Register.

Chairman.

Department of the Interior  
Commission to the Five Civilized Tribes.

In the Matter of the Application  
for the Enrollment of Infant Child,  
John Francis Boydston as a citizen of the Choctaw  
Nation.

Be it remembered that on this the 27<sup>th</sup> day of March, 1905, personally appeared before me, the undersigned authority, Hattie Boydston, wife of John F. Boydston, who after being duly sworn according to law upon her oath stated as follows, to-wit:

My name is Hattie Boydston, I am 33 years of age, and my Post Office is Caddo, Ind. Ter. I am the wife of John F. Boydston, who is a Choctaw Indian by blood, and is enrolled as such. I was married to John F. Boydston on the 9th. day of July, 1901 at El Reno, Oklahoma; I was living in the Indian Territory, but he was visiting in Oklahoma, and I went up there and we were married. I am the mother of John Francis Boydston, and John F. Boydston, my husband, is his father; I lived with John F. Boydston as his wife up until about 3 months ago, when he deserted me.

I am the identical Hattie Boydston who was married to John F. Boydston as Hattie Blackwell, Blackwell being my maiden name; I am also the identical Hattie Boydston who appeared before the Commission for enrollment as an intermarried citizen at Atoka in November, 1902; I was living at Bee, Ind. Ter. at that time.

x Mrs. Hattie Boydston

Sworn and subscribed to before me this the 27<sup>th</sup> day of March, 1905.

C. G. B. G. B.  
Notary Public.

And that the said parties or either of them are not dis-  
qualified or incapable under the law of entering into a mar-  
riage, nor of their of the relationship prohibited by

I, John J. Fordstun of Winco  
county, Oklahoma, aged 33 years do solemnly swear  
that I am acquainted with the parties named in the foregoing  
application and facts therein set forth:

*Hattie Caldwell 20*      *John J. Fordstun*      *Witness J. T.*  
*John J. Fordstun*      *Witness J. T.*

And that the said parties or either of them are not dis-  
qualified or incapable under the law of entering into a mar-  
riage, nor of their of the relationship prohibited by

John J. Fordstun  
do hereby swear to before me July 9, 1901.  
W. H. Grigsby, Probate Judge.

I have satisfied of the truth of the sufficiency of  
the application and that there is no legal impediment to such  
marriage, and this license is hereby granted.

MARRIAGE LICENSE.

That I, W. H. Grigsby, Probate Judge of Canadian  
county, Oklahoma Territory, do hereby certify that I joined in  
marriage the persons named in and authorized by this license  
to be granted on the 9th day of July 1901 at El Reno in El Reno  
in Canadian county, Oklahoma Territory in the presence of W. A  
West and I. O. Williams of El Reno

Witness my hand and official seal this 9th day of  
July A. D. 1901.  
W. H. Grigsby, Probate Judge.

CERTIFICATE OF MARRIAGE.

I, W. H. Grigsby a Probate Judge of El Reno of Canadian  
county Oklahoma Territory, do hereby certify that I joined in  
marriage the persons named in and authorized by this license  
to be granted on the 9th day of July 1901 at El Reno in El Reno  
in Canadian county, Oklahoma Territory in the presence of W. A  
West and I. O. Williams of El Reno

Witnesses W. A. West  
I. O. Williams

W. H. Grigsby, Probate Judge

W. H. Grigsby, Canadian County, SS.

I, J. I. Phelps, Pro-  
bate Judge of Canadian county, Oklahoma Territory  
do hereby certify that the above and foregoing is a true and cor-  
rect copy of the 1st of Marriage Record No. 1 as the same  
is recorded in my office.

Witness my hand and official seal on this 31st day  
of July 1901.

*J. I. Phelps*  
Probate Judge



DEPARTMENT OF THE INTERIOR  
COMMISSION TO THE FIVE CIVILIZED TRIBES  
**FILED**

MAY 2 1905



CHAIRMAN

# MARRIAGE LICENSE.

IN PROBATE COURT, CANADIAN COUNTY, O. T.

To Any Person Authorized to Perform the Marriage Ceremony, Greeting:

You are hereby authorized to join in marriage:

*John F. Boydston* of *Linco. & T.* aged *22* years, and  
*Hattie Blackwell* of *Texas* aged *20* years, and  
of this license you will make due return to my office within thirty days from this date.  
Witness my hand and official seal this *9<sup>th</sup>* day of *July* A. D. 190*1*

*J. I. Phelps*  
Probate Judge.

## CERTIFICATE OF MARRIAGE.

I, *W. H. Grigby* a *Probate Judge* of *El Reno*, Canadian County, Oklahoma Territory,  
do hereby certify that I joined in marriage the persons named in and authorized by this license to be married on the *9<sup>th</sup>* day of *July*, 190*1*  
at *El Reno* in Canadian County, Oklahoma Territory, in the presence of *M. A. West*  
of *El Reno O.T.* and *L. C. Williams* of *El Reno O.T.*

*M. A. West*  
*L. C. Williams* } Witnesses.

*W. H. Grigby*

Territory of Oklahoma, Canadian County, ss.

I, J. I. Phelps, Probate Judge within and for the above named County and Territory, hereby certify that the above and foregoing is a true and correct copy of the Marriage License issued to the parties therein named and Marriage Certificate recorded on the date therein named as the same appears of record at page *154* in Marriage Record No. *4* in my office.

Given under my hand and official seal on this *26<sup>th</sup>* day of *April* 190*5*  
*J. I. Phelps*  
Probate Judge.

DEPARTMENT OF THE INTERIOR  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

STATE OF TEXAS )  
COUNTY OF )  
Waller )

James Mc. Clinton, having been by me first duly sworn states upon his oath that he is 35 years of age, a resident of Killeen, Texas and has been such for the past 5 years; that he is a regularly licensed and practicing physician and has been such for the past 12 years; that as such physician he attended on Mrs. Hattie Boydston during her confinement on or about December 4th. 1901, and that there was born unto the said Hattie Boydston a male child; that Mrs. Boydston left that part of the country about 4 months after that date and that such child at the time of her leaving was alive ; that he has not seen said child since the day of Mrs. Boydston's leaving there and he cannot state whether the child is now alive or not.

James Mc. Clinton

Subscribed and sworn to before me this 11 day of April, 1905.

J. M. Culp  
Notary Public.  
Beef Creek, Texas

✓ 7-3698 ✓

217

IN RE

Application for Enrollment of  
INFANT CHILD

*John F. Boydston Jr.*

as a citizen of

*Choctaw*

Nation.

Approved

MAY 10 1905

190

~~[Signature]~~

Commissioner.

*Born Dec. 4, 1901*

DEPARTMENT OF THE INTERIOR,  
Commissioner to the Five Civilized Tribes

FILED

MAY 9 1905

CHAS. S. [unclear]

CHOCTAW

3698

RECEIVED

MAY 2 1905

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,  
of John F. Boydston, Jr. (Here insert name of child), born on the 4<sup>th</sup> day of December, 1901.  
Name of Father: John F. Boydston a citizen of the Choctaw Nation.  
Name of Mother: Hattie Boydston a citizen of the United States Nation.  
Postoffice: Atoka, Ok.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, }  
Ottawa DISTRICT. }

I, Hattie Boydston, on oath state that I am 22  
years of age and a citizen by birth of the United States Nation;  
that I am the lawful wife of John F. Boydston, who is a citizen, by  
blood of the Choctaw Nation; that a male child was  
(Male or Female.)  
born to me on 4<sup>th</sup> day of December, 1901; that said child has been named  
John F. Boydston, Jr. and was living March 4, 1906 September 25, 1902  
and is now living Hattie Boydston

WITNESSES TO MARK:

(Must be Two Witnesses) }

Subscribed and sworn to before me this

2<sup>nd</sup>

day of

May

, 1905.

W.H. Ungell.

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, }  
DISTRICT. }

I, \_\_\_\_\_, on oath state that I  
attended on Mrs. \_\_\_\_\_, wife of \_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_, 1905; that there was born to her on said date a  
(Male or Female)  
child; that said child was living March 4, 1906, and is said to have been named \_\_\_\_\_

WITNESSES TO MARK:

(Must be Two Witnesses) }

Subscribed and sworn to before me this

day of

, 190

Notary Public.

Choctaw 3698

IN RE  
Application for Enrollment of  
INFANT CHILD

John Francis Forrestun

as a citizen of

Choctaw Nation.

Approved 190

Commissioner.

Born Dec 4, 1901

DEPARTMENT OF THE INTERIOR  
Commissioner of the Civilized Tribes.

1

APR 23 1905

*[Signature]*  
CHAIRMAN

Choctaw 3698  
CHOCTAW  
3698

RECEIVED  
APR 18 1905

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,  
of John Franklin Boydston (Here insert name of child.) born on the 4th. day of December, 1901.  
Name of Father: John F. Boydston a citizen of the Choctaw Nation.  
Name of Mother: Hattie Boydston a citizen of the Choctaw Nation.  
Postoffice Caddo, Ind. Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY,  
Central DISTRICT.

I, Hattie Boydston, on oath state that I am 22  
years of age and a citizen by intermarriage, of the Choctaw Nation;  
that I am the lawful wife of John F. Boydston, who is a citizen, by  
blood, of the Choctaw Nation; that a male child was  
(Male or Female.)  
born to me on 4th. day of December, 1901.; that said child has been named  
John Francis Boydston, and was living March 4, 1905.

WITNESSES TO MARK:

X Mrs. Hattie Boydston

(Must be Two)  
Witnesses {

Subscribed and sworn to before me this 27th day of March, 1905.

E. G. B. orth  
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,  
Central DISTRICT.

I, Sarah Graham, a mid-wife, on oath state that I  
attended on Mrs. Hattie Boydston, wife of John F. Boydston  
on the 4th. day of December, 1901.; that there was born to her on said date a male  
(Male or Female.)  
child; that said child was living March 4, 1905, and is said to have been named John Francis Boydston

WITNESSES TO MARK:

X Sarah A. Graham

(Must be Two)  
Witnesses {

Subscribed and sworn to before me this 15 day of April, 1905.

R. M. Cole  
Notary Public.

Muscogee, Indian Territory,

August 21st, 1900.

George A. Loydstun,

Okfuskee, Indian Territory,

Dear Sir:

You are hereby notified that the Choctaw Nation, through its attorneys, Messrs. O'Mennen, Mansfield, Murray, & Cornish, has filed with this Commission a notice of protest to your enrollment and the enrollment of Mary J. Loydstun as citizen of the Choctaw Nation.

The Commission, commencing December 3rd, 1900, will hold a session at Okfuskee, Indian Territory. At that time both you and the Choctaw Nation will be permitted to offer additional testimony and written arguments in this case, and the hearing will be final.

Yours truly,

Acting Chairman.

7-D-545.



Muskogee, Indian Territory, September 18, 1900.

George A. Boydston,

Dado, Indian Territory.

Dear Sir:-

Since notifying you on August 18, 1900, of the protest filed by the Choctaw Nation to your enrollment as a citizen of the Choctaw Nation, the Commission has been furnished by the Nation with the grounds upon which objection is made to your enrollment. The protest against you is, that you have married out of the Nation.

The Commission is in possession of a sufficient statement of facts upon which a decision may be rendered and in your case it will not be necessary for you to appear at the appointment at Atoka beginning December 3rd, 1900.

The Commission will accept and consider any written arguments on questions of law submitted on behalf of the Choctaw Nation at any time prior to February 1st, 1901, and on your behalf at any time prior to March 1st, 1901.

As soon thereafter as practicable the Commission will consider and finally determine your right to enrollment and the decision of the Commission, stating fully its reasons for any action that may be taken, will be mailed to you.

Yours truly,

Acting Chairman.

Muskogee, Ind. Ter. Feb'y. 1, 1901.

J. G. Ralls Esq.

Atoka, Ind. Ter.

Dear Sir:

The Commission is in receipt of your letter of January 26th, 1901, requesting copy of the evidence in the case of the Choctaw Nation vs. George A. Boydston, No. D-345, and certain dates relative to the marriage license and the name of the person issuing the Choctaw license.

Replying to your request there is enclosed you herewith a copy of the testimony and the exhibits on file in this office in the matter of the application for enrollment of George A. Boydston. Kindly sign the enclosed receipt and return to this office.

Respectfully,

Acting Chairman.

7-11-01

COMMISSIONERS:  
HENRY L. DAWES,  
TAMM BIXBY,  
THOMAS B. NEEDLES,  
C. R. BRECKINRIDGE

ALLISON L. AYLESWORTH,  
SECRETARY

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Received, Atoka, Ind. Ter., Feb'y. 2nd 1901,

of the Commission to the Five Civilized Tribes, one copy of the  
evidence in Choctaw Case No. D- 345,

Choctaw Nation

VS

George A. Boydston

and information relative to certain dates as requested by my letter  
of January 26th, 1901.

*J. Y. Ralls*  
*attorney for Defendant*

Choctaw-3698.

Monticello, Indian Territory, July 1, 1904.

Charles E. Cooper, Jr.,  
Attorney at Law,  
Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 27th,  
inquiring the status of Hattie Boydston as an intermarried Choctaw  
and her child, John F. Boydston, Jr., as a citizen by blood.

In reply to your letter, you are informed that it does  
not appear from our records that application has been made to  
this Commission by or on behalf of Hattie Boydston, wife of  
John F. Boydston, and her son, John F. Boydston, Jr., for en-  
rollment as citizens of the Choctaw Nation; and under the pro-  
visions of the act of Congress approved July 1, 1902, the  
Commission is now without authority to receive or consider  
original applications for enrollment in the Choctaw and  
Chickasaw Nations.

Respectfully,

Commissioner in Charge.

Muskogee, Indian Territory, July 19, 1904.

Charles E. McPharren,  
Attorney at Law,  
Caddo, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of July 15, giving information relative to the age of Hattie Boydston, wife of John F. Boydston, the names of her parents, and stating that she applied for enrollment as an intermarried citizen of the Choctaw Nation at Atoka, Indian Territory, presented a marriage certificate, and, in accordance with a request of the Commission forwarded proof of the birth of her son, John F. Boydston Jr.

In reply to your letter you are advised that it does not appear from our records that application has been made to the Commission by or on behalf of Hattie Boydston for enrollment as an intermarried citizen of the Choctaw Nation nor that her marriage certificate has been filed with the Commission. Neither does it appear from our records that application for the enrollment of her infant child, John F. Boydston Jr. has been received by the Commission either prior to December 25, 1902, or since that time.

Under the provisions of the act of Congress of July 1, 1902,

C E McP 2

the Commission is now without authority to receive or consider original applications for enrollment in the Choctaw and Chickasaw Nations

Respectfully,

Commissioner in Charge.

Choctaw D-545.

Muskogee, Indian Territory, August 3, 1904.

J. G. Ralls,  
Attorney at Law,  
Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of July 26, asking that the applications of George A. Boydstun and his wife, Mary J. Boydstun, for enrollment as intermarried citizens of the Choctaw Nation, be adjudicated at an early date.

In reply to your letter, you are informed that the Commission is passing upon applications for enrollment as intermarried citizens of the Choctaw and Chickasaw Nations as rapidly as practicable, and as soon as a decision is reached in these cases you will be notified of the action taken therein.

Respectfully,

Commissioner in Charge.

Muskogee, Indian Territory, February 15, 1905.

Charles W. McPherron,  
Attorney at Law.  
Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of February 10, 1905, enclosing the marriage license and certificate between John F. Boydstun and Hattie Blackwell. You state that you do not forward this with the idea that it is sufficient proof in itself, but that the Commission may see that she has a bona fide claim to an allotment; that Hattie Blackwell insists that she appeared before the Commission at Atoka, Indian Territory on November 1902, and applied for enrollment as an intermarried citizen of the Choctaw Nation, but in event the records do not disclose this appearance, she desires to establish the fact by witnesses in person.

In reply to your letter you are informed that it does not appear from our records that application has been made to this Commission by or on behalf of Hattie Boydstun, wife of John F. Boydstun, for enrollment as an intermarried citizen of the Choctaw Nation, but if it is insisted that such application has been made she may appear in person before the Commission at its office in Muskogee, Indian Territory, accompanied by witnesses who know of such alleged application at which time her testimony will be taken relative thereto.



C. E. McP. 42

The evidence of marriage enclosed with your letter is herewith returned and the same may be presented by Mrs. Boydston in the event she makes personal appearance before the Commission.

Respectfully,

Chairman.

KB 2-16

Choctaw 3698.

Muskogee, Indian Territory, April 24, 1905.

Charles E. McPherran,  
Attorney at Law,  
Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of April 17, enclosing the affidavits of Mrs. Hattie Boydstun and Sarah A. Graham to the birth of John Francis Boydstun, son of John F. and Hattie Boydstun, December 4, 1901.

Referring to that portion of your letter in which you state that Hattie Boydstun desires soon to appear before the Commission to establish the fact that she made application in November, 1902, for enrollment as an intermarried citizen of the Choctaw Nation, you are advised that her testimony will be taken upon her personal appearance at the offices of the Commission at Muskogee, Indian Territory, accompanied by the person by whom her application was made and witnesses who know of such alleged application.

Respectfully,

Chairman.

Choc 3699 Finis E. Folsom

3699

IN RE

Application for Enrollment of

INFANT CHILD

*Pukunataka Tolson*

as a citizen of the

*Choctaw*

Nation.

Approved, OCT 1 1900 190

*[Signature]*  
Commissioner.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

OCT 1 1900

*[Signature]*  
ACTING CHAIRMAN

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,  
 of *Push Ma Ta ha*, born on the *20* day of *July*, 1900  
(Here insert name of child)  
 Name of Father: *Finis E Folsom*, a citizen of the *Choctaw* Nation.  
 Name of Mother: *Madie Folsom*, a citizen of the *Choctaw* Nation.  
 Postoffice, *Caddo St*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
 INDIAN TERRITORY,  
*Central* District.

I, *Mollie Folsom*, on oath state that I am *39*  
 years of age and a citizen, by *blood*, of the *Choctaw* Nation;  
 that I am the lawful wife of *F. E. Folsom*, who is a citizen, by  
*blood*, of the *Choctaw* Nation; that a *Male* child was  
(male or female)  
 born to me on the *20* day of *July*, 1900, that said child has been  
 named *Push Ma Ta ha Folsom*, and is now living.

WITNESSES TO MARK:  
 (Must be Two Witnesses)

*Mollie Folsom*

Subscribed and sworn to before me this *27* day of *Sept*, 1900.  
*Chas. M. [Signature]*  
 NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,  
 INDIAN TERRITORY,  
*Cent* District.

I, *W. B. Green*, a *Physician*, on oath state that I  
 attended on Mrs. *Madie Folsom*, wife of *Finis E Folsom*  
 on the *20* day of *July*, 1900, that there was born to her on  
 said date a *Male* child; that said child is now living and is said to have been  
(male or female)  
 named *Push Ma Ta ha Folsom*.

WITNESSES TO MARK:  
 (Must be Two Witnesses)

*W. B. Green, M.D.*

Subscribed and sworn to before me this *27* day of *Aug*, 1900.  
*J. A. Rappole*  
 NOTARY PUBLIC

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the *Cherokee* Nation,  
 of *Jewell Locke Fulson*, born on the *3rd* day of *Oct*, 1898.  
 Name of father: *F. E. Fulson*, a citizen of the *Choctaw* Nation.  
 Name of mother: *Mollie Fulson*, a citizen of the *Cherokee* Nation.

Post Office: *Cadala*  
*Choctaw Nation*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }  
 INDIAN TERRITORY, }  
*2nd* District. }

I, *Mollie Fulson*, on oath, state that I am *28* years of age and a  
 citizen, ~~by blood~~ *Choctaw*, of the ..... Nation; that I am the  
 lawful wife of *F. E. Fulson* who is a citizen, by *Blood*, of the  
*Cherokee* Nation; that a *boy* child was born to me on the *3rd* day  
 of *Oct*, 1898; that said child has been named *Jewell Locke Fulson*  
 and is now living.

Subscribed and sworn to before me this *21<sup>st</sup>* day of *Aug*, 1899.  
*Mollie Fulson*  
*W. H. Bates*  
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }  
 INDIAN TERRITORY, }  
 ..... District. }

I, *L. B. Green*, a *Physician*, on oath, state that I  
 attended on Mrs. *Mollie Fulson*, wife of *F. E. Fulson*  
 on the *3* day of *Oct*, 1898; that there was born to her on said date a *girl* child;  
 that said child is now living and is said to have been named *Jewell Locke Fulson*

Subscribed and sworn to before me this *21<sup>st</sup>* day of *Aug*, 1899.  
*L. B. Green M.D.*  
*W. H. Bates*  
 Notary Public.

Muskogee, Indian Territory, October 1, 1900.

Finis E. Folsom,

Caddo, Indian Territory.

Dear Sirs:

The Commission is in receipt of your letter of the 27th ultimo enclosing an application for enrollment as a citizen by blood of the Choctaw Nation of Pushmataha Folsom, the infant son of Finis E. and Nellie Folsom, born July 20th, 1900, and the same being in proper form has been duly filed with the records of this Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

7-3699

Muskogee, Indian Territory, February 3, 1903.

F. E. Fulson, Jr.,

Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 20, 1903, in which you state that you are thinking of taking your allotment in the eastern part of the Choctaw Nation in the timber land, and want to be informed how much land will constitute an allotment.

In reply to your letter you are informed that if you will forward a description of the land which you desire to select in allotment you will be furnished a plat showing the classification thereof, and a schedule of the appraised value of the lands of the Choctaw and Chickasaw Nation, including a table which indicates the number of acres of each grade of land which will constitute an allotment in said Nations.

Respectfully,

Acting Chairman.





Choc 3700 minnie Brewer

3700

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-----  
Record in the matter of the application for enrollment as  
a citizen by intermarriage of the Choctaw Nation of-

LAKE BREWER, 7-D-351.  
-----

Commission to the Five Civilized Tribes,  
Caddo, Indian Territory.

In the enrollment of Lake Brewer as an intermarried Choctaw;  
being sworn and examined by Com'r McKennon he testifies:

- Q What is your name     A     Lake Brewer.
- Q How old are you?     A     Twenty-five.
- Q You claim to be an intermarried Choctaw citizen do you?
- A Yes sir.
- Q You present here a license issued October 22nd 1898, by the  
County and Probate Clerk of Jackson County, Choctaw Nation, and  
a certificate of marriage dated the 24th day of October, 1898,  
under which you married Minnie Polson?     A     Yes sir.
- Q Had you been married to her prior to that time?     A     Yessir.
- Q When?     A     In September before that.
- Q Under a United States license?     A     Yes sir.
- Q You were not separated from her nor divorced from her?
- A No sir.
- Q Her name was then in fact Minnie Brewer this last time?
- A Yes sir.
- Q This was a second marriage?     A     Yes sir.
- Q Under the Choctaw laws?     A     Yes sir.

-----

Department of the Interior,

Commission to the Five Civilized Tribes.

I hereby certify upon the official oath as  
steno-grapher to the above named Commission, that this  
transcript is a true, full and correct translation of  
my stenographic notes.

*M. A. Green*

Hooclaw Nation Jackson County

## Marriage License

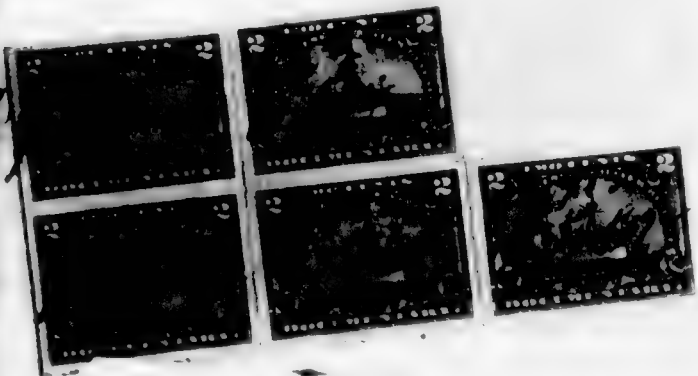
To all whom these presents shall come, greeting know ye that I, in pursuance of an application of Lake Brewer a Citizen of the United States for a license to marry Miss Minnie Folsom a Citizen of the Hooclaw Nation the same being in due form and satisfying the requirements of the laws of said Nation in reference to inter marriage with Non Citizens; And by virtue of the authority vested in me; do hereby issue this license for the above named parties to be joined together in Matrimony.

Witness my hand and Official Seal this  
twenty second 22nd day of Oct. A.D. 1898

James J. Belvin

C. Ward, D. Clerk

H. C. C. N.



Oct 23. 1898.

Blue County, C. I.

This is to certify that Lake Brewster  
a United States citizen and Minnie  
Folsom a Choctaw citizen were duly  
married according to the laws of the  
Choctaw Nation by Calvin Robinson  
this the 23 day of October A. D. 1898  
Calvin Robinson

Minister of the Gospel.

(Recorded this 24th of Oct  
A. D. 1898 in Book Page 506  
James J. Behin



Co. and  
Pro.  
Clerk.  
Jackson Co.  
Choctaw  
Nation

Department of the Interior.  
Commission to the Five Civilized Tribes.  
Atoka, Indian Territory, November 18th., 1902.

Choctaw D 351  
Intermarried.

In the matter of the application of Lake Brewer for enrollment as an intermarried citizen of the Choctaw Nation.

Lake Brewer, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Lake Brewer.  
Q How old are you? A Twenty eight.  
Q What is your post office address? A Caddo, Indian Territory.  
Q How long have you been a resident of the Choctaw Nation? A About nine years I believe.  
Q Have you lived here continuously for the past nine years? A Yes sir with the exception of a few months I was away to school.  
Q Have you made this your permanent home all the time? A Yes sir.  
Q Do you claim intermarried rights in the Choctaw Nation? A Yes sir.  
Q What is the name of your Indian wife through whom you claim these rights? A Minnie Folsom.  
Q Is she a recognized and enrolled citizen of the Choctaw Nation?  
A Yes sir.  
Q Her rights have never been disputed? A Not to my knowledge.  
Q When were you married to Minnie Folsom? A I was married to her in September 1898, first.  
Q Where were you living at that time? A Caddo.  
Q She was a resident of the Choctaw Nation also? A Yes sir.  
Q This first marriage was under the United States law? A Yes sir, I married at South McAlester, but I was living at Caddo.  
Q Did you afterwards remarry this same woman? A Yes sir.  
Q Under the tribal law? A Yes sir.  
Q From whom, did you obtain the license? A County Clerk of Jackson county, James Belvin.  
Q How much did you pay for the license? A One hundred dollars.  
Q Who performed the second marriage ceremony? A Rev. Calvin Robinson of Caddo.  
Q You and your wife were both living in the Choctaw Nation at that time? A Yes sir.  
Q Were you ever married before your first marriage to Minnie Folsom?  
A No sir.  
Q Was she ever married before her marriage to you? A No sir, not that I knew of.  
Q Since this marriage have you been living together continuously as husband and wife? A Yes sir.  
Q There has been no separation, abandonment or divorce? A No sir.  
Q Are you at present living together as bona fide residents of the Choctaw Nation? A Yes sir.

-----oOo-----

Harry C Risteen, being first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 18th day of November, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

Subscribed and sworn to before me this 1 day of January 1903.

*Charles H. Sawyer*  
Notary Public.

L Q D  
7-D-351

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.


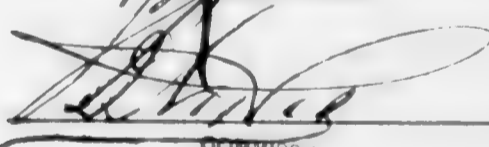
-----  
In the matter of the application for the enrollment of  
Lake Brewer as a citizen by intermarriage of the Choctaw Nation.

- D E C I S I O N -

It appears from the record herein that Lake Brewer, on October 23, 1898, was married in accordance with the laws, customs and usages of the Choctaw Nation to Minnie Brewer (nee Folsom), a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as No. 10478 upon the lists prepared by this Commission under the Act of Congress approved July 1, 1902 (32 Stats., 641) of persons entitled to enrollment as citizens by blood of the Choctaw Nation and approved by the Secretary of the Interior on February 4, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation and that they have lived in said nation continuously as husband and wife from the date of said marriage up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Lake Brewer should be enrolled as a citizen by intermarriage of the Choctaw Nation, under the provisions of the Acts of Congress approved June 28, 1898 (30 Stats., 495) and July 1, 1902 (32 Stats., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

  
\_\_\_\_\_  
J. H. Harrison,  
Chairman.  
  
\_\_\_\_\_  
C. R. Beeding,  
Commissioner.

Muskogee, Indian Territory,

MAY 5 1903



Choctaw D. 351

COPY.

Muskogee, Indian Territory, May 5, 1903.

Lake Brewer,

Caddo, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission, rendered May 5th, 1903, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

*Tame Dixie.*

Chairman.

Registered.  
Enc. MT. 13

Choctaw D. 351

COPY

Muskogee, Indian Territory, May 5, 1903.

Hansfield, McMurray & Cornish,  
Attorneys for the Choctaw and Chickasaw Nations,  
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered May 5th, 1903, granting the application of Lake Brewer, for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

*Tamc Eixby*

Chairman.

Registered.  
Enc. MT. 14

Muscogee, Indian Territory,  
August 18th, 1900.

Lake Brewer,

Adde, Indian Territory,

Dear Sir:

You are hereby notified that the Choctaw Nation, through its attorneys, Messrs McKennon, Mansfield, McMurray, & Cornish, has filed with this Commission a notice of protest to your enrollment as a citizen of the Choctaw Nation.

The Commission, commencing December 3rd, 1900, will hold a session at Adde, Indian Territory. At that time both you and the Choctaw Nation will be permitted to offer additional testimony and written arguments in this case, and this hearing will be final.

Yours truly,

Acting Chairman.

7-D-51.

Muskogee, Indian Territory, September 18, 1900.

Lake Brewer,

Caddo, Indian Territory.

Dear Sir:-

Since notifying you on August 18, 1900, of the protest filed by the Choctaw Nation to your enrollment as a citizen of the Choctaw Nation, the Commission has been furnished by the Nation with the grounds upon which objection is made to your enrollment. The question raised is to your right to enrollment under your second marriage.

The Commission is in possession of a sufficient statement of facts upon which a decision may be rendered and in your case it will not be necessary for you to appear at the appointment at Atoka beginning December 3rd, 1900.

The Commission will accept and consider any written arguments on questions of law submitted on behalf of the Choctaw Nation at any time prior to February 1st, 1901, and on your behalf at any time prior to March 1st, 1901.

As soon thereafter as practicable the Commission will consider and finally determine your right to enrollment and the decision of the Commission, stating fully its reasons for any action that may be taken, will be mailed to you.

Yours truly,

Acting Chairman.

MEMORANDA.

(Date) \_\_\_\_\_ 1899.

Name .....

Choctaw ? ..... County ..... Year ..... No. ....

Chickasaw ? ..... County ..... Year ..... Page .....

Citizen by blood ? ..... Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day, .....

90

Wife's name, Theresa B...

Choctaw ? ..... County Blaine Year 9 No. 4355

Chickasaw ? ..... County ..... Year ..... Page .....

Citizen by blood ? ..... Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day .....

Names of children :

| ..... | County ..... | Year ..... | Page ..... | No. .... |
|-------|--------------|------------|------------|----------|
| ..... | County ..... | Year ..... | Page ..... | No. .... |
| ..... | County ..... | Year ..... | Page ..... | No. .... |
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| ..... | County ..... | Year ..... | Page ..... | No. .... |

3700

MEMORANDA.

(Date) Aug 23 1899.

25 <sup>W.C.</sup>

Name Luke Brewer

Choctaw? yes County \_\_\_\_\_ Year \_\_\_\_\_ No. \_\_\_\_\_

Chickasaw? \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_

Citizen by blood? \_\_\_\_\_ Mother's citizenship us

Intermarried citizen? yes

Married under what law? \_\_\_\_\_

License filed this day, \_\_\_\_\_

Wife's name, \_\_\_\_\_

Choctaw? \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ No. \_\_\_\_\_

Chickasaw? \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_

Citizen by blood? \_\_\_\_\_ Mother's citizenship \_\_\_\_\_

Intermarried citizen? \_\_\_\_\_

Married under what law? \_\_\_\_\_

License filed this day \_\_\_\_\_

Names of children:

County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

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County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

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County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

V As to remarriage see his testimony

155  
351

choc 3701

Lena E. Perkins

Simon H. Perkins

3701

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

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The record in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of -

LENA E. PERKINS , - - Choctaw-3701

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Department of the Interior.  
Commission to the Five Civilized Tribes.  
Atoka, I. T., November 21st, 1902.

Choctaw 3701  
Intermarried

-----oOo-----

In the matter of the application of Lena E. Perkins for enrollment as an intermarried citizen of the Choctaw Nation.

Lena E. Perkins being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Lena E. Perkins.  
Q How old are you? A Thirty-seven.  
Q What is your post office address? A Now it is Boggy; it was Caney; I have moved now.  
Q Is that in the Choctaw Nation? A Yes sir.  
Q How long have you been a resident of the Choctaw Nation?  
A Twelve years.  
Q Have you lived here continuously for the past twelve years?  
A Yes sir.  
Q Never made your home anywhere else during that time? A No sir.  
Q Do you claim intermarried rights in the Choctaw Nation?  
A Yes sir.  
Q What is the name of your Choctaw husband through whom you claim these rights? A Henry Perkins.  
Q Is he a recognized and enrolled citizen of the Choctaw Nation?  
A Yes sir.  
Q When were you married to Henry Perkins? A 1890.  
Q Is he living at the present time? A Now?  
Q Yes? A No sir.  
Q When did he die? A He died in 1899.  
Q From the time of your marriage to him did you live together continuously as husband and wife up to the time of his death?  
A Yes sir.  
Q There was no separation of any kind whatsoever? A No sir.  
Q Since his death have you remarried? A No sir.  
Q Were you an applicant to this Commission in 1896 for intermarried citizenship in the Choctaw Nation? A Yes sir.  
Q What action was taken on your case at that time? A They sent me a statement.  
Q What did it state, was it granted or refused? A Granted.  
Q It wasn't appealed to the court? A No sir.

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Lena E. Perkins----2

Albert G. McMillan being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 21st day of November, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

*Albert G. McMillan*

Subscribed and sworn to before me this 14<sup>th</sup> day of January, 1903.

*Charles H. Sawyer*

Notary Public.

*Wex*

7 - 3701

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of  
Lena F. Perkins as a citizen by intermarriage of the Choctaw Nation.

DECISION.

It appears from the records in this case that Lena E. Perkins appeared before the Commission and made personal application for enrollment as a citizen by intermarriage of the Choctaw Nation by reason of her marriage to Henry N. Perkins (now deceased), a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as No. 10484 upon the 1896 Choctaw census roll, Blue County.

It further appears from the records of the Commission that on September 7, 1896, in the case entitled "Mrs. Henry N. Perkins vs. Choctaw Nation", (1896 Choctaw Citizenship Docket, case No. 569), the applicant herein made original application to this Commission under the provisions of the act of Congress approved June 10, 1896 (29 Stats., 321) for admission to citizenship in the Choctaw Nation, claiming her right thereto by virtue of her marriage to the said Henry N. Perkins, a recognized and enrolled citizen by blood of said nation, and on December 2, 1896, the said Lena E. Perkins was by this Commission admitted to citizenship in the Choctaw Nation as a citizen by intermarriage, from which decision of the Commission no appeal was taken.



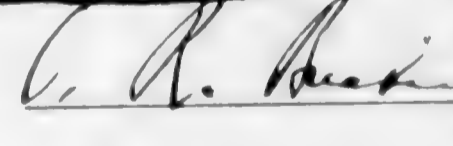
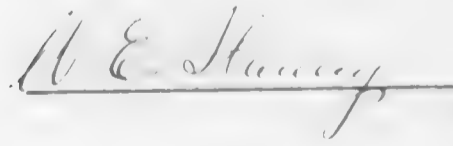
It further appears from the evidence in this case that the applicant herein was a resident in good faith of Indian Territory on June 28, 1898, and that her status as an intermarried citizen has remained unchanged from the date of her said admission in 1896 up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Lena E. Perkins should be enrolled as a citizen by intermarriage of the Choctaw Nation in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stats., 495) and July 1, 1902 (32 Stats., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Muskogee, Indian Territory,

JUL 20 1903

  
\_\_\_\_\_  
COMMISSIONER.  
  
\_\_\_\_\_  
COMMISSIONER.  
  
\_\_\_\_\_  
COMMISSIONER.  
  
\_\_\_\_\_  
COMMISSIONER.

Choctaw 4741

COPY.

Androgoe, W. A. D. Office, July 28, 1905.

Wm. B. Phillips,  
Deer Depot, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 28, 1905, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

*T. B. Needles.*  
Commissioner in Charge.

Registered.

Enc. MC 1/28

Choctaw 3701

COPY.

Wetumpka, Indian Territory, July 28, 1903.

W. H. Field, Murray & Cornish,  
Attorneys for the Choctaw and Chickasaw Nations,  
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 28, 1903, granting the application of Lena E. Perkins for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

*T. B. Needles.*  
Commissioner in Charge.

Registered.

Enc MYC 2/28

## Department of the Interior,

## COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the *Lavena Perkins* Nation,  
of *Girl Child*, born on the *7<sup>th</sup>* day of *March*, 18*97*.  
Name of father: *Henry N Perkins*, a citizen of the *Choctaw* Nation.  
Name of mother: *Senia E Perkins*, a citizen of the *Choctaw* Nation.  
Post Office: *Carrey*

## AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
..... District. }

I, *Senia E Perkins*, on oath, state that I am *33* years of age and a  
citizen, by *intermarriage*, of the *Choctaw* Nation; that I am the  
lawful wife of *Henry N Perkins deceased* who is a citizen, by *birth & blood*, of the  
*Choctaw* Nation; that a *girl* child was born to me on the *7<sup>th</sup>* day  
of *March*, 18*97*; that said child has been named *Lavena Senruta*,  
and is now living.

Subscribed and sworn to before me this *26<sup>th</sup>* day of *August*, 18*99*.  
*J. B. Ward*  
Notary Public.

## AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
*Central* District. }

I, *Elvira E Hardy*, a *neighbor* of *Mrs Senia E Perkins*, on oath, state that I  
attended on Mrs. *Senia E Perkins*, wife of *Henry N Perkins deceased*  
on the *7<sup>th</sup>* day of *March*, 18*97*; that there was born to her on said date a *girl* child;  
that said child is now living and is said to have been named *Lavena Senruta*.

Subscribed and sworn to before me this *25<sup>th</sup>* day of *August*, 18*99*.  
*Mrs E E Hardy*  
*J. B. Ward*  
Notary Public.

## Department of the Interior,

## COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,  
 of Cornelius Elmer Perkins, born on the 25 day of March, 1899.  
 Name of father: Henry Noah Perkins, a citizen of the Choctaw Nation.  
 Name of mother: Lennie Elizabeth Perkins, a citizen of the Choctaw Nation.  
 Post Office: Camp

## AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }  
 INDIAN TERRITORY, }  
Central District. }

I, Lennie Elizabeth Perkins, on oath, state that I am 33 years of age and a  
 citizen, by Marriage, of the Choctaw Nation; that I am the  
 lawful wife of Henry Noah Perkins, deceased who was a citizen, by blood, of the  
Choctaw Nation; that a male child was born to me on the 25 day  
 of March, 1899; that said child has been named Cornelius Elmer Perkins  
 and is now living. Lennie Perkins

Subscribed and sworn to before me this 28<sup>th</sup> day of August, 1899.  
J. B. Hardy  
 Notary Public.

## AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }  
 INDIAN TERRITORY, }  
 District. }

I, J. P. Ross, a Physician, on oath, state that I  
 attended on Mrs. Lennie Perkins, wife of Henry Perkins  
 on the 25 day of March, 1899; that there was born to her on said date a male child;  
 that said child is now living and is said to have been named Cornelius Elmer Perkins

Subscribed and sworn to before me this 28<sup>th</sup> day of March, 1899.  
J. B. Hardy  
 Notary Public.

7-3701

Muskogee, Indian Territory July 18, 1903.

Galloway & Heflin,  
Attorneys at Law,  
Gealgate, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of July 11,  
asking the status of the enrollment of Lennie E. Perkins.

In reply to your letter you are informed that it appears  
from our records that Lena E. Perkins, wife of Henry Perkins now  
deceased, has been listed for enrollment as an intermarried citizen  
of the Choctaw Nation but her final right to such enrollment has  
not yet been determined. As soon as a decision is reached in this  
case she will be notified of the action of the Commission.

Respectfully,

Commissioner in Charge.



MEMORANDA.

(Date) \_\_\_\_\_ 19\_\_

Name \_\_\_\_\_  
 Office \_\_\_\_\_  
 Title \_\_\_\_\_  
 Name of Unit \_\_\_\_\_  
 Department \_\_\_\_\_  
 Branch \_\_\_\_\_  
 Division \_\_\_\_\_  
 Section \_\_\_\_\_  
 Name of Officer \_\_\_\_\_  
 Title \_\_\_\_\_  
 Name of Unit \_\_\_\_\_  
 Department \_\_\_\_\_  
 Branch \_\_\_\_\_  
 Division \_\_\_\_\_  
 Section \_\_\_\_\_

Name of Officer \_\_\_\_\_  
 Title \_\_\_\_\_  
 Name of Unit \_\_\_\_\_  
 Department \_\_\_\_\_  
 Branch \_\_\_\_\_  
 Division \_\_\_\_\_  
 Section \_\_\_\_\_

1

choc 3702 William P. McBride

3702

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

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The record in the matter of the application for the enrollment as a citizen by blood of the Choctaw Nation of--

PHILIP P. McBRIDE, 7-3702.

*E.K.  
J. G. W.*

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of  
Philip P. McBride as a citizen by blood of the Choctaw Nation.

DECISION.

It appears from the census-card record in this case that on August 22, 1899, William P. McBride appeared before the Commission at its session at Caddo, Indian Territory, and made personal application for the enrollment of his minor son, Philip P. McBride, as a citizen by blood of the Choctaw Nation, said Philip P. McBride being the offspring of the marriage between said William P. McBride and Minnie I. McBride, a recognized citizen by blood of the Choctaw Nation, now deceased.

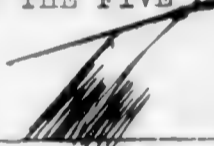
From an examination of the tribal rolls in the possession of the Commission it is found that the name of Philip P. McBride (as Pleas P. McBride) appears upon the 1896 Choctaw Census-Roll, Tobucksy County, No. 9219.


It further appears from the records of the Commission that on September 9, 1896, in the case entitled "William Phillip McBride, et al. vs. Choctaw Nation," (1896 Choctaw Citizenship Docket, case No. 1291), original application was made to this Commission for the applicant herein, under the provisions of the act of Congress approved June 10, 1896 (29 Stat., 321) for admission to citizenship in the Choctaw Nation as a citizen by blood thereof, and on December 8, 1896, the said Philip P. McBride (as Phillip Pleasant McBride) was by this Commission admitted to citizenship in the Choctaw Nation as a citizen by blood thereof, from which decision of the Commission no appeal was taken.

It further appears from the census-card record in this case that the applicant herein was a resident in good faith of Indian Territory on June 28, 1898, all applicants listed upon census-cards in the years 1898 and 1899 having been first examined as to such fact, although their testimony was not reduced to writing.

It is, therefore, the opinion of this Commission that Philip P. McBride should be enrolled as a citizen by blood of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898, (30 Stat., 495) and July 1, 1902, (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

  
Chairman.

  
Commissioner.

  
Commissioner.

  
Commissioner.

Muskogee, Indian Territory,  
MAR 15 1904

Choctaw 3702.

Muskogee, Indian Territory, March 28, 1904.

William P. McBride,  
Womack, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered March 15, 1904, granting your application for the enrollment of your minor child Philip P. McBride as a citizen by blood of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of said decision and have been allowed fifteen days from the date of this notice in which to file protest against the action of the Commission in enrolling him as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, his name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

*[Signature]*  
Commissioner in Charge.

Registered.  
Enc. Choctaw 3702.

Choctaw 3702

COPY.

Muskogee, Indian Territory, March 28, 1904.

F. S. Sharp,  
Attorney at Law,  
Purcell, Indian Territory.

Dear Sir:

You are hereby notified that the Commission to the Five Civilized Tribes, on March 15, 1904, rendered its decision granting the application of Philip P. McBride for enrollment as a citizen by blood of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of said decision and have been allowed fifteen days from the date of this notice in which to file protest against the action of the Commission in enrolling him as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, his name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

*F. S. Sharp*

Commissioner in Charge.

Registered

Choctaw 3702

COPY:

Muskogee, Indian Territory, March 28, 1904.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission, rendered March 15, 1904, granting the application for the enrollment of Philip P. McBride as a citizen by blood of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If, at the expiration of that time, no protest has been filed, his name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

*W. D. Johnson*  
Commissioner in Charge.

Registered.  
Enc. 7-3702.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

.....

Record in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of:

WILLIAM P. McBRIDE.

7-3702.

.....



DEPARTMENT OF THE INTERIOR,  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 Chickasha, Indian Territory, October 16, 1902.

-----0-----

In the matter of the application for enrollment of William P. McBride as a citizen by intermarriage of the Choctaw Nation.

Said William P. McBride, being first duly sworn, testified as follows:

Examination by the Commission.

- Q What is your name? A William P. McBride.  
 Q How old are you? A Thirty-four.  
 Q What is your postoffice address? A Womack.  
 Q What Nation? A Chickasaw.  
 Q How long have you lived in the Chickasaw Nation? A Since, in December.  
 Q Last year? A Yes sir.  
 Q Where did you live immediately prior to that time? A I lived in Arizona.  
 Q How long? A Little over two years. I had my household goods, though, and my boy was here one year and then he was in Texas two years with my father. I was married about three years.  
 Q When did you leave the Choctaw Nation to go to Arizona? A In '98.  
 Q How long did you live in the Choctaw Nation prior to that time?  
 A Eight years, since '90.  
 Q The boy had lived here all his life up to that time? A Yes sir all his life up to September, 1899.  
 Q Did you still maintain your home here in Indian Territory while you were in Arizona? A Yes sir, I was working there, but my household goods and everything was here except some cattle--I had some cattle in Texas--this was my home.  
 Q You are an applicant for enrollment as an intermarried citizen of the Choctaw Nation, are you not? A Yes sir.  
 Q What is the name of the Choctaw citizen through whom you claim your rights? A Mary E. Rogers, that was my wife's mother.  
 Q What was your wife's name? A Her name was Minnie I. Rogers; she married a man by the name of Thomas and he died and then I married her.  
 Q Did you apply in 1896 to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation as an intermarried citizen of that Nation? A Yes sir.  
 Q What was the result of that application? A A certificate of citizenship.  
 Q It was granted? A Yes sir.  
 Q You were admitted by the Commission on account of your marriage to Minnie I. Thomas, a recognized citizen of the Choctaw Tribe?  
 A Yes sir.

William P. McBride-2

Q When did she die? A She died the 28th of June, 1896.  
Q When were you married to her? A The fourth of March, '94.  
Q Lived together as husband and wife until her death? A Yes sir.  
Q Have you married again since her death? A Yes sir.  
Q When? A The 26th day of November, 1901.  
Q What is the name of your present wife? A Ida May Featherston.  
Q Is she a citizen by blood of the Choctaw Nation? A No sir.  
Q Or of the Chickasaw Nation? A No sir.  
Q She is a white woman? A Yes sir.  
Q You are living together as husband and wife at this time?  
A Yes sir.

Ira S. Niles, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause heard at Chickasha, Indian Territory, October 16, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said proceedings on said date.

Subscribed and sworn to before me this the 13 day of October, 1902.

*E. S. Hamer*

Notary Public.

F. P. B.  
H. D.

7-3702.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-----  
In the matter of the application for the enrollment  
of William P. McBride as a citizen by intermarriage of the  
Choctaw Nation.

-----  
D E C I S I O N .  
-----

It appears from the records in this case that on March 4, 1894, the applicant herein, William P. McBride, was lawfully married to Minnie I. McBride (formerly Thomas), a recognized citizen by blood of the Choctaw Nation; that they lived together as husband and wife, and as bona fide residents of the Choctaw Nation till the death of the said Minnie I. McBride, on June 28, 1896; that on November 26, 1901, the applicant herein was married to Ida May Featherston, a white woman, having no rights of Choctaw citizenship by blood; and that with the exception of about two years, 1899 and 1900, the applicant was a resident in good faith of the Choctaw-Chickasaw country from the date of his marriage to the said Minnie I. McBride up to and including September 25, 1902.


It further appears from the records of the Commission that on September 9, 1896, in the case entitled "William Phillip McBride et al. vs. Choctaw Nation (1896 Choctaw Citizenship Docket, case number 1291), the applicant herein made original application to this Commission, under the provisions of the act of Congress approved June 10, 1896 (29 Stat., 321), for admission to citizenship in the Choctaw Nation, and on December 8, 1896, the applicant was, by this Commission, admitted to citizenship in the Choctaw Nation as a citizen by intermarriage thereof, from which decision of the Commission no appeal was taken.

Upon an examination of the tribal rolls in the possession of the Commission, the applicant is identified upon the 1896 Choctaw Census Roll, Tobucksy County, number 14866,

enrolled thereon as a citizen by intermarriage of said Nation.

It is, therefore, the opinion of this Commission that, following the ruling of the Department in the case of Thornton D. Pearce (I.T.D. 4060- 1904), relative to the question of forfeiture, William P. McBride should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495) and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

  
.....  
Chairman.

  
.....  
Commissioner.

  
.....  
Commissioner.

Muskogee, Indian Territory,

NOV 9 1904  
.....

Choctaw 3702

COPY.

Muskogee, Indian Territory, November 3, 1904.

William P. McBride,

Womack, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered November 3, 1904, granting your application for enrollment as a citizen by inter-marriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of said decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

*Tamo Bixby*  
Chairman.

Registered.

Incl. 7-3702.

Choctaw 3702

COPY.

Muskogee, Indian Territory, November 3, 1904.

J. F. Sharp,

Attorney at Law,

Purcell, Indian Territory,

Dear Sir:

You are hereby notified that the Commission to the Five Civilized Tribes, on November 3, 1904, rendered its decision granting the application for the enrollment of William P. McBride as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of said decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling said applicant as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, his name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

*James Bixby*

Chairman.

Registered.

COPY.

Muskogee, Indian Territory, November 3, 1904.

Mansfield, McMurray & Cornish,  
Attorneys for Choctaw and Chickasaw Nations,  
South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the decision of this Commission, rendered November 3, 1904, granting the application for the enrollment of William P. McBride as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling said applicant as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, his name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

*Iams Bixby*

Chairman.

Registered.

Incl. 7-3702.

See Choctaw 4510 for registry receipt for this letter.

Choctaw 3702

Muskogee, Indian Territory, December 12, 1902.

W. Philip McBride,  
Womaok, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of December 2, asking whether the Commission has rendered any decision relative to the rights of intermarried citizens who were granted citizenship in 1896 by this Commission and who have prior to September 25, 1902, married white persons. You also ask when such citizens will be notified of the action of the Commission in their cases.

In reply to your letter you are advised that the Commission has not yet passed upon the question referred to in your letter, nor has any opinion been rendered therein by the Secretary of the Interior, and the Commission can render no opinion relative to the rights of persons who were admitted as intermarried citizens in 1896 and have since that time married white persons, until the same is taken up for final consideration and determination.

As soon as decisions are rendered in individual cases the applicants are advised of the action of the Commission in said cases.

Respectfully,

Acting Chairman.



Substitute  
5

7-3702.

Muskogee, Indian Territory, December 17, 1902.

W. Philip McBride,

Womaok, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 11th inst., in which you ask if intermarried white citizens who married white women prior to September 25, 1902, will share in the allotment of the Choctaw-Chickasaw lands.

In reply to your letter, you are advised that only those persons whose names appear upon the final rolls of citizens and freedmen of the Choctaw and Chickasaw Nations as approved by the Secretary of the Interior will be entitled to share in the allotment of the lands of the Choctaw-Chickasaw country.

The matter of the grades of the lands about which you inquire will be made the subject of another communication.

Respectfully,

Commissioner in Charge.

Chickasaw 3702

Muskogee, Indian Territory, July 21, 1904.

Ledbetter & Bledsoe,  
Attorneys at Law,  
Ardmore, Indian Territory,

Gentlemen:

Receipt is hereby acknowledged of your letter of July 12, asking the status of the application of Walter P. McBride, of Wamack, Indian Territory, for enrollment as an intermarried citizen of the Chickasaw Nation.

In reply to your letter you are advised that it does not appear from our records that Walter P. McBride is an applicant to the Commission for enrollment as an intermarried citizen of the Choctaw or Chickasaw Nation. It does appear, however, that William P. McBride, whose post office is Wamack, Indian Territory, is an applicant for enrollment as an intermarried citizen of the Choctaw Nation, and his final right to such enrollment has not been determined. He was formerly husband of Minnie I. McBride, now deceased, and his son, Philip P. McBride, has heretofore been enrolled by the Commission as a citizen by blood of the Choctaw Nation and his enrollment approved by the Secretary of the Interior.

If this is not the person to whom you refer, and you will

L & B 2

give further particulars as to his age, the time and place application was made for his enrollment, the name of his citizen wife and other members of his family, the matter of your inquiry will receive proper consideration.

Respectfully,

Commissioner in Charge.

3053-7

Choctaw 3702

Muskogee, Indian Territory, October 15, 1904.

William P. McBride,  
Womack, Indian Territory,

Dear Sir:

Your letter of September 29, 1904, addressed to William O. Beall, has been by him referred to the Commission for reply relative to the status of your enrollment.

You are informed that the Commission is now considering your application for enrollment as an intermarried citizen of the Choctaw Nation, and as soon as a decision is reached therein you will be notified of the action taken.

Respectfully,

Commissioner in Charge.

7-3702

Muskogee, Indian Territory, October 18, 1904.

William P. McBride,

Womack, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of the 10th instant, requesting to be advised relative to the status of your application for enrollment as an intermarried citizen of the Choctaw Nation, and why your enrollment has not been approved.

You are informed that the Commission has not yet passed upon the application for enrollment of William P. McBride as an intermarried citizen of the Choctaw Nation. Your case, however, is under consideration and as soon as a decision is reached in the same, you will be duly notified of the action taken therein.

Respectfully,

Chairman.

7-3702

Muskogee, Indian Territory, November 2, 1903.

J. F. Sharp,  
Attorney at Law,  
Purcell, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of October 24, asking if W. P. McBride, intermarried Choctaw, and Philip P. McBride, Choctaw by blood son of W. P. and Minnie I. McBride have been admitted to citizenship.

In reply to your letter you are informed that the Commission has not yet passed upon the application of William P. McBride for enrollment as an intermarried citizen of the Choctaw Nation. As soon as a decision is reached in this case he will be notified of the action taken therein.

You are further informed that Philip P. McBride, son of William P. and Minnie M. McBride, has been listed for enrollment as a citizen by blood of the Choctaw Nation, but his name has not yet been placed upon the schedules of citizens by blood of said Nation prepared for forwarding to the Secretary of the Interior.

Respectfully,

Chairman.

MEMORANDA.

(Date) Sept 22 1899.

31

Name W. P. Motson  
 Choctaw? Yes County LeFlore Year 96 No. 1444  
 Chickasaw? County Year Page 544  
 Citizen by blood? Mother's citizenship Yes  
 Intermarried citizen? Yes  
 Married under what law?  
 License filed this day,

Wife's name,  
 Choctaw? County Year No.  
 Chickasaw? County Year Page  
 Citizen by blood? Mother's citizenship  
 Intermarried citizen?  
 Married under what law?  
 License filed this day

Names of children:

W. P. Motson County LeFlore Year 96 Page 144 No. 9319  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No. 96

31702

Choc 3703 Mary James

3703



Muskogee, Indian Territory, September 5, 1901.

Mr. Thomas V. McReynolds,  
Notary public,  
Mayhew, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Jasper James, the infant son of Tom and Mary James born March 13, 1901, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

You are informed that in filling the blanks in the affidavit of the mother making application for enrollment of an infant child care should be taken to see that nothing is inserted therein except facts.

If the parents are Indians it should be stated that they are citizens by blood and not by birth; if either of the parents are non-citizens that fact should be entered in the proper blank.

In executing an application for the enrollment of an infant child of Choctaw freedmen, the affidavit of the mother should show that the parents are citizens by adoption, and not

Y. V. H.

by birth or blood.

This information is conveyed to you with a request that you follow the instructions contained herein in the future.

Yours truly,

7-5703

Muskogee, Indian Territory, September 7, 1901.

Mr. Tom James,

In care of T. V. McReynolds,

Mayhew, Indian Territory,

Dear Sir:-

Referring to the application for enrollment as a citizen of the Choctaw Nation of the infant child of Tom and Mary James it is noted that it is stated in the affidavit of the mother that the father of this child is a citizen by birth of the Choctaw Nation. This statement is not understood by this office. You are therefore kindly requested to state whether or not you ever made application for enrollment, and, if so, state your age and the time and place you made application for enrollment, and whether such application was made for enrollment as a citizen by blood of the Choctaw Nation or as a Choctaw Freedman.

Yours truly,

7-3703

HPM

Commissioner in Charge.

Muskogee, Indian Territory, September 26, 1901.

Mr. Tom James,

Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of recent date in which you state that you are 26 years of age.

You are informed that your letter has been duly filed with the records of the Commission and your prompt action in the matter duly appreciated.

On September 5, 1901 this office was in receipt of the application for enrollment as a citizen of the Choctaw Nation of Jasper James, the infant son of Tom and Mary James, born March 13, 1901. In the affidavit of the mother it was stated that her name was Mary James; that she was 22 years of age, and a citizen by birth of the Choctaw Nation and the lawful wife of Tom James who is a citizen by birth of the Choctaw Nation.

It does not appear from the records that any person by the name of Tom James has been listed for enrollment as a citizen by blood of the Choctaw Nation; the records do show however that on August 21, 1899, Thomas James of Mayhew, Indian Territory, 24 years of age was listed for enrollment as a Choctaw freedman.

You are requested to state whether or not you are the

T. J. ...

Thomas James listed for enrollment as a Choctaw freedman as stated above and also whether or not you are the person named in the affidavit of Mary James as her husband and the father of the infant child Jasper James.

You are requested to give this matter prompt attention and return your answer in the enclosed envelope which requires no postage.

Yours truly,

7-5703

Acting Chairman.

MEMORANDA.

(Date) \_\_\_\_\_ 1899.

Name .....

Choctaw ? County ..... Year ..... No. ....

Chickasaw ? County ..... Year ..... Page .....

Citizen by blood ? Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day, .....

21 Wife's name, *Mary* .....

Choctaw ? County *Low* Year ..... No. ....

Chickasaw ? County ..... Year ..... Page .....

Citizen by blood ? Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day .....

Names of children:

*18mo* *Mary* County ..... Year ..... Page ..... No. ....

County ..... Year ..... Page ..... No. ....

County ..... Year ..... Page ..... No. ....

County ..... Year ..... Page ..... No. ....

County ..... Year ..... Page ..... No. ....

County ..... Year ..... Page ..... No. ....

County ..... Year ..... Page ..... No. ....

County ..... Year ..... Page ..... No. ....

County ..... Year ..... Page ..... No. ....

County ..... Year ..... Page ..... No. ....

*37 # 33*

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,  
 of Minnie James, born on the 23rd day of April A.D. 1898.  
 Name of father: Tom James Adopted, a citizen of the Choctaw Nation.  
 Name of mother: Mary James, a citizen of the Choctaw Nation.  
 Post Office: Marys Hill Ind. Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }  
 INDIAN TERRITORY, }  
Central District. }

I, Mary James, on oath, state that I am 20 years of age and a  
 citizen, by Blood, of the Choctaw Nation; that I am the  
 lawful wife of Tom James who is a citizen, by adoption, of the  
Choctaw Nation; that a Girl child was born to me on the 23rd day  
 of April A.D. 1898; that said child has been named Minnie James,  
 and is now living.

Subscribed and sworn to before me this 25th day of August A.D. 1899.  
Mary James  
Thomas W. Maxwell  
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }  
 INDIAN TERRITORY, }  
Central District. }

I, Jincy Harris, a Midwife, on oath, state that I  
 attended on Mrs. James, wife of Tom James  
 on the 23rd day of April A.D. 1898; that there was born to her on said date a Girl child;  
 that said child is now living and is said to have been named Minnie James.

Subscribed and sworn to before me this 25th day of August A.D. 1899.  
Jincy Harris  
Thomas W. Maxwell  
 Notary Public.

7-3703 ✓

32

IN RE  
THE DEATH OF

*Miner James*  
a citizen of the

*Choctaw* Nation.

Approved NOV 26 1902 190

*C. A. Redmond*  
Commissioner.

COMMISSIONER OF THE CHOCTAW TRIBE  
FILED  
NOV 25 1902

*[Signature]*  
ACTING CHAIRMAN

CHOCTAW. #3703.



DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Minnie James  
(Here insert name of deceased)

a citizen of the Choctaw Nation, who formerly resided at or near  
Mayhew, Ind. Ter., and died on the \_\_\_\_\_ day of  
December, 1900

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Central District.

I, Nathan Harris, on oath state that I am 25  
years of age and a citizen, by Wood, of the Choctaw Nation;  
that my post office address is Mayhew, Ind. Ter.; that I am  
uncle of Minnie James,  
(State relationship as the father, an uncle, a cousin, etc.) (Here insert name of deceased)  
who was a citizen, by Wood, of the Choctaw Nation;  
and that said Minnie James died on the \_\_\_\_\_ day of  
Dec., 1900 Nathan Harris

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 21 day of Nov., 1900  
R. W. Linebaugh  
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Central District.

I, Ben Chace, on oath state that I am 38  
years of age, and a citizen, by Franklin, of the Choctaw Nation;  
that my post office address is Mayhew, Ind. Ter.;  
that I was personally acquainted with Minnie James,  
(Here insert name of deceased)  
who was a citizen, by Wood, of the Choctaw Nation;  
and that said Minnie James died on the \_\_\_\_\_ day of  
Dec., 1900 Ben Chace

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 21 day of Nov., 1900  
R. W. Linebaugh  
Notary Public.

*IN RE*

Application for Enrollment of

INFANT CHILD

*Jasper James*

as a citizen of

*Choctaw*

Nation.

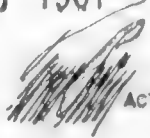
Approved SEP 5 1901 190

*C. R. Beckwith*  
Commissioner.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

**FILED**

SEP 5 1901



ACTING CHAIRMAN.

*Choctaw*  
3708.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,  
of Jasper James, born on the 13 day of March, 1901  
(Here insert name of child)  
Name of Father: Tom James, a citizen of the Choctaw Nation.  
Name of Mother: May James, a citizen of the Choctaw Nation.  
Post-office, Maple Hill

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }  
INDIAN TERRITORY, }  
Central District. }

I, May James, on oath state that I am 22  
years of age and a citizen, by birth, of the Choctaw Nation;  
that I am the lawful wife of Tom James, who is a citizen, by  
birth, of the Choctaw Nation; that a male child was  
(male or female)  
born to me on the 13 day of March, 1901; that said child has been  
named Jasper James, and is now living.

WITNESSES TO MARK

Mary James

(Must be Two Witnesses)

Subscribed and sworn to before me this 31 day of Aug., 1901.

Thomas O. Mc Coy  
NOTARY PUBLIC.

My Com. expires Apr. 27-1905

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }  
INDIAN TERRITORY, }  
Central District. }

I, Winnie Carson, a midwife, on oath state that I  
attended on Mrs. May James, wife of Tom James,  
on the 13 day of March, 1901; that there was born to her on  
said date a male child; that said child is now living and is said to have been  
(male or female)  
named Jasper James.

WITNESSES TO MARK:

Winnie Carson

(Must be Two Witnesses)

J. H. Duncan

Subscribed and sworn to before me this 31 day of Aug., 1901.

Thomas O. Mc Coy  
NOTARY PUBLIC.

My Com. expires Apr. 27-1905

## Department of the Interior,

## COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the *Cherokee* Nation,  
of *Edward James*, born on the *11th* day of *September*, 1899.  
Name of father: *Tom James* *adoption*, a citizen of the *Cherokee* Nation.  
Name of mother: *Mary James*, a citizen of the *Cherokee* Nation.  
Post Office: *May hew T. T.*

## AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }  
INDIAN TERRITORY, }  
*Central* District. }

I, *Mary James*, on oath, state that I am *20* years of age and a  
citizen, by *Blood*, of the *Cherokee* Nation; that I am the  
lawful wife of *Tom James* who is a citizen, by *adoption*, of the  
*Cherokee* Nation; that a *boy* child was born to me on the *11th* day  
of *September*, 1899; that said child has been named *Edward James*,  
and is now living.

Subscribed and sworn to before me this *14th* day of *October*, 1899.

*Mary James*  
*Thos. W. Maxwell*  
Notary Public.

## AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }  
INDIAN TERRITORY, }  
*Central* District. }

I, *Jincy Harris*, a *Midwife*, on oath, state that I  
attended on Mrs. *Mary James*, wife of *Tom James*  
on the *11th* day of *September*, 1899; that there was born to her on said date a *boy* child:  
that said child is now living and is said to have been named *Edward James*.

Subscribed and sworn to before me this *14th* day of *October*, 1899.

*Jincy Harris*  
*Thos. W. Maxwell*  
Notary Public.

choc 3704 milton Hawkins

wife margaret Hawkins transferred  
from Choctaw D # 708 July 7, 1904

3704

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
MUSKOGEE, INDIAN TERRITORY, MARCH 10, 1902.

---0---

letter of the application for enrollment as an  
intermarried citizen of the Choctaw Nation of Margaret Harkins.

---0---

Margaret Harkins being first duly sworn testified as follows:

Examination by the Commission.

- Q What is your name? A Margaret Harkins.  
Q What is your age? A Fourteen.  
Q What is your post office address? A Daddo.  
Q What is the name of your father? A John W. Pasley.  
Q Is he living? A No sir.  
Q What is the name of your mother? A Nancy Coppedge, it is now  
Q Is she living? A Yes sir.  
Q Are they both white persons? A Yes sir.  
Q Citizens of the United States? A Yes sir.  
Q Did either of them ever claim to be citizens of the Choctaw  
Q or Chickasaw Nations? A No sir.  
Q Did either of them ever claim to be citizens of any nation  
Q in Indian Territory? A No sir.  
Q You do not claim to be a citizen of the Choctaw Nation?  
A No sir; only by marriage.  
Q You now desire to make application for enrollment as an  
Q intermarried citizen of the Choctaw Nation? A Yes sir.  
Q Are you married? A Yes sir.  
Q To whom are you married? A Milton Harkins.  
Q Is he a citizen by blood of the Choctaw Nation? A Yes sir.  
Q Do you know to what county he belongs? A Yes sir.  
Q What is it? A Blue County.  
Q How old is he? A I can't say how old he is.  
Q Do you know the name of his father? A No sir.  
Q Do you know whether he is living or dead? A No sir.  
Q Do you know the name of his mother? A No sir.  
Q You don't know whether she's living or not? A I think  
Q she's dead.  
Q When was you married? A The 6th of October.  
Q What year? A 1901.  
Q Where were you married? A Down below Caddo, about six miles  
Q Who married you? A Calvin Robinson.  
Q Have you your marriage certificate? A My husband has got it.  
Q Do you wish to file it? (No answer)

There is offered in evidence, filed and made a part of the record in this case the certificate of marriage between Milton Hawkins and Margaret Pasley, dated October 6, 1901, signed by Calvin Robinson.

An examination of the records of the Commission

Margaret Harkins--2.

that Milton Harkins, thirty six years of age of Caddo, Indian Territory, was listed for enrollment, August 22, 1899, and his name appears on Choctaw roll card field number 3704.

Q Were you ever married before? A No sir.

---0---

Milton Harkins being first duly sworn testified on behalf of the applicant, as follows:

Examination by the Commission.

Q What is your name? A Milton Hawkins.  
Q What is your age? A Thirty nine.  
Q What is your post office address? A Caddo .  
Q What is the name of your father? A William Hawkins.  
Q Is he living or dead? A Dead.  
Q What is the name of your mother? A Elzira .  
Q Is she living or dead? A Dead.  
Q Are you a citizen by blood of the Choctaw Nation? A Yes sir  
Q To what county do you belong? A Blue County.

The records of the Commission examined and the name of Milton Harkins, is found on Choctaw roll card field number 2704, age thirty six years

Q Can you explain why you were enrolled under the name of Milton Harkins? A No sir I can't; that's the way the Choctaws always spell; it's spelled in English H-a-w-k-i-n-s.  
Q You always spell it Hawkins? A Yes but the way the Choctaws spell, its H-a-k-i-n-s.  
Q Are you married? A Yes sir.  
Q To whom are you married? A Margaret Pasley.  
Q When was you married to Margaret Pasley? A The sixth day of last October.  
Q Were you ever married before? A Yes sir.  
Q To whom? A Mary Benton.  
Q Was she a citizen of the Choctaw Nation? A Yes sir.  
Q When was you married to her? A Two years ago I guess; I dont remember exactly.  
Q Is she living? A Yes sir.  
Q Are you and she divorced? A Yes sir.  
Q Have you got evidence of the divorce? A Yes sir; not with me; at home.

It will be necessary for you to file evidence of the divorce between yourself and your former wife.

Q Is your former wife, Mary Benton listed for enrollment as a citizen by blood of the Choctaw Nation? A Yes sir.  
Q What was the name of her father? A Brashers Turnbull.  
Q What was the name of her mother? A I don't know her name.  
Q When were you divorce from Mary benton? A It's been -- I for get now just when it was; Henry Ryington - he's a lawyer - he got my divorce.

---0---

Margaret Harkins—3.

A Telle being first duly sworn testified on behalf of the applicant as follows:

Examination by the Commission:

- Q What is your name? A A Telle- T-e-l-l-e.
- Q What is your post office address? A Atoka.
- Q What is your age? A Forty two.
- Q Are you a citizen by blood of the Choctaw Nation? A Yes sir.
- Q Do you know Milton Harkins, the witness who has just testified in the matter of this application for the enrollment as an intermarried citizen of Margaret Harkins? A Yes sir.
- Q Will you state for the information of the Commission why the surname of this man is spelled H-e-r-k-i-n-s and not H-a-v-k-i-n-s as he spells it at present? A I can get at it in a round-a-bout way; that is this - there is no Choctaw family that I know of in the Choctaw Nation by the name - that spell their name H-a-v-k-i-n-s, but the name that corresponds nearest to that is the name H-a-r-k-i-n-s; and I don't know just exactly how this boy spells that but he was simply taught to spell it by people that didn't speak the language or not intimately acquainted with the family; the rest of those people that I know spell their name H-a-r-k-i-n-s and he must have picked it up with his association with non-Choctaw speaking people.
- Q How long have you known Milton Harkins? A Just personally I have'n't known him any great length of time - but I'm intimately but I know his family and his ancestors.
- Q Knew his father and mother? A No sir; I don't know that I knew his mother but I know his father; but I know his other relatives - his father's brother and his cousins.
- Q Can you state of your own knowledge that he is the same person who appears upon this card? A Well I can't say that I do of my own knowledge know more than this - that I had charge of the Choctaw rolls as custodian of the records and am familiar with all those records and know that he is a resident of Blue County.

By the Commission, to the applicant Margaret Harkins:

The decision of the Commission as to your application for enrollment as an intermarried citizen of the Choctaw Nation will be mailed to you at some future date, at your present post office address.

-0-

Clara Mitchell Wood being first duly sworn upon her oath states that as stenographer for the Commission to the Five Civilized Tribes she reported in full all proceedings had at the above entitled case on the 10<sup>th</sup> day of March 1905 and that the above and foregoing is a full true and correct transcript of her



stenographic notes of said proceedings on said date.

*Clara Mitchell Wood*

Subscribed and sworn to before me this \_\_\_\_\_ day of March 1902.



Commissioner.

Department of the Interior.  
Commission to the Five Civilized Tribes.  
Atoka, Indian Territory, November 20th, 1902.

Choctaw D 708.  
Intermarried.

In the matter of the application of Margaret Harkins for enrollment as an intermarried citizen of the Choctaw Nation.

Margaret Harkins, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Margaret Harkins.  
Q What is your age? A I will be sixteen the 29th of June.  
Q What is your post office address? A Caddo, Indian Territory.  
Q How long have you been a resident of the Choctaw Nation? A Three years.  
Q Have you lived here continuously for the past three years? A Yes sir.  
Q Where did you live before that? A Close to Caddo.  
Q In the Choctaw Nation? A Yes sir.  
Q How long have you lived in the Choctaw Nation? A I have lived here in the nation all my life.  
Q Do you claim intermarried rights in the Choctaw Nation? A Yes sir.  
Q What is the name of your Indian husband through whom you claim these rights? A Melton Harkins.  
Q Is he a recognized citizen of the Choctaw Nation? A Yes sir.  
Q His rights have never been disputed? A No sir.  
Q When were you married to Melton Harkins? A October 6, 1901.  
Q Where was the marriage ceremony performed? A Six miles from Caddo, at Parson Robinson's.  
Q In the Choctaw Nation? A Yes sir.  
Q Were both you and your husband residents of the Choctaw Nation at the time of that marriage? A Yes sir.  
Q Who performed the marriage ceremony? A Calvin H. Robinson.  
Q Were you married under a license? A No sir.  
Q Were you ever married before your marriage to Melton Harkins? A No sir.  
Q Was he ever married before his marriage to you? A Yes sir.  
Q How many times? A Twice.  
Q What was the name of his first wife? A I couldn't tell you.  
Q Do you know the name of his second wife? A Yes sir.  
Q What was her name? A Mary Henton.  
Q Was he separated from Mary Henton? A Yes sir.  
Q They were divorced at the time of your marriage? A Yes sir.  
Q Was his first wife living at that time? A I don't know whether she was or not.  
Q Since your marriage to Melton Harkins in 1901 have you lived with him continuously as his wife up to the present time? A Yes sir.  
Q There has been no separation, abandonment or divorce? A No sir.  
Q You are at present living together as bona fide residents of the Choctaw Nation? A Yes sir.

Melton Harkins, called as a witness, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Melton Harkins.

Margaret Harkins-----2.

- Q How old are you? A I am forty.  
Q What is your post office address? A Caddo, Indian Territory.  
Q Are you a citizen by blood of the Choctaw Nation? A Yes sir.  
Q What is the name of your present wife? A Margaret Pasley when I married her.  
Q She is an applicant for enrollment as an intermarried citizen of the Choctaw Nation? A Yes sir.  
Q How many times were you married before your marriage to your present wife? A Twice.  
Q What was the name of your first wife? A Addie Sullivan.  
Q Was she an Indian? A No sir.  
Q White woman? A Yes sir.  
Q When were you married to her? A About fifteen years ago.  
Q How long did you live with her? A Five years.  
Q At the end of that time did she die or were you separated?  
A She went off and left me.  
Q Did you procure a divorce? A Yes sir, I went to see a lawyer and said I couldn't get no trace of her.  
Q Where did you get the divorce? A I didn't get divorce.  
Q You never heard of her again? A No sir, the lawyer told me to stay single five years and then I could marry.  
Q From the time of her leaving you, you never heard of her again?  
A No sir.  
Q How long after your separation was it you married the second time?  
A Six years.  
Q How long did you live with your second wife? A Ten months.  
Q You separated at the end of that time? A Yes sir.  
Q Did you procure a divorce? A Yes sir.  
Q Where did you get that divorce? A Mayhew.  
Q In the Choctaw court? A Yes sir.

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Harry C Risteen, being first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 20th day of November, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

*Harry C Risteen*

Subscribed and sworn to before me this 3<sup>rd</sup> day of January, 1903.

*Charles DeSavoy*

Notary Public.

MAR 15 1902

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

**FILED**

MAR 17 1902



ACTING CHAIRMAN.

CHOCTAW.

E 708

7A-708

# BILL OF DIVORCE.

The Choctaw Nation,

In Circuit Court of the Third Judicial District, Regular *August* term  
1901, a petition of *William Anderson*  
being presented by *W. C. Anderson* Attorney in said Court, for a Bill of Divorce, setting forth the facts, etc.,  
and after the Court hearing the Testimony in regard to the petition do order and decree that a Bill of  
Divorce be issued to the applicant, *William Anderson*

THEREFORE, I do issue a Bill of Divorce to said applicant *William Anderson*  
forever releasing *William Anderson* from the Banns of Matrimony heretofore existing  
between *William Anderson* and *Mary Anderson*

Given under my hand and seal of office, this the *11th* day of *August* A.D. 1901,



Circuit Clerk, 3d District, C. N.

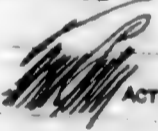
By

Deputy.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

**FILED**

MAR 10 1902



ACTING CHAIRMAN.

Case 20 J. 9

Oct. 6. 1901

This certifies that  
Mr. Milton Hawkins  
and Miss Margaret  
Paley were united  
in Marriage this  
the sixth day of  
October 1901.

According to the  
laws of the District  
of Columbia

By  
Geo. Edwin Johnson

046

7 D-708.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-----:-----

In the matter of the application for the enrollment of  
Margaret Hawkins as a citizen by intermarriage of the Choctaw Nation.

- D E C I S I O N -

It appears from the record herein that Margaret Hawkins (nee Pasley), on October 6, 1901, was lawfully married to Milton Hawkins, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 10487 upon the lists prepared by this Commission under the act of Congress approved July 1, 1902 (32 Stat., 641) of persons entitled to enrollment as citizens by blood of the Choctaw Nation and approved by the Secretary of the Interior on February 4, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation and that they have continued to live together in Indian Territory as husband and wife from the date of their said marriage up to and including September 25, 1903.

It is, therefore, the opinion of this Commission that Margaret Hawkins should be enrolled as a citizen by intermarriage of the Choctaw Nation, under the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495) and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

  
-----  
Chairman.

  
-----  
Commissioner.

  
-----  
Commissioner.

Muskogee, Indian Territory,

-----  
Commissioner.



Choctaw D 708.

Muskogee, Indian Territory, June 21, 1904.

Margaret, Hawkins,

Caddo, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered June 21, 1904, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Registered.

Incl. 7- D- 708.

Choctaw D 703

COPY:

Maskogee, Indian Territory, June 21, 1904.

Charles McPherran,  
Attorney at Law,  
Caddo, Indian Territory,

Dear Sir:-

You are hereby notified that the Commission to the Five Civilized Tribes, on June 21, 1904, rendered its decision granting the application of Margaret Hawkins for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations, have been furnished a copy of said decision and have been allowed fifteen days from the date hereof within which to file protest against the action of the Commission in enrolling said applicant as a citizen of the Choctaw Nation. If at the expiration of said time no protest has been filed her name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

*Tame Bixby.*  
Chairman.

Registered.

COPY!

Muskogee, Indian Territory, June 21, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the decision of this Commission, rendered June 21, 1904, granting the application of Margaret Hawkins for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed her name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

*Tamo Dixby.*

*Chairman.*

Registered.

Incl. 7- D- 708.

7 D 708  
7-5704

Muskogee, Indian Territory, March 17, 1902.

Wilton Hawkins,  
Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of a copy of the bill of divorce between Milton Hawkins and his former wife Mary Hawkins, and the same has been filed with the records of the Commission in the matter of the application for enrollment as an intermarried citizen of the Choctaw Nation of Margaret Harkins.

Yours truly,

Commissioner in Charge

7-D- 805  
7- 3704  
7- 3803

Muskogee, Indian Territory, September 30, 1908.

W.B. Odell,

Cliff, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the marriage license and certificate between W.B. Odell and Mary Benton, dated September 24, 1908; also the affidavit of Henry Byington relative to the divorce between Milton Harkin and Mary Harkin in August, 1901; and the same have been duly filed with the records of the Commission in the matter of your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

Acting Chairman.

Choctaw D 708  
3545,3704,3715.

Muskogee, Indian Territory, March 16, 1903.

Henry Byington,  
Caddo, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of March 2, asking relative to the enrollment as citizens of the Choctaw Nation of Cunningham Wade, Margarett Hawkins, an intermarried white woman, who is the wife of Milton H. Hawkins, Lorena Hayes, her husband Cornelius Hayes and her child Sophia Hayes. You also ask for half a dozen blank death certificates and wish to be informed when the land offices will be opened.

In reply to your letter you are advised that it appears from our records that Kennedy Wade, twenty nine years of age, son of Eastman Wade and Siley Frazier, has been enrolled by this Commission as a citizen by blood of the Choctaw Nation, and on February 4, 1903, his enrollment was approved by the Secretary of the Interior. It is believed that this is probably the Cunningham Wade referred to in your letter.

It further appears from our records that Margaret Hawkins, wife of Milton Hawkins, has been listed among the doubtful claimants to enrollment as an intermarried citizen of the Choctaw Nation, and her final right to such enrollment has not yet been determined.

H B 2

It also appears from our records that Kaurena Hayes and her husband, Cornelius Hayes, and her child, Sophia Hayes, have been enrolled by this Commission as citizens by blood of the Choctaw Nation and on February 4, 1903, the Secretary of the Interior approved their enrollment as such.

You are informed that land offices will be opened at Atoka in the Choctaw Nation and Tishomingo in the Chickasaw Nation on April 15, 1903.

In compliance with your request there are inclosed you herewith six blank forms for proofs of death.

Respectfully,

Chairman.

6 D.C.

7-D-708.

Muskogee, Indian Territory. April 7, 1903.

Nancy Coppedge,

Osage, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 30th ultimo enclosing your affidavit and that of Ed Green relative to the death of your daughter, Margaret Hawkins, an applicant for enrollment as an intermarried citizen of the Choctaw Nation, which occurred February 10, 1903.

You request to be advised the status of her application for enrollment, and are informed that no decision relative to the right of Margaret Hawkins to enrollment as an intermarried citizen of the Choctaw Nation has yet been rendered by the Commission.

Respectfully,

Commissioner in Charge.



7-D-708

Muskogee, Indian Territory July 22, 1903.

Charles McPherran,  
Attorney at Law,  
Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of July 18, asking the status of the claim of Margarite Hawkins, wife of Milton Hawkins, to enrollment as an intermarried citizen of the Choctaw Nation. You state that you understand that certificate of marriage and other necessary documentary evidence has been furnished together with proof of death, but request that in the event anything further is desired you be advised.

In reply to your letter you are informed that it appears from our records that Margaret Harkins, wife of Milton Harkins, has been listed among the doubtful claimants to enrollment as an intermarried citizen of the Choctaw Nation, but that her final right to such enrollment has not yet been determined.

It further appears that affidavit to the death of this applicant on February 10, 1903 has been filed with the record in this case. In the event any further evidence is necessary to enable the Commission to determine her right to enrollment as an intermarried citizen of the Choctaw Nation you will be informed.

Respectfully,

Commissioner in Charge.

Choctaw D 708

Muskogee, Indian Territory, August 4, 1903.

Milton Harkins,

Caddo, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of August 1, stating that you have been appointed administrator of the estate of your wife, Margaret Harkins, who is an intermarried citizen of the Choctaw nation and lived with you up to the time of her death.

In reply to your letter you are advised that it appears from our records that Margaret Harkins, formerly wife of Milton Harkins, died February 10, 1903, and that proof of her death has been filed with the Commission. It further appears from our records that she has been listed among the doubtful claimants to enrollment as an intermarried citizen of the Choctaw Nation, and her final right to such enrollment has not yet been determined. As soon as a decision is reached relative to her right to enrollment you will be notified of the action of the Commission.

Respectfully,

Commissioner in Charge.

7-D-708

Muskogee, Indian Territory, October 16, 1903.

Milton S. Hawkins,  
Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your affidavit and that of R. C. Freeney relative to the death of your wife, Margaret Hawkins, an intermarried citizen of the Choctaw Nation, which occurred February 10, 1903; and the same being in proper form have been duly filed with the records of the Commission as evidence of death of the above named person.

Respectfully,

Commissioner in Charge.

Choctaw D 708

Muskogee, Indian Territory, March 9, 1904.

Commissioner in Charge,  
Choctaw Land Office,  
Atoka, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of March 7, asking if proof of the death of Margaret Hawkins, whose name appears on Choctaw card D 708, has been filed with the Commission, and if so, the date of death, and state that this information is desired in order that you may give proper notice to Milton Hawkins, the husband of Margaret Hawkins, relative to instituting contest proceedings in her behalf for certain land claimed for her, which has been filed on by other persons.

In reply you are advised that from the affidavits of Milton H. Hawkins and R. C. Freeny, of October 14, 1903, it appears that Margaret Hawkins died February 10, 1903. These affidavits were filed with the Commission October 16, 1903.

Choctaw D 708

Muskogee, Indian Territory, April 30, 1904.

Nancy Cop edge,  
Caddo, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of your letter of April 18, relative to the application of Margaret Hawkins for enrollment as an intermarried citizen of the Choctaw Nation.

In reply to your letter you are advised that the Commission has not yet passed upon the application of Margaret Hawkins for enrollment as an intermarried citizen of the Choctaw Nation. As soon as a decision is reached in this case you will be notified of the action taken therein.

Respectfully,

Chairman.

Choctaw-D-708.

Muskogee, Indian Territory, June 13, 1904.

Wancy Coppedge,

Caddo, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of June 1st in which you ask what action has been taken relative to the enrollment of Margaret Hawkins as an intermarried citizen of the Choctaw Nation; you ask if you will now have to be appointed by the United States Court. In reply to your letter, you are informed that the Commission has not yet passed upon the application of Margaret Hawkins for enrollment as an intermarried citizen of the Choctaw Nation. The Commission is now considering the same and as soon as a decision is reached you will be notified of the action taken therein.

Referring to that portion of your letter in which you ask if will be necessary for you to be appointed by the United States Court, it is presumed you mean in your letter if it will be necessary for you to be appointed by the United States Court as administrator for the estate of Margaret Hawkins, who died February 10, 1903, and you are advised that the matter of the appointment of administrators of the estate of deceased citizens

H. C.--2.

does not come within the jurisdiction of the Commission, and it is therefore impracticable to give you any information upon this subject. You are informed, however, that it will be necessary for persons seeking to represent deceased citizens of the Choctaw and Chickasaw Nations in the capacity of administrators in the selection of allotments of lands to be appointed by the United States Courts in the Indian Territory.

Respectfully,

Chairman.

7-D-708

Muskogee, Indian Territory, June 26, 1904.

Winfield S. Farmer,  
Attorney at Law,  
Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 14th inst., requesting information relative to the status of the application for enrollment of Margaret Hawkins, wife of Milton Hawkins.

You are advised that the application for enrollment of Margaret Hawkins, wife of Milton Hawkins, a citizen by blood of the Choctaw Nation has been granted by this Commission under date of June 21, 1904, and a notice of the decision therein forwarded the attorneys for the Choctaw and Chickasaw Nations, allowing them 15 days from said date in which to file protest against the action of the Commission.

If at the expiration of said time no protest has been filed by said attorneys, her name will be placed upon a schedule of intermarried citizens of the Choctaw Nation to be transmitted to the Secretary of the Interior for approval.

Respectfully,

Commissioner in Charge.



MEMORANDA.

(Date) Aug 21 1899.

36

Name Millon Hopkins

Choctaw? yes County Skulllyville Year 4's No. 5194

Chickasaw? County Year Page 126

Citizen by blood? yes Mother's citizenship Choctaw

Intermarried citizen?

Married under what law?

License filed this day,

Wife's name,

Choctaw? County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

| County | Year | Page | No. |
|--------|------|------|-----|
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
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| County | Year | Page | No. |
| County | Year | Page | No. |

3704

Choc 3705 Bankston Johnston

3705

DEPARTMENT OF THE INTERIOR,  
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw nation of---

ROSELIA JOHNSON ---- 7-D-738.

Department of the Interior.  
Commission to the Five Civilized Tribes.  
Muskogee, Indian Territory, June 30, 1902.

In the matter of the application of Roselia Johnson for enrollment as an intermarried citizen of the Choctaw Nation.

Roselia Johnson being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Roselia Johnson.  
Q How old are you? A About seventeen.  
Q Where do you live? A In Louisiana.  
Q Don you live in Louisiana now? A No sir.  
Q Where do you live? A Caddo.  
Q That's in the Choctaw Nation? A Yes sir.  
Q In the Indian Territory? A Yes sir.  
Q How long have you lived in the Indian Territory?  
A I just came here.  
Q You have lived here just the last day or two? A Yes sir.  
Q Lived in Louisiana before that? A Yes sir.  
Q Born in Louisiana? A Yes sir.  
Q Lived there all your life? A Yes sir.  
Q You are a full blood Choctaw Indian are you not? A Yes sir.  
Q What is your father's name? A Joe Battise.  
Q Is he living? A No he's dead.  
Q What is your mother's name? A Lou.  
Q Is your mother living? A No sir.  
Q Mother and father both full blood Choctaw Indians are they?  
A My father's a full blood Choctaw.  
Q What is your mother? A She's half.  
Q Have you ever been enrolled with the Choctaws in Indian Territory? A I dont know.  
Q Have you ever drawn any money; ever got any money from the Choctaws here in the Indian Territory? A No sir.  
Q Never been admitted to citizenship have you? A No.  
Q Never applied to be admitted? A No sir.  
Q Lived in Louisiana all the time? A Yes sir.  
Q Dont know anything about the Choctaw Nation in the Indian Territory? A No sir.  
Q Have you ever been married before you married Bankston Johnson? A No sir.  
Q Was he ever married before he married you? A I dont know.  
Q When was you married? A I dont know.  
Q Just right recently wasn't it? A Yes sir.  
Q Were you married by a preacher? A Yes sir.

Johnson  
Bankston Lewis being first duly sworn testified as follows:

Examination by the Commission.

- Q What is your name? A Bankston Johnson.

Bankston Johnson--3.

- Q How old are you? A Forty years old.  
Q Where do you live? A When I'm at home at Caddo.  
Q In the Choctaw nation? A Yes sir.  
Q You are a full blood Choctaw? A Yes sir.  
Q Have you been enrolled by this Commission? A I was enrolled at Caddo before the Commission.

The name of Bankston Johnson appears upon the records of the Commission on Choctaw roll card field number 3705 as a full blood Choctaw Indian having been identified by the Commission from the 1896 census roll of the citizens of the Choctaw Nation as a resident of Blue County.

- Q Was you born in the Choctaw Nation? A No sir.  
Q Where were you born? A In Louisiana.  
Q Came from Louisiana to the Choctaw nation? A Yes sir.  
Q When did you come? A In 1895.  
Q Was you admitted to citizenship here? A Yes sir before the council- Choctaw council.  
Q Have you got the act of admission? A No sir.  
Q When was you admitted? A You will have to explain that to me; you mean when was I admitted by the council? Q Yes sir..  
A In 1895.  
Q Didn't have any trouble in being admitted did you? A No sir  
Q Were any other people admitted with you? A Yes sir.  
Q This woman Roselia Johnson is your wife is she? A Yes sir.  
Q She has always lived in Louisiana? A Yes sir.  
Q Never been admitted to citizenship in the Choctaw Nation?  
A No sir.  
Q Never been enrolled by the Choctaw authorities? A No sir.  
Q Never had any money paid her? A No sir.  
Q Lived in Louisiana all her life? A Yes sir.  
Q When did you go to Louisiana? A I went back last year.  
Q Did you go there to make your home? A No sir; I went back there after my people and couldn't get them till this year; they said they wouldn't get nothing if they was to come and I worked every way I could to get them to go and after I married I brought our people and they come.  
Q How long have you know n this woman Roselia Johnson?  
A I got acquainted with her last--I dont know -- it was some time last march; march a year ago.  
Q When did you marry her? A Last march a year ago; I married her in January, the 17th of January.  
Q Were you married by a preacher? A No sir by a Justice of the peace.  
Q Have you got a certificate? A Yes sir.

There is offered in evidence marked exhibit A filed and made a part of the record in this case marriage certificate issued January 15, 1902 by the Clerk of the District Court of Rapides Parish state of Louisiana, attached thereto being the certificate of W. C. Hadnot as to the marriage of Bankston Johnson and Roselia Battine January 17, 1902.

- Q Were you ever married before you married this woman?  
A Yes sir.  
Q Where's your first wife? A I cant tell you where she is.  
Q Was you legally married to her? A Yes sir.  
Q Just married one woman before you married this woman?  
A Yes sir.

- Q What was her name? A Mariah Cash  
Q Where did you marry her? A In Louisiana  
Q Did you live with her until she died? A She's not dead unless she died right lately.  
Q What became of her. A She left me.  
Q Were you ever divorced from her? A Yes sir.  
Q When were you married to her A I married her in 1885.  
Q When did she leave you? A Left me in 1898.  
Q Was that after you came to the Indian Territory? A Yes sir  
Q When was you divorced from her? A 1897.  
Q Divorced from her before she deserted you; you say she left you in 1898? A Let's see; well it was after I come back from the war.  
Q What was that? A It was in 1899.  
Q What war was this? A The war with Spain.  
Q Was you a soldier? A Yes sir.  
Q For the United States? A Yes sir.  
Q Where were you? A Muskogee.  
Q You was in Roosevelt's regiment? A Yes sir.  
Q Did you go to Cuba? A No sir; didn't get over there.  
Q Just to Tampa? A Yes sir.

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Roselia Johnson, seventeen years of age, a full blood Choctaw Indian applies to the Commission to be enrolled as a citizen by intermarriage of the Choctaw Nation by reason of her marriage to Bankston Johnson a full blood Choctaw Indian and a recognized and enrolled citizen of the Choctaw Nation as will appear by reference to the records of the Commission and especially to Choctaw roll card field number 3705.

The applicant testifies that she has always lived in the state of Louisiana and it does not appear from an examination of the records in the possession of the Commission that she has ever been recognized or enrolled in any manner by the Choctaw tribal authorities as a citizen of that tribe, neither does it appear from an examination of the records of the Commission that she has ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or by a decree of the United States Court in Indian Territory.

The act of Congress of June 28, 1898 under which this Commission is preparing for submission to the Secretary of the Interior a roll of the citizens of the Choctaw Nation provides:

"Said commission is authorized and directed to make correct rolls of the citizens by blood of all the other tribes, eliminating from the tribal rolls such names as may have been placed thereon by fraud or without authority of law, enrolling such only as may have lawful right, thereto, and their descendants born since such rolls were made, with such intermarried persons as may be entitled to Choctaw and Chickasaw citizenship under the treaties and the laws of said tribes."

- Q The act of Congress under which this Commission is making

the roll of the citizens by intermarriage of the Choctaw Nation provides that it shall enroll only such intermarried white persons as may be entitled to Choctaw and Chickasaw citizenship under the treaties and laws of said tribe; you have testified and your claim is that you are a full blood Choctaw Indian? A Yes sir.

While the Commission will receive and consider your application for enrollment as a citizen by intermarriage of the Choctaw Nation, it is suggested that in connection therewith, you also submit for the consideration of the Commission, an application for identification as a Mississippi Choctaw under the following provisions of the act of Congress of June 28, 1898.

"Said commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands, under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end they may administer oaths, examine witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

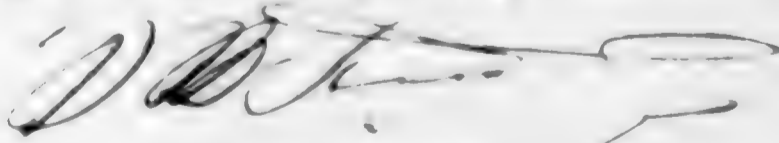
The Commission will make a separate record of your application for identification as a Mississippi Choctaw and will determine your rights as an intermarried citizen of the Choctaw Nation under the existing laws and treaties and laws of the Choctaw tribe applicable to intermarried citizens upon the record made in this case, and you will be duly advised of the decision of the Commission and of the forwarding of the record in the case to the Secretary of the Interior for his review.

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Clara Mitchell Wood being first duly sworn upon her oath states that as stenographer for the Commission to the five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 30th day of June 1902 and that the above and foregoing is a full true and correct transcript of her stenographic notes of said proceedings on said date.



Subscribed and sworn to before me this 1st day of July 1902.



Commissioner.

# Marriage License

STATE OF LOUISIANA—PARISH OF RAPIDES.

Clerk's Office, District Court.

To any Ordained Minister of the Gospel, Judge, or to any Justice of the Peace, Greeting:

You are hereby authorized and empowered to unite in the

**Rites of Matrimony and Holy Wedlock,**

Mr. Bankston Johnson

AND  
Miss Roseha Batisé

Both residents of the State aforesaid, and to solemnize and to celebrate said Marriage between said parties according to the laws and customs of this State, and make your return hereof as the law directs, and this your authority for so doing.

Given under my hand and seal of office, this

15 day of January 1902

Em. Kipatrick

Clerk District Court.

State of Louisiana, }

Parish of Rapides. }

I hereby certify that I have on this day, in pursuance of the foregoing license, celebrated and solemnized a marriage between Mr. Bankston Johnson and Miss Roseha Batisé agreeably to the laws and customs of the State of Louisiana.

In faith whereof I have, together with the Parties and the undersigned witnesses, signed this present on this 17 day of January 1902

THREE WITNESSES:

J. J. Jarron  
Sarah Williams  
Mc. Caddy

Bankston Johnson  
Roseha Batisé  
W. S. Hadnot



Duplicate.

THE CHOCTAW NATION.

In the Circuit Court of the Third Judicial District,  
Regular August Term, 1899, A Petition of Bankston Johnson  
being presented by his Attorney in said Court, for a

BILL OF DIVORCE,

Setting forth the facts, ect., and after the Court hearing the  
Testimony in regard to the Petition do order and decree that  
a Bill of Divorce be issued to the applicant Bankston Johnson

THEREFORE, I do issue a Bill of Divorce to said ap-  
plicant Bankston Johnson forever releasing... from the bonds  
of Matrimony heretofore existing between Bankston Johnson and  
Maria Johnson.

Given under my hand and seal of office, this the 15  
day of August 1899.

(S E A L)  
Will Everidge  
(Signed) District Clerk

I, Lola Mann, a stenographer to the Commissioner to the Five  
Civilized Tribes, do hereby certify that the above is a true and  
correct copy of the original now on file in this office, in  
Choctaw case No. 4298.

*Lola Mann*

Subscribed and sworn to before me this 16 day of August 1905.

*Edmund Morris*  
Notary Public

Department of the Interior,  
Commission to the Five Civilized Tribes.

Atoka, Indian Territory, September 6, 1904.

In the matter of the application of Roselia Johnson  
for enrollment as an intermarried citizen of the  
Choctaw Nation. Choctaw Card D-738.

ROSELIA JOHNSON, being called and duly sworn, testified  
in her own behalf as follows:

Examination by the Commission.

- Q What is your name? A Roselia Johnson.  
Q How old are you? A I was 17 when I married Bankston Johnson.  
Q How long have you been married to him? A Two years.  
Q Have you lived with Bankston Johnson continuously since you  
married him? A I lived with him 6 months.  
Q Then you left him, did you? A No, he got killed.  
Q Were you married to him in January, 1902, down in Louisiana?  
A Yes, sir.  
Q When was he killed? A He was killed last summer.  
Q That would not be six months that you lived with him up to  
the time he was killed? A No, sir, he went back down there to  
get the things and he got killed down there in Louisiana.  
Q Have you ever married again since his death? A Yes, sir.  
Q Whom did you marry? A Loring Moore.  
Q When did you marry him? A Last January.  
Q January of this year? A Yes, sir.  
Q Just been married then about nine months? A Yes, sir.  
Q How much Choctaw blood do you claim? A My father was a full-  
blood, and my mother was half.  
Q You are about three-fourths then? (No response.)

Witness excused.

Mary E. Rogers, having been by me first duly sworn, on  
oath states that the above and foregoing is a full, true and  
correct transcript of her stenographic notes as taken in said  
cause on said date.

Subscribed and sworn to before me on this the 12 day  
of September, 1904.

*Mary E. Rogers*  
*W. W. Shelly*  
Notary Public

DEPARTMENT OF THE INTERIOR  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-eOe-

In the matter of the application of Sam Gibson, et al., for identification as Mississippi Choctaws, consolidating the applications of:

|                     |             |
|---------------------|-------------|
| Sam Gibson, et al., | M.C.R. 5949 |
| William Batise,     | M.C.R. 5969 |
| Roselia Johnson,    | M.C.R. 5967 |

---: D E C I S I O N :---

It appears from the record herein that applications for identification as Mississippi Choctaws were made to this Commission by Sam Gibson for himself, his wife, Luzanne Gibson, and his two minor step-children, Dixie and Ella Baptiste; by William Batise for himself; and by Roselia Johnson for herself, under the following provision of the act of Congress approved June 28, 1898 (30 Stats., 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

From the records of the Commission it appears that on

January 3, 1904, Sam Gibson, the principal applicant herein, was identified by this Commission as a Mississippi Choctaw under the provisions of Section 41 of the act of Congress approved July 1, 1902, (32 Stats., 641).

It also appears that all the applicants herein, except the principal applicant in M.C.R. 5949, claim rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, by reason of being descendants of Jennie Brown, who is alleged to have been a full-blood Choctaw Indian.

The minor applicants in M.C.R. 5949, and the applicants in M.C.R. 5969 and M.C.R. 5967, also claim said rights by reason of being descendants of Joe Baptiste (or Batise), who is alleged to have been an one-half blood Choctaw Indian, and, according to the testimony, was forty-nine years of age in 1902, and could not, therefore, have been living in eighteen hundred and thirty. Although these applicants have had more than a year in which to secure evidence tending to show who their paternal ancestors were, they have not offered to submit such additional proof.

It further appears from the evidence submitted in support of said applications, and from the records in the possession of the Commission, that none of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress approved June 10, 1896 (29 Stats., 321).

It does not appear from the testimony and evidence offered in support of said applications, or from the records in the possession

ion of the Commission, relating to persons who complied or attempted to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said Jennie Brown signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1837 (5 Stats., 180) and August 23, 1842 (5 Stats., 513):

It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Luzanne Gibson, Dixie Baptiste, Ella Baptiste, William Batise and Roselia Johnson, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

SIGN. )

*James Blalock*

Chairman.

SIGN. )

*T. J. [unclear]*

Commissioner.

SIGN. )

*C. R. Breckinridge*

Commissioner.

SIGN. )

*W. B. Stanley*

Commissioner.

Muskogee, Indian Territory,

MAR

C O P Y .

Land-28290-1904.

DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS.  
Washington, June 9, 1904.

The Honorable,

The Secretary of the Interior.

Sir:

Permit me to invite your attention to record of the Commission to the Five Civilized Tribes in the matter of the application of Sam Gibson for the identification of himself, his wife, Luzanne Gibson, and his two minor children Dixie and Ella Baptiste; by William Batise for himself; and by Roselia Johnson for herself, as Mississippi Choctaws, wherein a decision rejecting them was entered by the Commission on March 15, 1904.

The record in this case shows that the applicants base their claim to a right to identification on their descent from Jennie (last name not given), who married one Brown, and Joe Baptiste or Batise, who are alleged to have been Choctaw Indians. It is shown that Joe Baptiste, who is a half blood Choctaw Indian, was forty-nine years of age in 1902, and he could not, therefore, have been living in 1830. It is alleged by the applicants that their ancestor Jennie Brown was a resident of the Choctaw Nation in Mississippi in 1830, but as to whether she complied or attempted to comply with the provisions of the Fourteenth Article of the Choctaw Treaty of that year, they are unable to state.

The Commission rejected the applicants for the reason that an examination of its records failed to show that Jennie Brown complied or attempted to comply with the provisions of the Choctaw Treaty of 1830 or the subsequent legislation relative thereto, and therefore rejected all the applicants except Sam Gibson, who is a full blood.

An examination of the records of this office has been made with reference to the names of Jennie Brown and Joe Baptiste, and it is evident that the names of these persons do not appear among the names of those Choctaw Indians who received land under the provisions of the Fourteenth Article of the Choctaw Treaty of 1830, or scrip under the subsequent legislation relative thereto.

I therefore recommend that the decision of the Commission rejecting Luzanne Gibson, Dixie Baptiste, Ella Baptiste, William Batise and Roselia Johnson be approved.

Very respectfully,

A. C. Tonner,

Acting Commissioner.

E.B.H.-I.C.

C O P Y .

D.C. 28660-1904.  
ITD. 4772-1904.  
L.R.S.

J.W.H.  
FHE.

DEPARTMENT OF THE INTERIOR,

Washington, August 6, 1904.

Commission to the Five Civilized Tribes,  
Muskogee, Indian Territory,

Gentlemen:

April 21, 1904, you transmitted the record in the matter of the applications for identification as Mississippi Choctaws of Sam Gibson for himself, his wife, Luzanne Gibson, and his two minor step-children, Dixie Baptiste and Ella Baptiste; of William Batise for himself, and of Rosselia Johnson for herself, including your decision of March 15, 1904, in which you held, without passing upon the rights of the principal applicant, that the other applicants herein are not entitled to identification.

Although no reference is made in your decision to Sam Gibson it appears from your letters, copies of which are attached to the record, of April 5, 1904, addressed to Sam Gibson and to the attorneys for the Choctaw and Chickasaw Nations, that his application was also refused.

Inasmuch as he is a full blood Choctaw, the Department sees no reason why he should not be identified, if you have not already done so, in accordance with the provisions of section 41 of the act of July 1, 1902 (32 Stats., 641 ).

The principal applicant's wife, Luzanne Gibson, is a one-half blood Choctaw and the mother of the other applicants herein.



Their father was full blood Choctaw named Joe Baptiste (or  
Bartee). The mother of Lusanne Gibson was a full blood Choctaw  
named Jennie Brown. As there is no evidence contained in the  
record which shows that the ancestors of Lusanne Gibson, or her  
husband, or his ancestors, ever complied with the provisions of  
article 14 of the treaty of September 27, 1830, your decision as to  
Mrs. Gibson and her children is evidently correct.

Reporting in the letter June 9, 1904, the Acting Commis-  
sioner of Indian Affairs recommends that your decision rejecting  
Lusanne Gibson and her children be approved.

The Department concurs in this recommendation, and said  
decision, to the extent indicated by the Acting Commissioner, is  
accordingly affirmed.

It also appears from the record that one of the applicants  
before, Fannie Johnson, in addition to her application for  
naturalization as a United States citizen, has heretofore applied  
as well for enrollment as a citizen by intermarriage of the Choctaw  
Nation, being the wife of a Choctaw by blood, duly enrolled as  
such. The same will be taken into account in her rights to enroll-  
ment by intermarriage. You are requested, however, in view of  
the Government's responsibility as to what action you have taken  
reference to the above, to furnish the Department a report  
showing what consideration you have given to her application.

Very truly yours,  
Commissioner of Indian Affairs

W. C. CROFT

W. C. CROFT  
Acting Secretary

W. C. CROFT

7-D-738.

DEPARTMENT OF THE INTERIOR,  
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

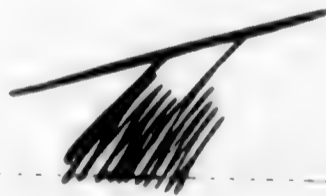
In the matter of the application for the enrollment of  
Roselia Johnson as a citizen by intermarriage of the Choctaw  
Nation.

- - D E C I S I O N : - -

It appears from the record herein that on January 17, 1902, the applicant, Roselia Johnson was lawfully married to Bankston Johnson, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as No. 10488 upon a list prepared by the Commission to the Five Civilized Tribes, under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation, and approved by the Secretary of the Interior on February 4, 1903; that at the time of said marriage the applicant was a resident of Louisiana, and that Bankston Johnson was a resident of the Choctaw Nation; that in June, 1902, they removed to the Choctaw Nation, and that they have resided together continuously as husband and wife since the date of their marriage up to and including September 25, 1902.

It appears from the records in the possession of this office that on July 1, 1902, the applicant, Roselia Johnson, appeared before the Commission to the Five Civilized Tribes and made application for identification as a Mississippi Choctaw; that on March 15, 1904, the said Commission rendered its decision therein refusing said application, and that on August 6, 1904, the same was approved by the Secretary of the Interior.

I am therefore of opinion that, following the ruling of the Department in the case of George A. Clark (I.T.I. 3124-1902), Roselia Johnson should be enrolled as a citizen by intermarriage of the Choctaw Nation under the provisions of the Acts of Congress approved June 28, 1898 (30 Stats., 495), and July 1, 1902, (32 Stats., 641), and it is so ordered.



Commissioner.

Muskogee, Indian Territory,

NOV 4 - 1905

7-D-738

001

Muskogee, Indian Territory, October 4, 1905.

Roselia Johnson,

Gaddo, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 4, 1905, granting the application for your enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of said decision and have been allowed fifteen days from the date of this notice within which to file protest against your enrollment. If at the expiration of that time no protest has been filed your name will be placed upon the final roll of citizens by intermarriage to be submitted to the Secretary of the Interior for his approval.

Respectfully,

SIGNED *Jams Dixey*

Commissioner .

Register.

7-D-738.

7-D-738.

COPY.

Muskogee, Indian Territory, October 4, 1905.

Henry Byington,  
Caddo, Indian Territory.

Dear Sir:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on October 4, 1905, rendered his decision granting the application for the enrollment of Roselia Johnson as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of said decision and have been allowed fifteen days from the date of this notice within which to file protest against the enrollment of said applicant. If at the expiration of that time no protest has been filed, her name will be placed upon the final roll of citizens by intermarriage of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

*Signed*

*James Bixby*

Commissioner.

Registered.

7-D-738.

DO

Muskogee, Indian Territory, October 4, 1905 .

Wansfield, McMurray & Cornish,  
Attorneys for Choctaw and Chickasaw Nations,  
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 4, 1905, granting the application for the enrollment of Roselia Johnson as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from the date of this notice within which to file protest against the enrollment of said applicant. If at the expiration of that time no protest has been filed, her name will be placed upon the final roll of citizens by intermarriage of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

SIGNED

*Tams Dixey*

Commissioner.

Register.

7-D-738.

BILL NO. 22.

CHOCTAW NATION.

AN ACT  
ADMITTING CERTAIN CHOCTAWS FROM LOUISIANA  
TO CITIZENSHIP.

BE IT ENACTED BY THE GENERAL COUNCIL OF THE CHOCTAW NATION NATION  
ASSEMBLED:

SECTION 1. That Jim Jackson, Emma Jackson, William Murphy, Martin Jackson, Mary Jackson, Jim Jackson, Jr., Sophy Jackson, Frank Jackson, Bankston Johnson and John Dorsett are hereby admitted to all the rights and privileges of citizenship in the Choctaw Nation, and that this act shall take effect and be in force from and after its passage.

APPROVED October 28, 1895.

Jeff Gardner, P. C. C. N.

-----  
THIS IS TO CERTIFY, That the above and foregoing is a full, true and correct copy of the original act of the Choctaw General Council passed by said General Council and approved by the Principal Chief on said date, the same in original form being now on file in the office of the National Secretary of the Choctaw Nation, who is the custodian of all acts of the said General Council.

IN TESTIMONY WHEREOF, I, Solomon J. Homer, National Secretary of said Nation, have hereunto affixed my official signature and the Seal of the Choctaw Nation, done this the 3rd. day of July, One Thousand Nine Hundred and Two.

*Soloman J. Homer*  
National Secretary.

Choctaw 3705

Muskogee, Indian Territory, June 30, 1902.

Soloman J. Homer,

National Secretary Choctaw Nation,  
Caddo, Indian Territory.

Dear Sir:

The Commission to the Five Civilized Tribes has to request that you transmit for its official use in consideration of applications of certain persons for enrollment as citizens of the Choctaw Nation, a certified copy of the act of the National Council of the Choctaw Nation, approved either in October or November, 1895, admitting Bankston Johnson and certain other Choctaws recently removed from the state of Louisiana to the Choctaw Nation, Indian Territory, to Choctaw citizenship.

Yours truly,

Commissioner in Charge.

Choctaw-D-738

Muskogee, Indian Territory, February 27, 1903.

Roselia Johnson,  
Caddo, Indian Territory.

Dear Madam:

It is the present intention of the Commission to establish land offices in the Choctaw and Chickasaw Nations April 1, 1903.

The Act of Congress approved July 1, 1902, provides:

"No person whose name does not appear upon the rolls as herein provided shall be entitled in any manner to participate in the distribution of the common property of the Choctaw and Chickasaw tribes."

It will be necessary before your right to enrollment as an intermarried citizen of the Choctaw Nation can be determined, that you appear before the Commission and testify as to your status on September 25, 1902.

For this purpose the Commission has made an appointment at Atoka, Indian Territory, March 10 to 13, 1903, and you should personally appear at said place on one of the above dates for the purpose herein indicated. No further action can be taken relative to the determination of your right to enrollment until this testimony is received.

Respectfully,

Chairman.



Choctaw D 738  
N. C. R. 5967

Muskogee, Indian Territory, October 28, 1903.

Charles E. McPherron,  
Attorney at Law,  
Caddo, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of the twenty seventh instant relative to the application of Roselia Johnson, wife of Bankston Johnson, a Choctaw Indian. You state that you have recently learned from Bankston Johnson that two applications were made for the enrollment of Roselia Johnson, one as a Mississippi Choctaw and the other as an intermarried citizen of the Choctaw Nation by reason of her marriage to Bankston Johnson and you desire to be advised fully in regard to the status of the application of Roselia Johnson.

In reply to your inquiry you are advised that at the office of the Commission at Muskogee, Indian Territory, on June 30, 1902, Roselia Johnson, a Choctaw Indian but whose name did not appear upon any of the tribal rolls of the Choctaw Nation in the possession of this Commission made application for enrollment as a citizen by intermarriage of the Choctaw Nation and presented in evidence a marriage license and certificate of January 15, 1902 to Bankston John

C E NoP 2

stown who appears from our records to be a recognized and enrolled citizen by blood of the Choctaw Nation.

Final action by the Commission relative to her right to enrollment as a citizen by intermarriage of the Choctaw Nation has been temporarily withheld and in this connection your attention is invited to the following provision of the act of Congress approved June 28, 1898, (30 Stat., 495):

"Said commission is authorized and directed to make correct rolls of the citizens by blood of all the other tribes, eliminating from the tribal rolls such names as may have been placed thereon by fraud or without authority of law, enrolling such only as may have lawful right thereto, and their descendants born since such rolls were made, with such intermarried white persons as may be entitled to Choctaw and Chickasaw citizenship under the treaties and the laws of said tribes."

The Commission has not up to this time rendered any opinion or decision as to whether or not, under the above provision of law this woman is entitled to enrollment as a citizen by intermarriage of the Choctaw Nation.

You are further advised that on July 1, 1902, Roselis Johnson, at Muskogee, Indian Territory, made application for identification as a Mississippi Choctaw, alleging that she was a three quarter blood Choctaw Indian, born in Louisiana, but had no knowledge of any of her ancestors. No decision has up to this time been rendered relative to her right to identification as a Mississippi Choctaw.

There are now pending before the Commission two applications of this woman, one for enrollment as a citizen by intermarriage of the Choctaw Nation and another for identification as a Mississippi Choctaw. When decisions are rendered copies thereof will be furnished

C E NoP 3

her in both cases.

Respectfully,

Commissioner in Charge.

Choctaw D 738

Waskoono, Indian Territory, April 8, 1904.

Lennier W. Moore,  
Cane, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter without date asking the status of the enrollment of Roselia Johnson as an intermarried citizen and whether she now has a right to file on her allotment.

In reply to your letter you are advised that the Commission has not yet passed upon the application of Roselia Johnson for enrollment as an intermarried citizen of the Choctaw Nation. As soon as a decision is reached in this case she will be notified of the action taken therein. Pending her enrollment by the Commission and the approval thereof by the Secretary of the Interior she would not be permitted to make selection of allotment.

Respectfully,

Commissioner in Charge.

7-D-738.

Muskogee, Indian Territory, August 17, 1904.

Roselia Johnson,

Caddo, Indian Territory,

Dear Madam:

You are hereby notified that before further consideration can be given your application for enrollment as an intermarried citizen of the Choctaw Nation, it will be necessary for you to appear in person before the Commission to testify as to your intermarried status on September 25, 1902.

For this purpose you are requested to appear at Muskogee, Indian Territory, as soon as possible, or at the Land Office at Atoka, Indian Territory, on September the 6th or 7th, 1904, or at the Land Office at Tishomingo, Indian Territory, on September the 8th or 9th, 1904.

Respectfully,

Commissioner in Charge.

Muskogee, Indian Territory, October 28, 1904.

B. T. Maddox,

Caddo, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of October 25, 1904, in which you ask if it will be necessary for Rosa Lee Moore, widow of Bankston Johnson a Choctaw by blood, to furnish any proof of her marriage to Bankston Johnson as she wishes to be placed on the intermarried rolls by virtue of her marriage to Johnson.

In reply to your letter you are informed it does not appear from our records that Rosa Lee Moore is an applicant to the Commission for enrollment as an intermarried citizen of the Choctaw Nation, and under the provisions of the Act of Congress approved July 1, 1902, the Commission is now without authority to receive or consider the original application for enrollment of any person whomsoever as a citizen of the Choctaw or Chickasaw Nation.

Respectfully,

Chairman.

7-D-738

Muskogee, Indian Territory, November 16, 1904.

Roselle Johnson,

Caddo, Indian Territory.

Dear Madam:-

Receipt is hereby acknowledged of your letter of the 11th instant, requesting information relative to the status of your application for enrollment as an intermarried citizen of the Choctaw Nation.

You are advised that the Commission has not yet passed upon your application for enrollment as an intermarried citizen of the Choctaw Nation. As soon as a decision is reached in your case you will be duly notified of the action taken therein.

Respectfully,

Chairman.

Muskogee, Indian Territory, March 8, 1905.

Henry Byington,

Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of March 6, 1905, in which you ask the status of Roselia Johnson, wife of Bankston Johnson, for enrollment as an intermarried citizen of the Choctaw Nation. You also ask if the enrollment of Omer R. Nicholson has yet been approved.

In reply to your letter you are informed that the Commission has not yet passed upon the application of Roselia Johnson for enrollment as an intermarried citizen of the Choctaw Nation, but when a decision is reached in this case you will be notified of the action taken therein.

You are further advised that the name of Omer R. Nicholson has been placed upon a schedule of intermarried citizens of the Choctaw Nation which has been forwarded the Secretary of the Interior for approval, but the Commission has not yet been notified of Departmental action thereon.

Respectfully,



7-D-738

Muskogee, Indian Territory, March 15, 1905.

Loring Moore,

Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of March 4, 1905, asking the status of your wife Roselia Johnson.

In reply to your letter you are informed that the Commission has not yet passed upon the application of Roselia Johnson for enrollment as a citizen of the Choctaw Nation but when a decision is reached in this case you will be advised of the action taken therein.

Respectfully,

Chairman.

Muskogee, Indian Territory, May 16, 1905.

Henry Byington,

Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 6, 1905, asking status of the application of Roselia Johnson for enrollment as an intermarried citizen of the Choctaw Nation.

In reply you are advised that the Commission has not yet passed upon this application, but as soon as a decision is reached you will be notified of the action taken therein.

Respectfully,

Chairman.

7-D-738

Muskegee, Indian Territory, July 31, 1905.

Henry Byington,

Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of July 19, 1905, asking the status of the application of Roselia Johnson, wife of Bankston Johnson, for enrollment as an intermarried citizen of the Choctaw Nation.

In reply to your letter you are advised that no action has yet been taken upon the application for the enrollment of Roselia Johnson as an intermarried citizen of the Choctaw Nation, and it will be necessary for her to forward evidence of the divorce of Bankston Johnson, from his former wife prior to his marriage to her before her right to enrollment can be determined.

Respectfully,

Commissioner.

7-D-738

Muskogee, Indian Territory, August 16, 1905.

Henry Byington,  
Caddo, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of August 12, 1905, stating that the evidence of divorce of Bankston Johnson from his former wife, prior to his marriage to Roselia Johnson, has already been filed in the case of Maria Johnson, who is now Maria Jackson, wife of Sam Jackson. You state that it will be very difficult to secure another certified copy of the the decree.

In reply to your letter you are advised that the certified copy of the evidence of divorce between Bankston and Maria Johnson heretofore filed will be sufficient, and it will not be necessary for you to forward another copy thereof.

Respectfully,

Acting Commissioner.

Choctaw D 738

Muskogee, Indian Territory, October 5, 1905.

Henry Byington,  
Caddo, Indian Territory,

Dear Sir:

Replying to your letter of October 3, asking the status of the application of Roselia Johnson, wife of Bankston Johnson, for enrollment as an intermarried citizen of the Choctaw Nation, you are advised that on October 4, 1905, decision was rendered granting the application of Roselia Johnson for enrollment as an intermarried citizen of the Choctaw Nation, and notice thereof was forwarded you on that date by registered mail.

Respectfully,

Commissioner.

7-3705

Muskogee, Indian Territory, December 2, 1905.

Henry Byington,

Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of November 20, 1905, asking if Roselia Johnson has been approved so that she can file on her allotment.

In reply to your letter you are advised that the name of Roselia Johnson has been placed upon a schedule of intermarried citizens of the Choctaw Nation which has been forwarded the Secretary of the Interior but this office has not yet been notified of Departmental action thereon.

Respectfully,

Acting Commissioner.

May 11th 25, 1838

Records of the Commission copy of the  
testimony in Re Application of Maria  
Johnson for Dissolution of Marriage  
by Inter Marriage

John W. Johnson

MEMORANDA.

(Add)

(Date) Oct 22 1899.

38 ✓

Name Banta Tom Johnson

Choctaw? yes County LeFlore Year 7 No. 2731

Chickasaw? County Year Page

Citizen by blood? yes Mother's citizenship WOC

Intermarried citizen?

Married under what law?

License filed this day,

Wife's name,

Choctaw? County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

|       | County | Year | Page | No. |
|-------|--------|------|------|-----|
| ..... | County | Year | Page | No. |
| ..... | County | Year | Page | No. |
| ..... | County | Year | Page | No. |
| ..... | County | Year | Page | No. |
| ..... | County | Year | Page | No. |
| ..... | County | Year | Page | No. |
| ..... | County | Year | Page | No. |
| ..... | County | Year | Page | No. |
| ..... | County | Year | Page | No. |
| ..... | County | Year | Page | No. |

Banta Tom Johnson

03745



choc 3706  
William A. Paddock

3706

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

The record herein is in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of

M o l l i e P a d d o c k, 7 - 3706

Department of the Interior.  
Commission to the Five Civilized Tribes.  
Atoka, Indian Territory, November 20th, 1902.

Choctaw 3706.  
Intermarried.

In the matter of the application of Mollie Paddock for enrollment as an intermarried citizen of the Choctaw Nation.

Mollie Paddock, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Mollie Paddock.  
Q How old are you? A Twenty seven.  
Q What is your post office address? A Caddo, Indian Territory.  
Q How long have you been a resident of the Choctaw Nation? A Ten years next January.  
Q Have you lived here continuously for the past ten years? A Yes sir.  
Q Never made your home anywhere else during that time? A No sir.  
Q Do you claim intermarried rights in the Choctaw Nation? A Yes sir.  
Q What is the name of your Choctaw husband through whom you claim these rights? A William A. Paddock.  
Q Is he a recognized and enrolled citizen of the Choctaw Nation?  
A Yes sir.  
Q Have his rights ever been disputed? A No sir.  
Q When were you married to William A. Paddock? A In 1893.  
Q Where was this marriage ceremony performed? A Three miles south of Caddo.  
Q Were both you and your husband bona fide residents of the Choctaw Nation at that time? A Yes sir.  
Q Who performed the marriage ceremony? A Clarke.  
Q A minister of the gospel? A Yes sir.  
Q Were you married under a license? A Yes sir.  
Q What kind of license? A United States.  
Q Were you ever married before your marriage to your present husband? A No sir.  
Q Was he ever married before his marriage to you? A No sir.  
Q Since your marriage to William A. Paddock have you lived with him continuously as his wife up to the present time? A Yes sir.  
Q There has been no separation whatsoever? A No sir.  
Q Are you now living together as bona fide residents of the Choctaw Nation? A Yes sir.

---oOo---

Harry C Risteen, being first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 20th day of November, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

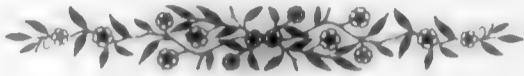
*Harry C Risteen*

Subscribed and sworn to before me this 5 day of January, 1903.

*Charles H. Sawyer*

Notary Public.

# Marriage License.



United States of America,  
INDIAN TERRITORY,  
Second Judicial Division,

To Any Person Authorized by Law to  
Solemnize Marriage—Creating:

YOU ARE HEREBY COMMANDED to solemnize the Rite and publish the Banns of Matrimony  
between Mr. William Padden of Caddo  
in the Indian Territory aged 19 years, and  
Miss Mollie Templeton of Caddo in the  
Indian Territory aged 18 years, according to  
law, and do you officially sign and return this License to the parties therein named.

WITNESS my hand and Official Seal, this 26 day of Oct A. D. 1893

By Hewitt

DEPUTY.

Jos. W. Phelps  
CLERK OF THE U. S. COURT.

## Certificate of Marriage.

United States of America,  
INDIAN TERRITORY,  
2 Judicial Division,

I, E. H. Clark  
a Minister of Gospel

DO HEREBY CERTIFY, that on the 25 day of October A. D. 1893  
I did duly and according to law, as commanded in the foregoing License, solemnize the Rite and publish the  
Banns of Matrimony between the parties therein named.

WITNESS my hand this 25 day of October A. D. 1893

My credentials are recorded in the Office of the Clerk of the United States Court, Indian Territory,  
2 Judicial Division, Book 24, Page 72

E. H. Clark  
a Minister of Gospel

NOTE.— This License and Certificate of Marriage must be returned to the Office of the Clerk of the United States Court in the Indian Territory, from whence it was issued, within sixty days from the date thereof, or the party to whom the License was issued will be liable in the amount of One Hundred Dollars (\$100).

7 - 3706

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of  
Mollie Paddock as a citizen by intermarriage of the Choctaw Nation.

DECISION.


It appears from the record herein that Mollie Paddock, (nee Templeton), on October 25, 1893, was lawfully married to William A. Paddock, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 10,489 upon the lists prepared by this Commission under the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation, and approved by the Secretary of the Interior on February 4, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation, and that they have lived together continuously in said nation as husband and wife from the date of said marriage up to and including September 25, 1902.

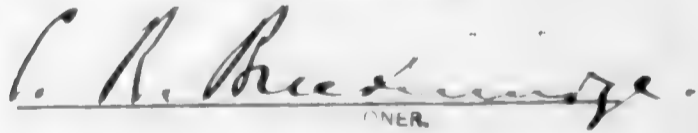
It is, therefore, the opinion of this Commission that Mollie Paddock should be enrolled as a citizen by intermarriage of the Choctaw Nation in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495) and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory,

JUL 20 1903

  
Chairman.  
MEMBER.

  
MEMBER.

  
MEMBER.

Ghooctaw-3706.

COPY.

Muskogee, Indian Territory, July 20, 1903.

Mellie Padcock,  
Caddo, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 20, 1903, granting your application for enrollment as a citizen by intermarriage of the Ghooctaw Nation.

The attorneys for the Ghooctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Ghooctaw Nation. If at the expiration of that time, no protest has been filed, your name will be placed upon the final rolls of the citizens of the Ghooctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

SIGNATURE

*T. B. Needles.*  
Commissioner in Charge.

Registered.

Enc. IBS. 54/20

Cheotaw-3706.

COPY.

Muskogee, Indian Territory, July 20, 1903.

Mansfield, McFurray & Cornish,  
Attorneys for the Cheotaw and Chickasaw Nations,  
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 20, 1903, granting the application of Mollie Paddeck for enrollment as a citizen by intermarriage of the Cheotaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Cheotaw Nation. If at the expiration of that time, no protest has been filed, the name of the applicant, will be placed upon the final rolls of the citizens of the Cheotaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

*T. B. Needles.*  
Commissioner in Charge.

Registered.

Enc. IRS. 35/20

Muskogee, Indian Territory August 4, 1903.

Will Paddock,  
Sugden, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of August 1, asking at what time your wife will be placed on the rolls.

In reply to your letter you are informed that it appears from our records that on July 20, 1903, the Commission rendered its decision enrolling Mollie Paddock, wife of William A. Paddock, as an intermarried citizen of the Choctaw Nation and the attorneys for the Choctaw and Chickasaw Nations were allowed fifteen days in which to protest to such action. If no protest is filed by the attorneys for the Choctaw and Chickasaw Nations before the expiration of the fifteen days your wife Mollie Paddock will be enrolled as an intermarried citizen of the Choctaw Nation and her name will be placed upon the schedules prepared for forwarding to the Secretary of the Interior.

Respectfully,

Commissioner in Charge.



Choctaw 3706

Muskogee, Indian Territory, September 3, 1903.

William A. Paddock,  
Sugden, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of August 29, asking if the enrollment of your wife, Mollie Paddock, has been approved by the Secretary of the Interior.

In reply to your letter you are informed that it appears from our records that Mollie paddock has been enrolled by the Commission as an intermarried citizen of the Choctaw Nation, and her name has been placed upon a schedule of intermarried citizens of said Nation which has been forwarded to the Secretary of the Interior but her enrollment has not yet been approved by him.

Respectfully,

Chairman.

7-3706  
7-3880  
7-3902

Muskogee, Indian Territory, April 26, 1904.

J. G. Ralls,

Attorney at Law,

Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 21st inst., stating that in looking through the list of approved citizens of the Choctaw Nation you fail to find the names of the Paddocks', referring particularly to Nancy J., James L., William H., Reuben W., Eliza Ellen, and John S. Paddock, all children of Reuben and Elizabeth C. Paddock, and you request to be advised if there is any "hitch" as to the enrollment of Reuben Paddock or any of these children.

It appears from our records that Reuben W., John S., Annie E., James L., and William A. Paddock, and Eliza E. Simmons, all children of Reuben and Elizabeth Paddock have been duly enrolled by this Commission as citizens by blood of the Choctaw Nation and their enrollment as such approved by the Secretary of the Interior, February 4, 1903.

It does not appear, however, from our records that any application has ever made to this Commission for the enrollment of the father of these children, Reuben Paddock.

J G R 2

If any application has ever been made for the enrollment of Nancy J. Paddeok, it was probably by some other name than Paddeok, as we are unable to identify her as an applicant on our records under that name.

Respectfully,

Chairman.

MEMORANDA.

Waldo

(Date) May 29 1899.

94 ✓ Name William A. Paddock

Choctaw? Yes County Blue Year 96 No. 10473

Chickasaw? County Year Page 267

Citizen by blood? Yes Mother's citizenship None

Intermarried citizen?

Married under what law?

License filed this day,

94 Wife's name, Mollie Paddock

Choctaw? Yes County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship None

Intermarried citizen? Yes

Married under what law? Choctaw

License filed this day Yes

Names of children:

3 x Lydia Paddock County Blue Year 96 Page 267 No. 10474

20 Frances County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

✓ 5 all my children

3706

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,  
 of Florence Padlock, born on the 22 day of Dec, 1877  
 Name of father: Wm Padlock, a citizen of the Choctaw Nation.  
 Name of mother: Mollie Padlock, a citizen of the Choctaw Nation.  
 Post Office: Caddo, Ind Ter

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
 INDIAN TERRITORY,  
Cent District.

I, Mollie Padlock, on oath, state that I am 24 years of age and a  
 citizen, Indian, of the Choctaw Nation; that I am the  
 lawful wife of Wm Padlock who is a citizen, by blood, of the  
Choctaw Nation; that female child was born to me on the 22 day  
 of Dec, 1877; that said child has been named Florence Padlock  
 and is now living.

Subscribed and sworn to before me this 22 day of August, 1899.  
Geo. S. Johnson  
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,  
 INDIAN TERRITORY,  
Cent District.

I, J. B. Boyan, Physician, on oath, state that I  
 attended on Mrs. Mollie Padlock, wife of Wm Padlock  
 on 22 day of Dec, 1877; that there was born to her on said date female child;  
 that said child is now living and is said to have been named Florence Padlock.

Subscribed and sworn to before me this 21 day of August, 1899.  
J. B. Boyan M D  
Geo. S. Johnson  
 Notary Public.

Choc 3707 Billy Fry

3707

# MEMORANDA.

(Date) ..... 1899.

Name .....

Citizen ?

County .....

Year .....

No. ....

Children ?

County .....

Year .....

Page .....

Citizen by blood ?

Mother's citizenship

Intermarried citizen ?

Married under what law ?

License filed this day.

Wife's name.

Citizen ?

County .....

Year .....

No. ....

Children ?

County .....

Year .....

Page .....

Citizen by blood ?

Mother's citizenship

Intermarried citizen ?

Married under what law ?

License filed this day

Names of children:

County

Year

Page

No.

County

Year

Page

No.

County

Year

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No.

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Year

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County

Year

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No.

2111

Choc 3708

Rachel A. SUTTON

John W. Freeny

3708



DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-----  
Record in the matter of the application for the enrollment  
as a citizen by intermarriage of the Choctaw Nation of:

RACHEL A. SUTTON.

7-3708.  
-----

Commission to the Five Civilized Tribes,

Caddo, Indian Territory.

*M. D. Green*

In the enrollment of Rachel A. Smallwood as an intermarried Choctaw; being sworn and examined by Com'r McKennon she states:

- Q What is your name? A Rachel A. Smallwood.
- Q How old are you? A Thirty-five.
- Q What was your first husband's name? A Henry Freeny.
- Q Was he a choctaw citizen by blood? A Yes sir.
- Q You were lawfully married to him? A Yes sir, and I have one child by him.
- Q What is its name? A John William Freeney.
- Q He died? A Yes sir.
- Q Did you live with him until he died? A Yes sir.
- Q You have since married? A Yes sir. A Choctaw Indian, Daniel Smallwood.
- Q Is he still living? A Yes sir.
- Q You are separated from him? A Yes sir.
- Q When were you married to him? A It has been about seven years ago I think.
- Q When were you separated from him? A It has been four years since we separated.
- Q You lived with him about two years? A Yes sir.
- Q Are you divorced from him? A Yes sir.
- Q He obtained the divorce or did you? A He said he obtained it from me.
- Q Is he living in the country now? A Yes sir, about twelve or fifteen miles from here.
- Q You know any cause of separation? A Yes sir, we couldn't get along, I had to leave, I staid with him as long as I could, he was cross and crabbed and I guess I was mean too.

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
SOUTH McALESTER, I.T. Dec. 24, 1902.

7-3708

In the matter of the application of Rachel A. Sutton for enrollment as an inter married citizen of the Choctaw Nation.

Rachel A. Sutton being sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Rachel A. Sutton now; and I married a white man since I registered.
- Q How old are you? A Forty.
- Q What is your post office address? A Scipio, Choctaw nation.
- Q What is your husband's full name? A William M. I believe.
- Q Is he a white man? A Yes sir.
- Q When did you marry him? A Three years ago.
- Q You are claiming inter married rights in the Choctaw Nation?
- A I have been all the time. I come in to register my baby.
- Q What is the name of your Choctaw husband through whom you claim?
- A Freeny was the boy's name.
- Q What was the name of your husband? A Henry Freeny.
- Q Was he a recognized and enrolled Choctaw Indian? A Yes sir.
- Q How long has he been dead? A These fourteen years.
- Q Then you married whom? A Dan Sm allwood.
- Q Was he a recognized and enrolled citizen? A Yes sir.
- Q Is he dead? A No sir, we separated.
- Q What was the cause of that separation? A I reckon I was too mean for him to live with.
- Q A divorce was granted him? A Yes sir.
- Q Then you married William M. Surratt? A Yes sir.
- Q A white man? A Yes sir.
- Q How many children have you? A Only one; John W. Freeny.
- Q How long did you live with this boy's father before his death?
- A Two years.
- Q How were you married to him? A Under Choctaw law.
- Q How much did you pay for the license? A I don't know.
- Q Have you any evidence of that marriage at all? A No I haven't tried to get any evidence of that marriage; Mr. Daniel Miller an indian minister married us.

It will be necessary for you to furnish the Commission with evidence of that marriage to be filed in the case of your son.

- Q Did you live with your husband Freeny continuously in the Choctaw Nation up to the time of his death? A Yes sir.
- Q Did you after your marriage to Sm allwood live in the Choctaw nation with him continuously up to the time of separation? A Yes sir.

Henry G. Hains being sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported the above

case on December 24, 1902, and that this is a full, true and correct transcript of his stenographic notes in same.

*Henry S. Davis*

Subscribed and sworn to before me this 8 day of January, 1903.

*Charles H. Sawyer*

Notary Public.

*W. H. H.*

Indian Territory,  
Central District.

Personally appeared before me the undersigned authority.  
Mr. Albert M. Haight, who being first duly sworn according to law,  
deposes and says that he is 29 years old, and resides at Scipio,  
Choctaw Nation Indian Territory; that he is a half brother of  
Mrs. Rachel A. Sutton, whose maiden name was "Haight"; that he lived  
part of the same time with , and all of the time near to his  
said half sister, from his birth until her marriage with one  
Henry Freeny; that he was about eleven years old at the time of  
the said marriage of his half sister, Rachel A. Haight, to Henry  
Freeny, which marriage took place on the 12th day of May, 1885, at  
Goodland, Kimishie County, Choctaw Nation, Indian Territory; that I  
was present when said marriage ceremony was performed by Reverend Daniel  
Miller; that he also knew Henry Freeny before his marriage with his  
said half sister; that after said marriage, affiant knows it to be a  
fact that his said half sister and the said Henry Freeny lived together  
as said husband and wife for about four years, and until said Henry  
Freeny died; that during this four years, I was frequently at the home  
of said Freeny and my said half sister and made my home with them a  
part of the time.

witnesses to mark

*W. H. Miller*

*Frank Smith*

Subscribed and sworn to before me this 24th day of August, 1903.

*Albert M. Haight*  
witness to mark

*W. Hayes Fuller*  
Notary Public in and for the  
Central District of the Indian  
Territory.

My commission expires  
January 31, 1907.

June 26<sup>th</sup> 1890  
Blue County. C. N.

This is to certify that Daniel  
Dmallwood and Rachel  
Freemy are duly married according  
to law, by Calvin Robinson this  
the 26<sup>th</sup> day of June A. D. 1890.  
Calvin Robinson  
minister of the gospel.

7-3708.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Rachel A. Sutton  
for enrollment as a citizen by intermarriage of the Choctaw  
Nation.

D E C I S I O N.

It appears from the record in this case that, on May 12, 1885, the applicant herein was married to Henry Freeny, a recognized and enrolled citizen by blood of the Choctaw Nation, who is identified upon the 1885 Choctaw Census Roll, Kiamitia County, number 173, enrolled thereon as a citizen by blood of the Choctaw Nation; that at the time of said marriage both parties above mentioned were residents in good faith of the Choctaw Nation; and that they lived together continuously as husband and wife, in said Nation, from the date of their marriage until the death of the said Henry Freeny, about the year 1888.

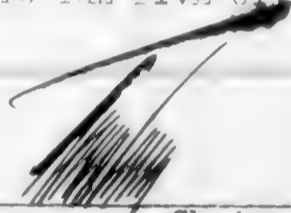
It further appears from the record herein that the applicant, on June 26, 1893, was lawfully married to Daniel Smallwood, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 10860 upon the lists prepared by this Commission under the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation, and approved by the Secretary of the Interior on February 4, 1903; that at the time of said marriage both parties above mentioned were residents in good faith of the Choctaw Nation; that they lived together continuously as husband and wife, in said Nation, for about two years, when they separated and were subsequently divorced; that about 1899 the applicant herein was married to William M. Sutton, a white man, having no rights of Choctaw citizenship by blood; and that the applicant herein was a resident in good faith of the Choctaw Nation from the date of her marriage to the said Henry Freeny up to and including September 25, 1902.

Upon an examination of the tribal rolls in the possession of the Commission, the applicant is identified upon

the 1835 Choctaw Census Roll, Kiamitia County, number 174, as Rachel Freeny; and also, upon the 1896 Choctaw Census Roll, Jackson County, number 14533, as R. A. Freeny (Rachel A. Smallwood), enrolled thereon as a citizen by intermarriage of the Choctaw Nation.

It is, therefore, the opinion of this Commission that, following the ruling of the Department in the case of Thornton D. Pearce (I.T.D. 4060-1904), relative to the question of forfeiture, Rachel A. Sutton should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495) and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.



Chairman.



Commissioner.



Commissioner.

Muskogee, Indian Territory,

JAN 10 1905

---



Choctaw 3708.

OPY

Muskogee, Indian Territory, January 10, 1905.

Rachel A. Sutton,

Scipio, Indian Territory.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered January 10, 1905, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of the decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

SIGNED:

*James H. Gray*

Chairman.

Registered.  
Encl. 7-3708.

(12) (11)  
Choctaw 3708.

COPY,

Muskogee, Indian Territory, January 10, 1905.

Mansfield, McMurray & Cernish,  
Attorneys for the Choctaw and Chickasaw Nations,  
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of this Commission rendered January 10, 1905, granting the application of Rachel A. Sutton for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling said applicant as a citizen of the Choctaw Nation. If at the expiration of said time no protest has been filed, her name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

*James Liddy*

Chairman.

Registered.  
Encl. 7-3708.

See Choctaw 5754 for registry receipt for this letter.

Indian Territory,

Central District, ss.

Personally appeared before me the undersigned authority,  
Mr. Albert M. Haight, who, being first duly sworn according to law,  
deposes and says that he is twenty-nine years old and resides at  
Scipio, Choctaw Nation, Indian Territory; that he is a half brother  
of Mrs. Rachiel A. Sutton, whose maiden name was "Haight"; that he  
lived part of the time with, and all of the time near to his said  
half sister from his birth till her marriage with one Henry Freeny;  
that he was about eleven years old at the time of the said marriage of  
his half-sister Rachiel A. Haight to Henry Freeny, which marriage took  
place on the 12th day of May 1885, at Goodland, Kimishie County, Choctaw  
Nation; that I was present when said marriage ceremony was performed  
by Rev. Daniel Miller; That he also knew Henry Freeny before his  
marriage with his said half-sister; That after said marriage affiant  
knows it to be a fact that his said half-sister and said Henry Freeny  
lived together as husband and wife for about four years and until said  
Henry Freeny died; that during this four years I was frequently at  
the home of said Freeny and my said half-sister and made my home with  
them a part of the time.

*witnesses to work*  
*A. H. Fuller*  
*Frank Suttel*

*Albert M. Haight*  
*mark*

Sworn to and subscribed before me this the 24th day of August 1903

*A. H. Fuller*  
Notary Public in and for the  
Central District of the Ind-  
ian Territory.

My Commission expires  
Jan'y. 31, 1907

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES

**FILED**

SEP 2 1903



CHAIRMAN

COMMISSION ON THE ORGANIZATION OF THE COURTS  
REPORT

NOV 25 1904

NEW YORK

11

4 11

On this 22 day of Nov 1904  
came before me G. J. Rice a Notary Public  
In and for the western district of  
Indian Territory.

Rachel A. Sutton, after first being  
sworn by me states on her oath  
that Each one of her former husbands  
was citizens of the Choctaw nation  
Kinishey county at the time.

I was married My first husband  
Henry Greeny and I was also a resident  
of Choctaw nation Kinishey county  
when we were married I lived with  
him until he died.

and my second husbands name  
was Dan Smallwood a resident  
and citizen of Choctaw nation  
Jackson county, and I was also  
a resident of Jackson county Choctaw  
nation at the time of our marriage  
and that I have resided in Jack  
son county from the time I married  
Dan Smallwood until about three  
years ago when I moved to Gobney  
County Choctaw nation. I have bin  
a resident of the Choctaw nation  
for twenty years.

Muskegee, Indian Territory, November 13, 1900.

John W. Freeney,

Jackson, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 8th instant in which you desire to file on your allotment in the Chickasaw Nation and request to be informed where it will be necessary for you to send in your papers and what will be the cost of filing.

You are informed that no provision has yet been made by the Commission for the purpose of allowing citizens of the Choctaw and Chickasaw Nations to file on their prospective allotments. This is a matter which will come before a land office when such is established for the purpose of allowing the citizens of the Choctaw and Chickasaw Nations to make their allotments but until the establishment of such an office, this Commission cannot receive or make any records of filings of any parties upon any certain tracts within these two Nations.

We are unable to state at this time when such office will be opened for the Choctaw and Chickasaw Nations but ample public notice of the same will be given.

Yours truly,

Acting Chairman.

Muskogee, Indian Territory, January 4, 1901.

John W. Freeny,

Jackson, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 28th ultimo in which you desire to be informed if your mother, Mrs. R. A. Smallwood is enrolled as a citizen of the Choctaw Nation.

In reply to your letter you are informed that the records of the Commission show that Rachel A. Smallwood, 35 years of age, of Jackson, Indian Territory, is listed for enrollment as an inter-married citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

7-3708



Choctaw 3708.

Muskogee, Indian Territory, March 14, 1903.

Mrs. R. A. Sutton,  
Scipio, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of your letter of March 7, stating that you will forward certificate of your marriage to Henry Freeny as soon as possible. You also desire information concerning the enrollment of your son, John W. Freeny, and wish to be informed if you will be permitted to hold land.

In reply to your letter you are advised that it appears from our records that John W. Freeny, son of Rachel A. Smallwood and Henry Freeny, has been enrolled by this Commission as a citizen by blood of the Choctaw Nation, and on February 4, 1903, his enrollment was approved by the Secretary of the Interior.

You are further advised that it appears from our records that Rachel A. Smallwood has been listed for enrollment, as an inter-married citizen of the Choctaw Nation, but her final right to enrollment has not yet been determined. It is presumed that you are the Rachel A. Smallwood above referred to. As soon as a decision is reached in this case you will be notified of the action of the Commission.

Respectfully,

7-3708

Muskogee, Indian Territory, September 2, 1903.

Mrs. R. A. Sutton,  
Scipio, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 26th ult., enclosing affidavits of Albert M. Haight relative to the marriage between yourself and Henry Freeny, a citizen by blood of the Choctaw Nation; and the same have been duly filed with our records in the matter of your application for enrollment as an inter-married citizen of the Choctaw Nation.

You request to be advised if they will be sufficient evidence of your marriage, stating that you are unable to find the minister who performed the ceremony; you are advised that if further evidence is required you will be properly notified.

Respectfully,

Chairman.

Choctaw 3708

Muskogee, Indian Territory, March 26, 1904.

Mrs. Rachel A. Sutton,  
Scipio, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of your letter of March 21, asking the status of your enrollment, and in reply you are advised that the Commission has not passed upon your application for enrollment as an intermarried citizen of the Choctaw nation. As soon as a decision is reached in this case you will be notified of the action taken therein.

Respectfully,

Commissioner in Charge.

7-3708.

Muskogee, Indian Territory, June 1, 1904.

Mrs. Rachel A. Sutton,  
Care of William N. Sutton,  
Scipio, Indian Territory.

Dear Madam:

In the matter of your application for enrollment as a citizen by intermarriage of the Choctaw Nation, it appears from your testimony given before the Commission at South McAlester, Indian Territory on December 24, 1902, that you claim your intermarried rights in the Choctaw Nation by reason of your marriage to Henry Freeny and after his death to Daniel Smallwood.

It will be necessary before the Commission can determine your right as a citizen by intermarriage of the Choctaw Nation, for you to supply the Commission with a sworn statement setting forth of what nation each of your said Choctaw husbands was a resident at the time of your marriage to him; and also of what nation you were a resident at the time of your marriage to the said Henry Freeny and where you have resided since that time up to and including September 25, 1902.

You should give this matter your immediate attention.

Respectfully,

Chairman.

7-3708.

Muskogee, Indian Territory, November 16, 1904.

Rachel A. Sutton,  
Scipio, Indian Territory.

Dear Madam:

In the matter of your application for enrollment as a citizen by intermarriage of the Choctaw Nation, it will be necessary, before the Commission can determine your rights as such citizen, for you to furnish the Commission with a sworn statement, setting forth of what Nation each of your Choctaw husbands was a resident at the time of your marriage to him, and also of what Nation you were a resident at the time of your marriage to Henry Freeny, and where you have resided from that time up to and including September 25, 1904.

On June 1, 1904, the Commission requested you to furnish this evidence. There has been no response to that request.

You should give this matter your immediate attention.

Respectfully,

Chairman.

7-708

Muskogee, Indian Territory, November 25, 1904.

Rachel Sutton,

Scipio, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your affidavit relative to your residence and the names of your several husbands, and the same has been filed with the records in the matter of your application for enrollment as an intermarried citizen of the Choctaw Nation.

Respectfully,

Commissioner in Charge.

7-3708

Muskogee, Indian Territory, January 17, 1905.

W. N. Redwine,

Attorneys at Law.

South McAlester, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 14, 1905, asking if Rachel Sutton an intermarried citizen of the Choctaw Nation has been passed on by the Commission.

In reply to your letter you are informed that on January 10, 1905, the Commission to the Five Civilized Tribes rendered its decision granting the application of Rachel Sutton for enrollment as an intermarried citizen of the Choctaw Nation.

The Attorneys for the Choctaw and Chickasaw Nations have been allowed fifteen days from that date within which to file protest to the action of the Commission and if at the expiration of that time no protest is filed the name of the applicant will be placed upon a schedule of said nation prepared for forwarding to the Secretary of the Interior.

Respectfully,

Chairman.

7-3708

Muskogee, Indian Territory, January 18, 1905.

Rachel A. Sutton,

Scipio, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 16, 1905, asking the status of your enrollment.

In reply to your letter you are informed that on January 9, 1905, the Commission rendered its decision granting your application for enrollment as an intermarried citizen of the Choctaw Nation.

Respectfully,

Chairman.



7-3708

Muskogee, Indian Territory, March 9, 1908.

Rachel A. Sutton,

Scipio, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of March 5, 1908, asking if your enrollment has been approved by the Secretary of the Interior.

In reply to your letter you are informed that your name has been placed upon a schedule of intermarried citizens of the Choctaw Nation which has been forwarded the Secretary of the Interior, but the Commission has not yet been notified of Departmental action thereon.

Respectfully,

Chairman.

Muskogee, Indian Territory, March 1, 1901.

Florence R. Kaly,

Jackson, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 5th of February in which you desire to be informed if Mrs. R. A. Sutton is a citizen of the Choctaw Nation and if she has been duly enrolled as such by this Commission.

You state in your letter that she enrolled under the name of R. A. Freeny and at that time she was married to a white man by the name of Sutton and is now living with him.

It does not appear from our records that any party by the name of Mrs. R. A. Sutton has been listed for enrollment as a citizen of the Choctaw Nation either by blood or intermarriage.

It does however, appear that on August 22nd, 1899, Rachel A. Smallwood, 35 years of age, appeared before the Commission and made application for the enrollment of herself as a citizen by intermarriage of the Choctaw Nation and for the enrollment of her child, John W. Freeny as a citizen by blood of the Choctaw Nation.

Mrs. Smallwood claimed her right as an intermarried citizen of the Choctaw Nation by reason of her marriage to Henry Freeny, a Choctaw Indian. Mrs. Smallwood was identified by the Commission on the 1896 Census roll of the Choctaw Nation as R. A. Freeny.

The Commission has no knowledge of her marriage to any

P R R 3

time that she made application for enrollment to this Commission.

Relative to her rights to final enrollment as a citizen by intermarriage of the Choctaw Nation, if it is your desire to have this matter presented to the Commission in proper form, you should present the matter to Messrs Mansfield, McMurray & Cornish, Attorneys at Law, South McAlester, Indian Territory, the legal representatives of the Choctaw Nation and fully explain to them the condition and circumstances of Mrs. Sutton's application for enrollment.

Yours truly,

Acting Chairman.

7-3708

MEMORANDA.

(Date) Aug 27 1899.

Name .....

Choctaw ? County ..... Year ..... No. ....

Chickasaw ? County ..... Year ..... Page .....

Citizen by blood ? Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day, .....

351 Wife's name, Rachel A. Smallwood

Choctaw ? yes County Jackson Year 96 No. 14 55

Chickasaw ? County ..... Year ..... Page 587

Citizen by blood ? Mother's citizenship US

Intermarried citizen ? yes

Married under what law ? .....

License filed this day yes

Names of children:

13 x John W. Freemy County Jackson Year 96 Page 14 No. 183

County ..... Year ..... Page ..... No. ....  
County ..... Year ..... Page ..... No. ....  
County ..... Year ..... Page ..... No. ....  
County ..... Year ..... Page ..... No. ....  
County ..... Year ..... Page ..... No. ....  
County ..... Year ..... Page ..... No. ....  
County ..... Year ..... Page ..... No. ....  
County ..... Year ..... Page ..... No. ....  
County ..... Year ..... Page ..... No. ....  
County ..... Year ..... Page ..... No. ....

See also R A Freemy - as to marriage  
reparation see her testimony  
John W.

3708

Choc 3709

Bartholomew Lane

Frances Lane

3709

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

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The record in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of--

BARTHOLOMEW LANE, 7-3709.

Department of the Interior.  
Commission to the Five Civilized Tribes.  
Atoka, I. T., November 21st, 1902.

Choctaw 3709  
Intermarried

-----oOo-----

In the matter of the application of Bartholemew Lane for enrollment as an intermarried citizen of the Choctaw Nation.

Bartholemew Lane being first duly sworn testified as follows:

Examination by the Commission:

- Q Your name is Bartjolemew Lane is it? A Yes sir.  
Q How old are you? A Seventy-six.  
Q What is your post office address? A Caddo.  
Q How long have you lived in the Choctaw Nation? A About thirty years.  
Q Lived here continuously for the past thirty years? A Yes sir.  
Q Do you claim intermarried rights in the Choctaw Nation? A Yes sir.  
Q What is the name of your Choctaw wife through whom you claim?  
A Frances Jones.  
Q Is she a recognized citizen of the Choctaw Nation? A Yes sir.  
Q Her rights have never been disputed? A No sir.  
Q When were you married to Frances Jones? A About twenty-six years.  
Q Where was this marriage ceremony performed? A In Caddo.  
Q Were both you and your wife residents of the Choctaw Nation at that time? A I was there three years at the time.  
Q Were you an applicant before this Commission in 1896 for admission to citizenship in the Choctaw Nation? A Yes sir.  
Q Did you apply as an intermarried citizen? A Yes sir.  
Q What action was taken on your application at that time? A I was enrolled.  
Q Was your case appealed to the United States Court? A I don't know.  
Q You are at present a bona fide resident of the Choctaw Nation?  
A Yes sir.

-----  
Albert G. McMillan being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 21st day of November, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

Subscribed and sworn to before me this 14 day of January, 1903.

*Albert G. McMillan*  
*Charles H. Sawyer*

Notary Public.

Before the Commission to the Five Civilized Tribes:

In the matter of the application of Bartholomew Lane, an inter-married citizen of the Choctaw Nation.

On this day personally appeared before me Bartholomew Lane, who after first being duly sworn, stated on his oath, that he is about 72 years of age and that his Post Office address is Gadio, Choctaw Nation Indian Territory, and that he has resided at or near Gadio, I. T. for the past 30 years, and that he was married to Frances Jones a Choctaw woman, and that he, the applicant, and his wife Frances Lane, have lived together as man and wife every since their marriage, and that they were living together as man and wife on the 25th day of Sep't 1902, and had been so living from the time of their marriage to the present date, Sep't 25th 1902.

My wife Frances Lane has lived at or near Gadio, I. T. with me since our marriage, which was about 27 years ago, I do not remember the exact date. My marriage certificate was sent to the Indian Commissioner to the Five Civilized Tribes in the year of 1902, and I have not since that time seen the said certificate.

Bartholomew Lane

Witness my hand and seal of office this 24th day of April 1903

J. H. Noppole  
Notary Public.



*Ch.  
8620*

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Bartholomew Lane as a citizen by intermarriage of the Choctaw Nation.

DECISION.


It appears from the record herein that Bartholomew Lane appeared before the Commission and made personal application for enrollment as a citizen by intermarriage of the Choctaw Nation, claiming his right thereto by virtue of his marriage with Frances Lane (nee Jones), a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as No. 10502 upon the lists prepared by this Commission under the act of Congress approved July 1, 1902, (32 Stat., 641) of persons entitled to enrollment as citizens by blood of the Choctaw Nation and approved by the Secretary of the Interior February 4, 1903.


It further appears from the records of the Commission that on September 7, 1896, in the case entitled "Bartholomew Lane vs. Choctaw Nation," (1896 Choctaw Citizenship Docket, case No. 1252), the applicant herein made original application to this Commission under the provisions of the act of Congress approved June 10, 1896, (29 Stat., 321), for admission to citizenship in the Choctaw Nation, claiming his right thereto by virtue of his marriage with the said Frances Lane (nee Jones), and on December 8, 1896, the said Bartholomew Lane was by this Commission admitted to citizenship in the Choctaw Nation as a citizen by intermarriage, from which decision of the Commission no appeal was taken.

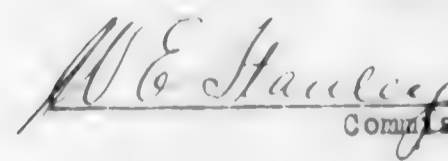
It further appears from the evidence in this case that the applicant herein was a resident in good faith of Indian Territory on June 28, 1898, and that his status as an intermarried citizen remained unchanged from the date of his said admission in 1896 up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Bartholomew Lane should be enrolled as a citizen by intermarriage of the Choctaw Nation, under the provisions of the acts of Congress approved June 28, 1898, (30 Stat., 495) and July 1, 1902, (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

  
 \_\_\_\_\_  
 Chairman.

  
 \_\_\_\_\_  
 Commissioner.

  
 \_\_\_\_\_  
 Commissioner.

Muskogee, Indian Territory.

MAR 2 1904

\_\_\_\_\_  
Commissioner.

Choctaw 3709

Muskogee, Indian Territory, March 2, 1904.

Bartholomew Lane,

Caddo, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered March 2, 1904, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of the decision and have been allowed fifteen days from the date hereof within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If, at the expiration of that time, no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Registered.  
Enc. 7-3709.

Commissioner in Charge.

COPY.

Choctaw

Muskogee, Indian Territory, March 1, 1904.

Manfield, Murray & Gernick,  
Attorneys for the Choctaw and Chickasaw Nations,  
Sault Ste. Marie, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the report of the Commission to the Five Civilized Tribes, dated March 1, 1904, regarding the application of [Name] and for recognition as a citizen by intermarriage with the Choctaw Nation.

You are hereby advised that you will have ten days from the date hereof within which to file a protest against the action of the Commission in recognizing the applicant as a citizen of the Choctaw Nation. If you do not file a protest within this time, no protest has been filed, and the final rolls of the citizens of the Choctaw Nation will be submitted to the Secretary of the Interior for his approval.

Respectfully,

[Signature]  
Commissioner of the Five Civilized Tribes

Registered.  
7-3709.

Muskogee, Indian Territory, April 16, 1903.

Mr. Bartholomew Lane,  
Gadsden, Indian Territory.

Dear Sir:

It appears from the records of the Commission that you are an applicant for enrollment as a citizen by intermarriage of the Cheetaw Nation, by reason of your marriage with Frances Lane, but it does not appear that there is any evidence as to the residence of yourself and wife from the date of your marriage up to and including September 30, 1902.

You are requested to furnish the Commission with a sworn statement as to the residence of yourself and wife during said time. Please give this matter your immediate attention.

Respectfully,

Commissioner in Charge.

7-3709.

Muskogee, Indian Territory, April 30, 1903.

Bartholomew Lane,

Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your affidavit of April 24, 1903, which you offer in support of your application for enrollment as an intermarried citizen of the Choctaw Nation; and the same has been filed with the record in your case.

Respectfully,

Chairman.

Choctaw 3709

Muskogee, Indian Territory, March 3, 1904.

Bartholomew Lane,

Caddo, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of February 29, stating that you desire to file on your allotment but your right as an intermarried citizen of the Choctaw Nation has not yet been determined.

In reply to your letter you are advised that on March 2, 1904, the Commission rendered its decision granting your application for enrollment as an intermarried citizen of the Choctaw Nation, of which action you were notified by registered mail on that date. If, at the expiration of the fifteen days allowed the attorneys for the Choctaw and Chickasaw Nations within which to file protest to the decision, no such protest has been filed, your name will be placed upon a schedule of intermarried citizens of the Choctaw Nation to be forwarded to the Secretary of the Interior. Pending the approval of your enrollment by the Secretary of the Interior, however, no selection of allotment can be made in your behalf.

Respectfully,

Commissioner in charge.

MEMORANDA.

(Date) Aug 22 1899.

74 Name Bartholomew Lane  
 Choctaw? yes County Blue Year 1893 No. 14725  
 Chickasaw? County Year Page 393  
 Citizen by blood? Mother's citizenship US  
 Intermarried citizen? no  
 Married under what law?

45 License filed this day  
 Wife's name, Francis Lane  
 Choctaw? yes County Blue Year 1893 No. 8110  
 Chickasaw? County Year Page 204  
 Citizen by blood? yes Mother's citizenship Choctaw  
 Intermarried citizen?  
 Married under what law?  
 License filed this day

Names of children:

31 Edward Lane County Blue Year 1896 Page 204 No. 7147  
 19 x Bartholomew " Jr County Year Page No. 8110  
 7 Rosa County Year Page No. 8200  
 5 Faisy County Year Page No. 8201  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.

is cancelled by James Lane # 1252 - Jan 16  
Walter Scott Lane  
 x Walter Scott Lane

3709

Choc 3710 Louvina Smith

3710



7-3710

Muskogee, Indian Territory, May 18, 1903.

Commissioner in Charge,  
Chickasaw Land Office,  
Tishomingo, Indian Territory.

Dear Sir:

You are hereby advised that the following notation has  
this day been made upon original Choctaw enrollment card No. 3710.

"No. 1 is wife of William T. Smith on Choctaw  
card No. 5653."

You are therefore requested to make like notation upon  
the duplicate card in your possession in accordance with the above  
information.

Respectfully,

Chairman.

7-3710

Muskogee, Indian Territory, May 18, 1903.

Commissioner in Charge,  
Choctaw Land Office,  
Atoka, Indian Territory.

Dear Sir:

You are hereby advised that the following notation has  
this day been made upon original Choctaw enrollment card No. 3710.

"No. 1 is wife of William T. Smith on Choctaw  
card No. 5653."

You are therefore requested to make like notation upon  
the duplicate card in your possession in accordance with the  
above information.

Respectfully,

Chairman.

MEMORANDA.

(Add)

(Date) July 27 1899.

H  
W  
C

Name William P. Smith County Blue Year 76 No. 15554

Choctaw? no Chickasaw? no County Blue Year 76 Page 400

Citizen by blood? no Mother's citizenship US

Intermarried citizen? no

Married under what law? no

License filed this day, no

36

Wife's name, Louisa Smith

Choctaw? yes County Blue Year 46 No. 11591

Chickasaw? no County Blue Year 46 Page 299

Citizen by blood? yes Mother's citizenship Choc

Intermarried citizen? no

Married under what law? no

License filed this day no

Names of children:

12

Robert Smith County Blue Year 1- Page 299 No. 11592

Claude County Blue Year 1- Page 299 No. 11593

County Blue Year 1- Page 299 No. 11594

County Blue Year 1- Page 299 No. 11595

County Blue Year 1- Page 299 No. 11596

County Blue Year 1- Page 299 No. 11597

County Blue Year 1- Page 299 No. 11598

County Blue Year 1- Page 299 No. 11599

County Blue Year 1- Page 299 No. 11600

County Blue Year 1- Page 299 No. 11601

County Blue Year 1- Page 299 No. 11602

X See name of Lisa Lee Smith  
as to name of wife - see list

13  
8  
18

Choc<sup>d</sup> 3711 Edward Clark

3711

MEMORANDA.

23

(Date) July 22 1899.

Name Edward Smith  
Choctaw? yes County Blue Year 76 No. 2875  
Chickasaw? County Year Page 69

Citizen by blood? yes Mother's citizenship see

Intermarried citizen?

Married under what law?

License filed this day,

Wife's name,

Choctaw? County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

County Year Page No.  
County Year Page No.  
County Year Page No.  
County Year Page No.  
County Year Page No.  
County Year Page No.  
County Year Page No.  
County Year Page No.  
County Year Page No.  
County Year Page No.

13/11/11

Choc 3712 Joseph Folsom

3712

7-3718

Muskogee, Indian Territory, March 31, 1902.

Homer & Elting,  
Attorneys at Law,  
Caddo, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 28th instant enclosing the application for enrollment as a citizen of the Choctaw Nation of Saul Folsom the infant son of Joseph H. and Sissie Folsom, born December 2, 1901, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

Muskogee, Indian Territory, March 31, 1902.

Joseph H. Polson,

Matoy, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Saul Polson, the infant son of Joseph and Sissie Polson, born December 2, 1901, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.



Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,  
 of Nelson Golson, born on the 14<sup>th</sup> day of June, 1897  
 Name of father: Joseph Golson, a citizen of the Choctaw Nation.  
 Name of mother: Sissie Golson, a citizen of the Choctaw Nation.  
 Post Office: Bennington 27

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
 INDIAN TERRITORY,  
Central District.

I, Sissie Golson, on oath, state that I am 20 years of age and a  
 citizen, by blood, of the Choctaw Nation; that I am the  
 lawful wife of Joseph Golson who is a citizen, by blood, of the  
Choctaw Nation; that a male child was born to me on the 14<sup>th</sup> day  
 of June, 1897; that said child has been named Nelson,  
 and is now living.

Subscribed and sworn to before me this 9<sup>th</sup> day of Sept, 1899.  
J. S. Hancock  
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,  
 INDIAN TERRITORY,  
Central District.

I, Phemie LeFlore, a Midwife on oath, state that I  
 attended on Mrs. Sissie Golson, wife of Joseph Golson  
 on the 14<sup>th</sup> day of June, 1897; that there was born to her on said date a male child;  
 that said child is now living and is said to have been named Nelson

Notary  
J. S. Hancock

Phemie LeFlore

Subscribed and sworn to before me this 9<sup>th</sup> day of Sept, 1899.  
J. S. Hancock  
 Notary Public.

*IN RE*

Application for Enrollment of

INFANT CHILD

*Saul Johnson*

as a citizen of

*Choctaw*

Nation.

MAR 31 1902

Approved,

190

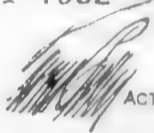
*C. H. Beckwith*

Commissioner.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

**FILED**

MAR 31 1902



ACTING CHAIRMAN.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,  
of Saul Folsom, born on the 2<sup>nd</sup> day of Dec, 1901  
(Here insert name of child)  
Name of Father: Joseph H. Folsom, a citizen of the Choctaw Nation.  
Name of Mother: Sissie Folsom, a citizen of the Choctaw Nation.  
Post-office, Montoy, N.J.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,

INDIAN TERRITORY.

Central District.

I, Sissie Folsom, on oath state that I am 23  
years of age and a citizen, by Blood, of the Choctaw Nation;  
that I am the lawful wife of Joseph H. Folsom, who is a citizen, by  
Blood, of the Choctaw Nation; that a Male child was  
(male or female)  
born to me on the 2<sup>nd</sup> day of Dec, 1901, that said child has been  
named Saul Folsom, and is now living.

WITNESSES TO MARK

Sissie Folsom

(Must be Two)  
Witnesses

Subscribed and sworn to before me this 28<sup>th</sup> day of March, 1902

A. H. Bling  
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,

INDIAN TERRITORY.

Central District.

I, Joseph H. Folsom and my wife, on oath state that I  
attended on Mrs. Sissie Folsom wife of my wife  
on the 2<sup>nd</sup> day of December, 1901, that there was born to her on  
said date a Male child; that said child is now living and is was  
(male or female)  
named Saul Folsom, That I am the Husband  
of Sissie Folsom, that I had no doctor or midwife.

WITNESSES TO MARK

Joseph H. Folsom

(Must be Two)  
Witnesses

Subscribed and sworn to before me this 28<sup>th</sup> day of March, 1902

A. H. Bling  
NOTARY PUBLIC.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,  
 of Louise Yolsom, born on the 30<sup>th</sup> day of May, 1899.  
 Name of father: Joseph Yolsom, a citizen of the Choctaw Nation.  
 Name of mother: Sissie Yolsom, a citizen of the Choctaw Nation.  
 Post Office Bennington et

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
 INDIAN TERRITORY,  
Central District.

I, Sissie Yolsom, on oath, state that I am 40 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of Joseph Yolsom who is a citizen, by blood, of the Choctaw Nation; that a male child was born to me on the 30<sup>th</sup> day of May, 1899; that said child has been named Louise, and is now living.

Subscribed and sworn to before me this 9<sup>th</sup> day of Sept, 1899  
J. H. Anderson  
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,  
 INDIAN TERRITORY,  
 District.

I, Phemie LeFlora, midwife, on oath, state that I attended on Mrs. Sissie Yolsom, wife of Joseph Yolsom on the 30<sup>th</sup> day of May, 1899; that there was born to her on said date a male child; that said child is now living and is said to have been named Louise.

Subscribed and sworn to before me this 9<sup>th</sup> day of Sept, 1899.  
J. H. Anderson  
 Notary Public.

MEMORANDA.

(Date) Aug 22 1899.

25 ✓ Name Joseph Jackson  
 Choctaw? Jackson County Year 9 No. 4284  
 Chickasaw? County Year Page 104  
 Citizen by blood? Mother's citizenship U.S.  
 Intermarried citizen?  
 Married under what law?

30 Wife's name Annie Jackson  
 Choctaw? Jackson County Year 9 No. 4285  
 Chickasaw? County Year Page 104  
 Citizen by blood? Mother's citizenship U.S.  
 Intermarried citizen?  
 Married under what law?  
 License filed this day

Names of children:

2 Wilson Jackson County Year Page No.  
 3 Mrs. Anne Jackson County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.

39/12

Choc 3713 Alfred Folsom

3713

**MEMORANDA.**

(Date) Aug 22 1899.

231 Name - Alfred Folsom

Choctaw? yes County Jackson Year 96 No. 4289

Chickasaw? County Year Page 104

Citizen by blood? yes Mother's citizenship Choct

Intermarried citizen?

Married under what law?

License filed this day,

Wife's name,

Choctaw? \*County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

**Names of children:**

|        |      |      |     |
|--------|------|------|-----|
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |

✓ Am real Alfred Folsom Jr

3713

choc 3714 Gibbie Anderson

3714



MEMORANDA.

(Date) Aug 22 1899.

18

Name Gibbie Anderson

Choctaw? yes County Blue Year 96 No. 418

Chickasaw? County Year Page 11

Citizen by blood? yes Mother's citizenship Choc

Intermarried citizen?

Married under what law?

License filed this day,

Wife's name,

Choctaw? County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

County Year Page No.
County Year Page No.
County Year Page No.
County Year Page No.
County Year Page No.
County Year Page No.
County Year Page No.
County Year Page No.
County Year Page No.
County Year Page No.

3714

Choc 3715 Kennedy Wade

3715

Chectaw D 708  
3545;3704;3715.

Muskogee, Indian Territory, March 16, 1903.

Henry Byington,

Caddo, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of March 2, asking relative to the enrollment as citizens of the Chectaw Nation of Cunningham Wade, Margarett Hawkins, an intermarried white woman, who is the wife of Milton H. Hawkins, Lorena Hayes, her husband Cornelius Hayes and her child Sophia Hayes. You also ask for half a dozen blank death certificates and wish to be informed when the land offices will be opened.

In reply to your letter you are advised that it appears from our records that Kennedy Wade, twenty nine years of age, son of Eastman Wade and Biley Frasier, has been enrolled by this Commission as a citizen by blood of the Chectaw Nation, and on February 4, 1903, his enrollment was approved by the Secretary of the Interior. It is believed that this is probably the Cunningham Wade referred to in your letter.

It further appears from our records that Margaret Hawkins, wife of Milton Hawkins, has been listed among the doubtful claimants to enrollment as an intermarried citizen of the Chectaw Nation, and her final right to such enrollment has not yet been determined.

H B 2

It also appears from our records that Kaurena Hayes and her husband, Cornelius Hayes, and her child, Sophia Hayes, have been enrolled by this Commission as citizens by blood of the Choctaw Nation and on February 4, 1903, the Secretary of the Interior approved their enrollment as such.

You are informed that land offices will be opened at Atoka in the Choctaw Nation and Tishomingo in the Chickasaw Nation on April 10, 1903.

In compliance with your request there are inclosed you herewith six blank forms for proofs of death.

Respectfully,

Chairman.

6 D.C.

MEMORANDA.

(Date) Aug 22 1899.

Name Kennedy Wade  
Choctaw? yes County Jackson Year 96 No. 12836  
Chickasaw? County Year Page 362

Citizen by blood? yes Mother's citizenship Choctaw

Intermarried citizen?

Married under what law?

License filed this day,

Wife's name,

Choctaw? County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

| County | Year  | Page  | No.   |
|--------|-------|-------|-------|
| .....  | ..... | ..... | ..... |
| .....  | ..... | ..... | ..... |
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| .....  | ..... | ..... | ..... |

~~On p 76 # 653 73 PR Jackson Co.~~

~~Kennedy Wade~~  
On roll Cunningham Wade

3715

Choc 3716 Louisa Frazier

3716

7-3716

Muskogee, Indian Territory, October 20, 1904.

Arnote Davenport,  
Attorneys at Law.

Antlers, Indian Territory.

Gentlemen:-

Receipt is hereby acknowledged of your letter of the 15th instant, requesting to be advised whether or not proof of the birth of Hattie Frazier, daughter of Sarah Frazier has been filed with the records of the Commission, stating that said child is little over three years old, and that it is possible application was made for her as Hattie Johnson that being the surname by which the mother was sometimes known.

You are advised it does not appear that any application has ever been received by this Commission for the enrollment of Hattie Frazier or Hattie Johnson daughter of Sarah Frazier.

Respectfully,

Chairman.

MEMORANDA.

(Date) Aug 22 1899.

30 Name William Frazier  
 Choctaw? yes County Blue Year 96 No. 4408  
 Chickasaw? County Year Page 107  
 Citizen by blood? yes Mother's citizenship Choctaw  
 Intermarried citizen?  
 Married under what law?

License filed this day,

28 Wife's name Louisa Frazier  
 Choctaw? yes County Blue Year 96 No. 4409  
 Chickasaw? County Year Page 107  
 Citizen by blood? yes Mother's citizenship Choctaw  
 Intermarried citizen?  
 Married under what law?

License filed this day

Names of children:

10 Sarah Frazier County Blue Year 96 Page 107 No. 4410  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.

3716



Choc 3717 Abel wade

Granted Jan 16, 1907

copy of decision forwarded applicant Jan 16, 1907

copy of decision forwarded ATTYS for choc & Chick  
NATIONS Jan 16, 1907

3717

DEPARTMENT OF THE INTERIOR,  
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Durant, Indian Territory, January 18, 1907.

ooOoo

In the matter of the application for the enrollment, as a citizen by blood of the Choctaw Nation, of Albert Bond, on Choctaw Field Card Number 3717.

Testimony taken at home of Reed Bond, one and one-half miles north of Cairo, Indian Territory, December 11, 1906.

REED BOND, being duly sworn by Lacey P. Bobo, Notary Public in and for the Central District of Indian Territory, testified as follows:

Jacob Homer, Official Interpreter.

BY THE COMMISSIONER:

Q What is your name? A Reed Bond.  
Q What is your age? A 45.  
Q Are you a citizen by blood of the Choctaw Nation? A Yes.  
Q What is your post office address? A Cairo, formerly Caney, I.T.  
Q Were you at one time the husband of Elsie Bond (nee Wade)?  
A Yes, sir.  
Q Who were the parents of your wife, Elsie?  
A Abel Wade and Agnes Wade.  
Q Did Elsie have any children by you, if so how many?  
A One boy named Albert.  
Q When was Albert born?  
A The night of the 2nd day of June about 11 o'clock, 1902.  
Q Who was mid-wife at the time of the birth of Albert Bond?  
A Myself and a white woman near Caney, I do not know her name.  
Q Is this child still living? A Dead.  
Q When did he die? A He died about the last part of October the same year.  
Q The same year he was born? A Yes, sir.  
Q Were you present when the child died and did you attend the burial?  
A At the time the child died I was in the Chickasaw Nation near Duncan; I borrowed some money near there and went to Duncan to see about the payment of it, it was due on the 1st of October and I went over to see about that business and I did not get back until after the child died; I got a letter from home while I was over there that the child was pretty bad sick but at the time my horse got lame and I could not get back; I got a letter again about the last part of October that the child was dead.  
Q How old was the child at the time of his death?  
A About five months old.  
Q Did the child die the same year he was born?  
A Yes, sir.  
Q How many years has he been dead?  
A About four years.  
Q How do you know it was not three years ago or even five years ago that the birth and death of this child occurred, instead of

In re the application of Albert Bond--#2----Reed Bond, Witness.

- four years ago.
- A I know the Choctaws and Chickasaws voted on the Treaty on September 25, th four years ago, and I know the child was born before that and died afterwards.
- Q A session of the Dawes Commission was held at Atoka, Choctaw Nation, from November 17th to the 21st, inclusive, in the year 1902, for the purpose of enrolling children born to enrolled and recognized citizens on or before September 25, 1902, and for other purposes: How is it that if the child Albert Bond was born before the Treaty you did not appear at Atoka and have it enrolled at that time?
- A The child died in October after the Treaty but before the enrollment at A\_oka, and I thought it would not be any good as he died before that enrollment, but some lawyer at Caddo had arranged with the mother of the child and its grandfather to get the child on the roll for the surplus land, and that's why I never did have anything more to do with it. If I had known that before hand I would not let that lawyer have anything to do with it at all. I do not want him to have the surplus land, its too much.
- Q Did you appear at Atoka at the time of this session there above referred to?
- A Yes, I went in and told them I was still living, that's all.
- Q Where does the mother of this child now live?
- A She lives with her mother over near Marlow, I. T.

Witness Excused.

Testimony taken at home of Auston Picken, two miles south of Cancy, Indian Territory, December 17, 1906.

AUSTON PICKEN, being first duly sworn, by Lacey P. Bobo Notary Public in and for the Central District of Indian Territory, testified as follows:

Jacob Homer, Official Interpreter.

BY THE COMMISSIONER:

- Q What is your name? A Auston Picken.
- Q How old are you? A 50.
- Q Does your name appear upon the approved roll as a citizen by blood of the Choctaw Nation? A Yes, I am a full-blood.
- Q What is your post office? A Cancy, I. T.
- Q Did you ever know a male minor child son of Elsie Wade and Reed Bond, Choctaws by blood?
- A I have heard it was called Albert.
- Q Was this Elsie Wade's first-born child? A Yes.
- Q How old was Elsie Wade at the time of the birth of this child?
- A I think she was about 18 years old at the time this child was born.
- Q When was this child born? A I believe it was about four years ago.
- Q Do you know the time of the year it was born, or the month?
- A It was in the summer when the child was born.
- Q When did the child die, if dead.
- A It died the same year it was born, in the fall.
- Q Do you state Albert Bond, Elsie Wade's first-born child, was born in the summer of 1902 and died the following fall?
- A Yes.
- Q Do you remember when the Supplemental Treaty providing for the allotment of lands was ratified by the Choctaw and Chickasaw Tribes of Indians? A Yes.

In re the application of Albert Bond---#3---Austin Picken-Witness.

Q When was it?

A It was some time in September, I have forgot the date, in 1902.

Q Do you know whether this child was born before the Treaty was ratified and whether it died after the ratification of said Treaty?

A I do not know; Abel Wade, the grandfather, and his wife who live in four miles of Hope, Chickasaw Nation, ought to know about the child.

Q Do you know to a positive certainty that this child died prior to March 4th, 1905? A Yes, sir.

Q How old was the child at the time of its death?

A It was about five or six months old.

Witness Excused.

W. P. Covington, being duly sworn, states that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said case on said date.

Subscribed and sworn to before me, this 19<sup>th</sup> day of

Jan'y 1907.

Lucy P. Bobo  
Notary Public.

DEPARTMENT OF THE INTERIOR,  
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Chickasha, Indian Territory, February 1, 1907.

00

In the matter of the application for the enrollment, as a citizen by blood of the Choctaw Nation, of Albert Bond, on Choctaw Field Card Number 3717.

Testimony taken in Marlow, Indian Territory, January 22, 1907.

ABEL WADE, being duly sworn by Lacey P. Bole, Notary Public in and for the Southern District of the Indian Territory, testified as follows:

Jacob Homer, Official Interpreter.

BY THE COMMISSIONER:

- Q What is your name? A Abel Wade.  
Q State your age and post office? A 55, Marlow, I. T.  
Q Who were your parents? A Henry Wade and Ishtalana.  
Q Is this woman here your wife? (referring to woman present).  
A Yes, sir.  
Q What is her name? A Agnes Wade.

Witness is identified as a Choctaw by blood,  
Roll Number 10521.

- Q Have you and wife a daughter named Elsie? A Yes.  
Q Has Elsie had any children? A Yes, she had one by Reed Bond.  
Q What was the name of this child? A Albert Bond.  
Q What was its sex? A Boy.  
Q Was this child born in lawful wedlock? A Yes.  
Q When? A June 3, 1902.  
Q Is the child still living? A Dead.  
Q When did he die? A November 2, 1902.  
Q How old was Albert at the time of his death? A Five months.  
Q Did his birth and death occur the same year? A Yes.  
Q How many years since his birth? A Over four years. I will be five years next June.  
Q Where was the child born? A At my house, I lived near Caney I. T., then.  
Q A session of the Dawes Commission was held at Atoka, I. T., November 17th to 21st, inclusive, 1902, for the purpose of enrolling new born children and for other purposes: Did you appear before the Dawes Commission at that place?  
A Yes, I was up there.  
Q Why did you not make application for the enrollment of this grandchild?  
A Well, I thought its father or mother would attend to that, the child's father was up there at the same time.

In re the application for the enrollment of Albert Bond--#2--Abel Wade, Witness.

Testimony taken at same place and on same date as foregoing .

AGNES WADE, being duly sworn by Lacey P. Bolo, Notary Public in and for the Southern District of the Indian Territory, testified as follows:

Jacob Homer, Official Interpreter.

BY THE COMMISSIONER:

Q State your name, age and post office? A Agnes Wade; I am about 50; Marlow, I. T.  
Q Are you a duly enrolled citizen by blood of the Choctaw Nation?  
A Yes.  
Q Are you the wife of the witness who has just given testimony?  
A Yes.

Witness is identified as a Choctaw by blood, Roll Number 10322.

Q Are you the mother of one Elsie Wade? A Yes.  
Q Has Elsie Wade been married? A Yes.  
Q To whom? A Reed Bond.  
Q Did she have any children by him? A One boy, he was named Albert.  
Q When was Albert born? A In the month of June, the year I do not know.  
Q How many years since the birth of this child? A This coming June will be five years.  
Q When did Albert die? A In November the same year he was born.  
Q How old was he at the time of his death?  
A Five months old.  
Q It appears from the records of the Commission to the Five Civilized Tribes that you are the mother of one Dora Wade: Is Dora your youngest child? A Yes.  
Q How old was Dora at the time of Albert's birth? A About two years old.

Application for the enrollment of Dora Wade was received by the Dames Commission October 7, 1899.

Witness Excused.

W. P. Covington, being duly sworn, states that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in this case on said date.

*W. P. Covington*

Subscribed and sworn to before me, this 14th day of

February 1901.

*Lacey P. Bolo*

Southern  
District  
1899/1901  
Tex.

7-3717.  
O.L.J.

DEPARTMENT OF THE INTERIOR,  
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

-----

In the matter of the application for the enrollment of  
Albert Bond as a citizen by blood of the Choctaw Nation.

D E C I S I O N.

It appears from the record herein that application was  
made to the Commission to the Five Civilized Tribes on April 4,  
1905, for the enrollment of Albert Bond as a citizen by blood of  
the Choctaw Nation.

It further appears from the record herein and from the  
records in the possession of this office that the applicant, Albert  
Bond, was born June 3, 1902, and is the son of Reed Bond whose name  
appears as No. 11159 upon the final roll of citizens by blood of  
the Choctaw Nation approved by the Secretary of the Interior March  
10, 1903, and Elsie Bond, whose name (as Elsie Wade) appears as  
No. 10523 upon the final roll of citizens by blood of the Choctaw  
Nation approved by the Secretary of the Interior February 4, 1903;  
and that said applicant was living on September 25, 1902.

I am, therefore, of the opinion that Albert Bond should  
be enrolled as a citizen by blood of the Choctaw Nation under the  
provisions of the Act of Congress approved March 3, 1905 (33 Stats.,  
1070), and it is so ordered.



Commissioner.

Muskogee, Indian Territory,

CAN 16 1905

In the Matter of the Application of Albert Bond for Enrollment as a Choctaw Indian by blood.

Affidavit of Elsie Bond, mother of Albert Bond.

My name is Elsie Bond, nee Wade, that is that was my name until I was married to A. D. Byington on the 16th. day of February, 1904, with whom I am now living as man and wife.

My maiden name was Elsie Wade before I was married to Reed Bond, and my name appears on the roll of the Commission to the Five Civilized Tribes as Elsie Wade. I was married to Reed Bond on the ---- day of September 1901, and I lived with him as his wife until about August 1902; before we separated our child, Albert Bond, was born; it was born on the 3rd. day of June, 1902, and died on the 2nd. day of November, 1902.

Reed Bond and myself were married in Atoka County, Choctaw Nation; we are both Choctaw Indians by blood; we were married by William Hall, a minister of the gospel, and I do not think the certificate was recorded with the clerk of the County Court. William Hall is still living and his address is Stringtown, Ind. Ter.

I secured a divorce from Reed Bond on the grounds of desertion about February 1904, and afterwards married my present husband Alonzo D. Byington. I do not know the whereabouts of Reed Bond, the father of Albert Bond, deceased. I understand that he is near Ardmore, I. T.

My father is Abel Wade, a Choctaw Indian, my mother is Agnes Wade, a Choctaw Indian, living near Caddo, Ind. Ter.

Reed Bond's father was Jessie Bond, I do not know his mother's name.

Elsie Bond

Sworn and subscribed to before me this the 3rd. day of April, 1905.

A. Rapp  
Notary Public.



IN RE  
Application for Enrollment of  
INFANT CHILD

ALBERT BOND

as a citizen of

CHOCOMA

Nation.

Approved

PRO

Commissioner

born June 3, 1900

FILED

APR 4 1905

Commissioner

CHOCOMA

3717

APR 4 - 1905

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the **Cherokee** Nation.

of **111077** **None** born on the **27th** day of **June**, 1902.  
Name of Father: **None** **None** a citizen of the **Cherokee** Nation.  
Name of Mother: **None** **None** **None** **None** a citizen of the **Cherokee** Nation.  
Residence: **Osado, Ind. Ter.**

AFFIDAVIT OF MOTHER.

STATEMENT OF MOTHER (Name of Mother):  
**None** (Name of Mother)

I, **None** **None** **None** **None** do hereby certify that I am **22**

years of age, and a citizen of the **Cherokee** Nation.

and that the child is a citizen, by

the laws of the **Cherokee** Nation, that a **male** child was

born on the **27th** day of **June**, 1902, and said child has been named

and was living **September 25th, 1902.**

*Ernest Bond*

Witness my hand and seal this **27th** day of **April**, 1903

*W. R. Rapp*

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

STATEMENT OF PHYSICIAN OR MID-WIFE (Name of Physician):  
**None** (Name of Physician)

I, **None** **None** do hereby certify that I am **None**

years of age, and a citizen of the **Cherokee** Nation.

and that the child is a citizen, by the laws of the **Cherokee** Nation, that a **male**

child was born on the **27th** day of **June**, 1902, and said child has been named

*Ernest Bond*

*W. R. Rapp*

Witness my hand and seal this **27th** day of **April**, 1903

*W. R. Rapp*

Notary Public.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,  
 of Dora Wade, born on the 27<sup>th</sup> day of May, 1898.  
 Name of father: Able Wade, a citizen of the Choctaw Nation.  
 Name of mother: Agnes Wade, a citizen of the Choctaw Nation.  
 Post Office: \_\_\_\_\_

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }  
 INDIAN TERRITORY, }  
 \_\_\_\_\_ District. }

I, Agnes Wade, on oath, state that I am 38 years of age and a  
 citizen, by Blood, of the Choctaw Nation; that I am the  
 lawful wife of Able Wade who is a citizen, by Blood, of the  
Choctaw Nation; that a Girl child was born to me on the 27<sup>th</sup> day  
 of May, 1898; that said child has been named Dora Wade  
 and is now living.

Subscribed and sworn to before me this 22<sup>d</sup> day of August, 1899  
H. E. Nelson W. B. Bates  
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }  
 INDIAN TERRITORY, }  
 \_\_\_\_\_ District. }

I, Able Wade, a \_\_\_\_\_, on oath, state that I  
 attended on Mrs. Agnes Wade, wife of my self  
 on the 27 day of May, 1898; that there was born to her on said date a Girl child;  
 that said child is now living and is said to have been named Dora Wade.

Subscribed and sworn to before me this 22<sup>d</sup> day of August, 1899.  
Able Wade  
W. B. Bates  
 Notary Public.

Muskogee, Indian Territory, January 16, 1907.

In the matter of the application for the enrollment of  
Albert F. Bond  
as a citizen of the Choctaw Nation. 7-30117

Service of a copy of the decision of the Commissioner to  
the Five Civilized Tribes rendered on January ~~14~~ 1907,  
together with the customary fifteen days within which to protest  
against the said decision is hereby waived.

Mansfield M. Murray Boruisk  
Attys for the Choctaw and Chickasaw  
Nations.

Choctaw 3717,

Muskegee, Indian Territory, April 7, 1908.

Charles E. McPherron,  
Attorney at Law,  
Cadde, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of April 3, enclosing the affidavits of Elsie Bond (Wade) and Agnes Wade to the birth of Albert Bond, the son of Reed and Elsie Bond, June 3, 1902, and the same have been filed with our records as an application for the enrollment of said child.

Replying to that portion of your letter in which you ask if it will be necessary to forward evidence of the marriage of Elsie Wade, the mother of Albert Bond, to Reed Bond you are advised that as Elsie Wade is a citizen by blood of the Choctaw Nation it will not be necessary to forward the marriage certificate between herself and Reed Bond.

Respectfully,

Commissioner in Charge.

7-3717.

Muskogee, Indian Territory May 17, 1905.

Peter Maytubby, Sr.,

Caddo, Indian Territory.

Dear Sir:

An application has been made to this Commission for the enrollment of Albert Bond, born June 2, 1902, son of Elsie Bond, nee Wade, and Reed Bond full blood Choctaws whose post office address is given as Caddo, Indian Territory. The said Elsie Bond is a daughter of Abel Wade and Agnes. The said Albert Bond is reported to have died when but a few months old.

If you know, or can ascertain the date of the death of said child and will inform the Commission in regard thereto your services rendered the Commission relative to this matter will be duly appreciated.

A blank for proof of death is inclosed herewith.

Respectfully,

Chairman.

D C  
Env.

REFER IN REPLY TO THE FOLLOWING:

7-3717.

DEPARTMENT OF THE INTERIOR,  
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, January 16, 1907.

Reed Bond,

Ardmore, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered January 16, 1907, granting the application for enrollment of Albert Bond as a citizen by blood of the Choctaw Nation.

You are hereby advised that the name of Albert Bond will be placed upon the next schedule of citizens by blood of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,



Commissioner.

Registered.

Incl. 7-3717.

REFER IN REPLY TO THE FOLLOWING:  
.....  
3717  
.....  
.....

DEPARTMENT OF THE INTERIOR,  
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

(18)

Muskogee, Indian Territory, February 28, 1907.

Reed Bond,

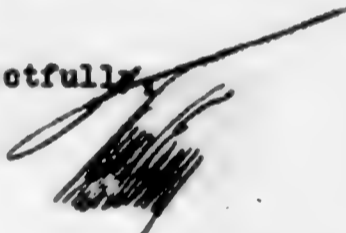
Ardmore, Indian Territory.

Dear Sir:

You are hereby advised that on February 21, 1907, the Secretary of the Interior approved the enrollment of Albert Bond as a citizen by blood of the Choctaw Nation, and his name appears upon the final roll of citizens, opposite No. 16116.

Selection of allotment should now be made for said Albert Bond at the Land Office for the Nation in which said land is located.

Respectfully



Commissioner.



7-3717.

Muskogee, Indian Territory, January 16, 1907.

Elsie Byington,

Caddo, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered January 16, 1907, granting the application for enrollment of Albert Bond as a citizen by blood of the Choctaw Nation.

You are hereby advised that the name of Albert Bond will be placed upon the next schedule of citizens by blood of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

SIGNED *James Dixon*

Commissioner.

Registered.

Incl. 7-3717.

7-3717.

Muskogee, Indian Territory, January 16, 1907.

Mansfield, McMurray and Cornish,

Attorneys for Choctaw and Chickasaw Nation.

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered January 16, 1907, granting the application for enrollment of Albert Bond as a citizen by blood of the Choctaw Nation.

You are hereby advised that the name of Albert Bond will be placed upon the next schedule of citizens by blood of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

*James Dixby*

Commissioner.

Incl. 7-3-17.

MEMORANDUM

(Date) July 22 1899.

41

Name W. J. ...  
 Choctaw? yes County Polk Year 18 No. 3  
 Chickasaw? County Year Page  
 Citizen by blood? yes Mother's citizenship Chickasaw  
 Intermarried citizen?  
 Married under what law?  
 License filed this day,

39

Wife's name, Algeria ...  
 Choctaw? yes County Polk Year 18 No. 1388  
 Chickasaw? County Year Page  
 Citizen by blood? yes Mother's citizenship  
 Intermarried citizen?  
 Married under what law?  
 License filed this day

Names of children:

|    |                |                    |                |      |                   |
|----|----------------|--------------------|----------------|------|-------------------|
| 11 | <u>...</u>     | County <u>Polk</u> | Year <u>18</u> | Page | No. <u>1388</u>   |
| 10 | <u>Jackson</u> | County             | Year           | Page | No. <u>1388 2</u> |
| 12 | <u>...</u>     | County             | Year           | Page | No. <u>388 3</u>  |
| 10 | <u>...</u>     | County             | Year           | Page | No. <u>388 4</u>  |
| 8  | <u>...</u>     | County             | Year           | Page | No. <u>1388 5</u> |
| 6  | <u>...</u>     | County             | Year           | Page | No. <u>1388 6</u> |
| 1  | <u>...</u>     | County             | Year           | Page | No.               |
|    |                | County             | Year           | Page | No.               |
|    |                | County             | Year           | Page | No.               |
|    |                | County             | Year           | Page | No.               |

7-31114

Choc 3718 Teumseh Pruden

3718

MEMORANDA.

(Date) Aug 22 1899.

21 Name Tecumseh Pruden  
Choctaw? ye County Jackson Year 96 No. 10463  
Chickasaw? County Year Page 266  
Citizen by blood? ye Mother's citizenship Choctaw  
Intermarried citizen?  
Married under what law?  
License filed this day,

Wife's name,  
Choctaw? County Year No.  
Chickasaw? County Year Page  
Citizen by blood? Mother's citizenship  
Intermarried citizen?  
Married under what law?  
License filed this day

Names of children:

County Year Page No.  
County Year Page No.  
County Year Page No.  
County Year Page No.  
County Year Page No.  
County Year Page No.  
County Year Page No.  
County Year Page No.  
County Year Page No.  
County Year Page No.

3718

Choc 3719 marcus Washington

3719

7-5719.

Muskogee, Indian Territory, October 25, 1902.

Marcus Washington,

Caney, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Ida Washington, infant daughter of Marcus and Ellen Washington, born June 18, 1902; and the same is returned to you herewith for further information relative to the mother of the child.

It is stated in the affidavit of the mother that her name is Ellen Washington, that she is 20 years of age, a citizen by blood of the Choctaw Nation and the lawful wife of Marcus Washington, a citizen by blood of the Choctaw Nation.

If this is correct, you are requested to state her full maiden name, the time and place application was made for her enrollment, the names of the other members of her family for whom application was made at the same time and any other information you may have which will enable the Commission to identify Ellen Washington as being duly listed for enrollment as a citizen by blood of the Choctaw Nation.

M V 2

If she is a citizen by blood of the Choctaw Nation who has been married to you since the time she was listed for enrollment as such, either your original marriage license and certificate, or a certified copy thereof, should be furnished the Commission as authority for the change of the name of the mother upon our records from her former name to her present married name.

Upon receipt of the information requested herein, together with legal evidence of marriage and return of the application for the enrollment of your child, the matter will receive further consideration.

Respectfully,

Commissioner in Charge.

Enc B I 147.



7-4728  
7-5719.

Muskogee, Indian Territory, November 5, 1908.

Marcus Washington,

Ganey, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 3d inst., enclosing the application for enrollment as a citizen of the Choctaw Nation of Ida Washington, infant daughter of Marcus and Ella Washington, born June 18, 1902; and the same being in proper form has been duly filed with the records of the Commission, and the child listed for enrollment as a citizen of the Choctaw Nation.

Receipt is also acknowledged of the certificate of marriage between Marcus Washington and Ellen Frazier, and the same has been duly filed with the records of the Commission in the matter of the application for enrollment of the above named child; and as authority for the change of the name of the mother upon our records from her maiden name to her present married name.

Respectfully,

Acting Chairman.

MEMORANDA.

(Date) Aug 22 1899.

21 Name - Marcus Washington

Choctaw? yes County Blue Year 96 No. 13902

Chickasaw? County Year Page 364

Citizen by blood? yes Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day,

Wife's name,

Choctaw? County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

| County | Year | Page | No. |
|--------|------|------|-----|
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |

3719

3720 Nicholas m<sup>c</sup>Daniel

Granted Jan 10, 1907

Ida m<sup>c</sup>Daniel transferred from  
Choc Jockey D<sup>#</sup>602 10-31-04

3720

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the  
enrollment as a citizen by intermarriage of the Choctaw  
Nation of-

IDA McDANIEL

7-D-602.

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
Atoka, I.T. December 11th, 1900.

In the matter of the application of Ida McDaniel for the enrollment of herself as a citizen by intermarriage of the Choctaw Nation.

The said Ida McDaniel, being sworn and examined by Acting Chairman Bixby, testified as follows:

- Q What is your name? A Ida McDaniel.
- Q How old are you? A Thirty-six years old.
- Q What is your post office address? A Blue.
- Q Isn't your post office the same as Nicholas(? A Yes, sir.
- Q Did he at one time live at or Near Caddo? A Yes, sir; I lived at Caddo.
- Q But you have now moved to Blue? A Yes, sir.
- Q You desire to make application as an intermarried citizen of the Choctaw Nation? A Yes, sir.
- Q How long have you lived in the Indian Territory? A I was raised in the Indian Territory.
- Q To whom are you now married? A Nicholas McDaniel.
- Q Is this the first time you have ever been married? A No, sir.
- Q To whom were you married before that? A Josh Furr, was my first husband.
- Q Is he living or dead? A He is dead.
- Q You have not been married to any one since that until you married Nicholas? A No, sir.
- Q Are you a white woman? A Yes, sir;----Well, I have Cherokee, but then I have not tried to prove up the right.
- Q You never applied for citizenship in the Cherokee Nation? A No, sir.
- Q Has your name ever been upon the Cherokee rolls? A No, sir; not that I know of.
- Q You are now married to Nicholas McDaniel? A Yes, sir.
- Q Is he a Choctaw Indian? A Yes, sir.
- Q Recognized by the tribal authorities? A Yes, sir.
- Q About how old is he? A He says he is sixty-six years old as well as he can recollect.
- Q He is a full blood, is he? A Yes, sir.
- Q Do you know to what county he belongs to? A Blue County.
- Q Do you know the name of his father? A No, sir; I do not.
- Q Did you ever hear the name of his mother? A No, sir.
- MR. RIXBY: (Acting Chairman of the Commission) The name of Nicholas McDaniel is found on Field Card No. 3720, enrolled as a Choctaw Indian full blood, No. 9416 Choctaw roll.
- Q Where were you married? A I was married in Blue County.
- Q When A The 20th of October.
- Q 1900? A Yes, sir.
- Q Have you your marriage certificate? A Yes, sir.  
(Marriage certificate is offered in evidence, placed on file and made a part of the record.)
- Q What was your name before you married Nicholas McDaniel?  
A Ida Furr.
- Q Who married you? A Folsom I think his name is.
- Q Is he a preacher? A Yes, sir.
- Q Do you know whether Nicholas McDaniel was a single man at the time you married him or not? A Yes, sir.
- Q Had he been married before A Yes, sir.
- Q Who was he married to? A He was married to Mollie--I don't know what her other name was.

Ida McDaniel----2.

Q Was she a white woman? A Yes, sir; claimed to be.  
Q Is she living? A Yes, sir.  
Q How did Nicholas come to be separated from her? A Why  
he just quit her. She just got up and left him is all I can tell  
you.  
Q She got up and left him? A Yes, sir.  
Q Do you know her? A No, sir.  
Q Do you know whether or not they have been divorced? A Yes,  
sir.

Witness excused.

-----o-----

NICHOLAS McDANIEL, being sworn and examined by Acting Chairman  
Bixby, testified as follows:

Q What is your name? A Nicholas McDaniel.  
Q How old are you? A About sixty-five.  
Q To what county do you belong? A Blue County.  
Q What is the name of your father? A My father is dead a  
long time.  
Q What was his name? A His name was----I have forgotten  
his name.  
Q Do you remember what County your father belonged to? A  
A To Red ~~xxxxxx~~ River County.  
(Examination conducted through D. R. Homer, duly sworn as  
an interpreter.)  
Q Do you remember the name of your mother? A Tehona was  
her name.  
Q Are you married? A Yes, sir; he was married to this wom-  
an.  
Q He is married to this applicant, is he? A Yes, sir.  
Q When did you marry her? A Last October.  
Q October, 1900? A Yes, sir.  
Q Who married you? A Alfred Folsom.  
Q Is he a minister of the gospel? A Yes, sir.  
Q Well, on August 22nd, 1899, when you appeared before the  
Dawes Commission for enrollment, you were married, were you not,  
to another woman? A He says he was, that he had another  
wife at that time.  
Q The one that he had before Mollie? A No, Mollie.  
Q When did you marry Mollie? A He says it was sometime  
before August of that same year, tht they didn't stay together very  
long.  
Q This same year or a year ago? A 1899.  
Q Well, is Mollie living? A He don't know.  
Q Did you get a divorce from Mollie? A Yes, sir.  
Q How did you get it? A He employed Henry Bynton, an  
attorney, and the divorce was granted to him by the circuit  
judge.  
Q Of the Choctaw Nation? A Yes, sir; by one of the judges  
of the Choctaw Nation.  
(Decree of Divorce on file in Case Card No. 3720.)  
Q Did Mollie leave you? A Yes, sir.  
Q Why? A He don't know.  
Q Did you treat her well? A He says he was at Dan Bridges  
house working, and she got up and left.  
Q Did you treat her well? A He says he didn't mistreat her.  
He says "I done my best in treating her well."

-----o-----

Ida McDaniel----3.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the proceedings in this application at the time and place above mentioned, and that the foregoing is a true, correct and complete transcript of his stenographic notes thereof.

*W. S. Willson*

Subscribed and sworn to before me this 19th day of December  
A. D. 1900.

*[Signature]*

Acting Chairman.

Choctaw D-602.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
February 24, 1903.

In the matter of the application for the enrollment of  
Ida McDaniel as an intermarried citizen of the Choctaw Nation.

Applicant represented by Madison S. Cobb, her attorney.

Ida McDaniel, being first duly sworn, testified as follows:

Examination by the Commission.

- Q What is your name? A Ida McDaniel.  
Q How old are you? A I will be 39 years old the 7th of July.  
Q What is your post office address? A Durant.  
Q That is in the Choctaw Nation? A Yes, sir.  
Q How long have you been a resident of the Choctaw Nation? A I have been there about six years now; I was raised in the Chickasaw Nation.  
Q You have lived continuously in the Choctaw Nation for the past six years? A Yes, sir.  
Q Are you a white woman? A Yes, my father was a Cherokee; I was so little when he died.  
Q You have never been recognized or enrolled as a citizen of the Cherokee Nation or made application to be enrolled as such? A No.  
Q Have you ever lived in the Cherokee Nation? A No, sir, only when I was small.  
Q You are sure you have never been enrolled as a Cherokee? A Yes, I am sure; my mother told me.  
Q What was your father's name? A Henry Campbell.  
Q Do you now claim the right to enrollment as a citizen by intermarriage of the Choctaw Nation? A Yes, sir.  
Q What is the name of your Choctaw husband through whom you claim this right? A Nicholas McDaniel.  
Q Is he a recognized and enrolled citizen of the Choctaw Nation? A Yes.  
Q Has his rights as such ever been disputed? A No.  
Q When were you married? A In 1900 or 1901, I do not know which.  
Q What was the month? A Twentieth day of October, but I won't say whether it was 1900 or 1901.  
Q You don't know for certain? A No, I don't recollect what year it was in; it was in October.  
Q Where were you living at that time? A Durant.  
Q You were a bona fide resident of the Choctaw Nation? A Yes.  
Q And where was your husband's residence? A In Blue County.  
Q Were you married in accordance with the Choctaw law? A Yes.  
Q Did you obtain a license? A I think so.  
Q Just a license or certificate? A It might have been a certificate; preacher Fulsom married me.  
Q And he gave you a certificate? A Yes, sir; we took it to Caddo, and then sent it to the Dawes Commission.  
Q Were you ever married before your marriage to Nicholas McDaniel?



Ida McDaniel----2.

- A Yes, sir.
- Q How many times? A One time.
- Q What was the name of your former husband? A Joshua Furr.
- Q Was he a white man? A One-half Chickasaw.
- Q Was he dead at the time of your marriage to your Choctaw husband?  
A Yes.
- Q Was Nicholas McDaniel ever married before his marriage to you? A  
Yes.
- Q How many times? A Once.
- Q What was the name of his former wife? A Mollie; but I can't te  
tell you what her other name was.
- Q Was she dead at the time of your marriage to Nicholas McDaniel?  
A No, sir.
- Q Had they been divorced? A Yes.
- Q After your marriage to Nicholas how long did you live together  
continuously as husband and wife? A Until they sent him off to  
Fort Smith.
- Q Why did they send him to Fort Smith? A He was sent for 10 month  
and I don't know whether they sent him to the penitentiary or  
not.
- Q When was this that they sent him to Fort Smith? A Last January  
a year ago, or February, I don't know which.
- Q Did you obtain a divorce from him? A No, sir.
- Q Have you lived with him since he came back? A No, sir, I have  
not seen him since he came back.
- Q Has he ever obtained a divorce from you? A No.
- Q You have not seen him since he was in jail? A No, sir.
- Q Are you at present an actual and bona fide resident of the Choc-  
taw Nation? A Yes, sir.
- Q You have been living there ever since your marriage? A Yes,  
sir.

By Mr. Cobb:

- Q You state in your testimony that your husband was sent off about  
a year ago; do you mean a year ago last month or a year ago this  
month? A A year ago last month; it was either in January or  
February when they had court; I don't know which.
- Q Has your husband, since he came back, asked you to live with him?  
A No, sir.
- Q Are you willing to live with him as his wife if he asks you? A  
Yes, sir, same as I always did.

-----

R. B. Eisenberg, being first duly sworn, states on his oath  
that as stenographer to the Commission to the Five Civilized Tribes  
he reported in full the proceedings had in the above entitled cause  
on the 24th day of February, 1903, and that the above and foregoing  
is a full, true and correct transcript of his stenographic notes  
of said proceedings taken on said date.

*R. B. Eisenberg*

Subscribed and sworn to before me this 25th day of February, 1903.

*Charles W. Simpson*

Notary Public.

BILL OF DIVORCE.

THE CHOCTAW NATION,

In Circuit Court of the Third Judicial District, Regular Aug term 1900, a petition of Nicholes McDonald being presented by \_\_\_\_\_ Attorney in said Court, for a Bill of Divorce, setting forth the facts, etc., and after the Court hearing the Testimony in regard to the petition do order and decree that a Bill of Divorce be issued to the applicant, Nicholes McDonald

THEREFORE, I do issue a Bill of Divorce to said applicant Nicholes McDonald forever releasing him from the Bonds of Matrimony heretofore existing between Nicholes McDonald and Mollie McDonald

Given under my hand and seal of office, this the 15th day of August A. D. 1900

(SEAL)

Will Everidge  
Circuit Clerk, 3d District, C. N.

By \_\_\_\_\_ Deputy.

Indorced on back,

DEPARTMENT OF THE INTERIOR, COMMISSION TO THE FIVE CIVILIZED  
TRIBES. Filed Sep 14 1900

Tams Bixby Acting Chairman.

D. C. Skaggs being first duly sworn doth depose and say that he is a stenographer for the Commission to the Five Civilized Tribes and that the above and forgoing is a true and correct copy of the Bill of Divorce filed in Choctaw case, number 3720.

D. C. Skaggs

Subscribed and sworn to before me on this the 15th day of October  
A. D. 1903.

Charles E. Sawyer  
Notary Public.

Indian Territory)

Central District)

On this day before me, a notary public in and for the Central District of the Indian Territory, appeared in person C. M. Byington

who after being duly sworn stated as follows:-

I was present in 1900 when Ida Furr was married to Nicholas McDaniel. I know this woman is the same woman who married said Nicholas McDaniel at the time. The marriage occurred at Philadelphia Church about five miles west of Okchito in the Choctaw Nation, Indian Territory. I do not know what caused the separation between them. This woman to whom this affidavit is delivered by name Ida McDaniel is the same woman who married Nicholas McDaniel at the time mentioned. Nicholas McDaniel was and is a member of the Choctaw Tribe of Indian blood. He is still living. He lives near the same church where he was married.

I am a citizen by blood of the Choctaw Nation.

C. M. Byington

Subscribed and sworn to before me this February 20th, 1905.

James M. Hatchett

Notary Public, Central District  
Indian Territory

Indian Territory)

Central District)

Jesse M. Hatchett being sworn on his oath stated as follows,

I am acquainted with Nicholas McDaniel. He is a Choctaw Indian, and looks to be a full blood Indian. I was one of the attorneys who represented him when he was tried for manslaughter at Atoka, I. T., in the United States Court, during the spring term in 1902. He was convicted of Manslaughter by a jury, and while I was not present when he was sentenced by the Court, I was informed at the time that he was given nine months in prison and was sent to Fort Smith prison. I received one or two letters from him while he was in prison at Fort Smith, I do not know when he was liberated.

*Jesse M. Hatchett*

Subscribed and sworn to before me this October 27th, 1903.

*L. D. Horton*  
Notary Public.

Indian Territory) On this October 29, 1903, appeared before me,  
County 1 District) a notary public within and for the Central Dis-  
trict of the Indian Territory, J. D. Catlin, who after being by me  
sworn stated on his oath as follows:- I am deputy United States  
Clerk at Atoka, Central District, Indian Territory, and was all dur-  
ing the year 1902. ~~My records~~ The records in this Court show that  
on the 13 day of February, 1902, Nicholas McDaniel was tried  
and convicted for the crime of manslaughter and was sentenced by  
the Court for said crime on the 24 day of February, 1902,  
and given ~~nine~~ <sup>ten</sup> months in ~~prison~~ <sup>jail</sup>. He was sent to ~~prison~~ <sup>jail</sup> at Fort  
Smith, Arkansas, for ~~nine~~ <sup>ten</sup> months.

Sworn to and subscribed before me this October 29, 1903.

R. H. Linebaugh  
Notary Public.

State of Arkansas)

County of Sebastian)

A. S. Eschman being sworn by me, on his oath stated as follows:-I am keeper of the United States Jail at Fort Smith in the state of Arkansas and was ~~all~~ <sup>greater part of the</sup> during the year 1902. My records show that Nicholas McDaniel was sent here from the Indian Territory, on the 23 day of March, 1902, and that he remained here until the 3<sup>rd</sup> day of Nov, 1902, when he was liberated.

Sworn to and subscribed before me this November 3<sup>rd</sup>, 1903.

John R. A. Hendry  
Notary Public.

my Com  
24- Sept 12"/1904,  
Wm. B.

Indian Territory)

Central District)

On this day before me, a notary public in and for the Central District of the Indian Territory, appeared in person Sophia Byington who after being duly sworn stated as follows:-  
I was present in 1900 when Ida Murr was married to Nicholas McDaniel. I know this woman is the same woman who married said Nicholas McDaniel at the time. The marriage occurred at Oklawaha, about five miles west of Oklawaha, Choctaw Nation, Indian Territory. I do not know what caused the separation between them. This woman to whom this affidavit is delivered by name Ida McDaniel is the same woman who married Nicholas McDaniel at the time mentioned. Nicholas McDaniel was and is a member of the Choctaw Tribe of Indian blood. He is still living. He lives near the same place where he was married.  
I am a citizen by blood of the Choctaw Nation.

Sophia E. Byington

Subscribed and sworn to before me this February 20th, 1903.

Jesse M. Hatchett

Notary Public, Central District  
Indian Territory.

*M.F.*

7-D-602.

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Ida McDaniel as a citizen by intermarriage of the Choctaw Nation.

--: D E C I S I O N :--

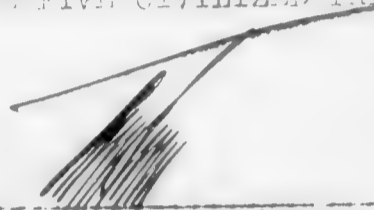
It appears from the record herein that on October 20, 1900, the applicant, Ida McDaniel, was lawfully married to Nicholas McDaniel, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 10532 upon the lists prepared by this Commission, under the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation and approved by the Secretary of the Interior on February 4, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation; and that they lived together continuously, in said nation, as husband and wife from the date of said marriage up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Ida McDaniel should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the



provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495), and July 1, 1902 (32 Stat., 641), and it is so ordered.

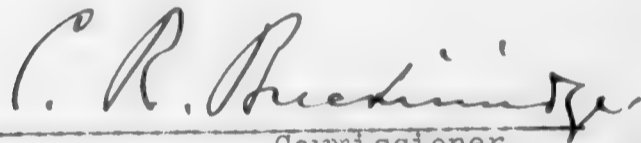
COMMISSION TO THE FIVE CIVILIZED TRIBES.



Chairman.



Commissioner.



Commissioner.

Muskogee, Indian Territory.

OCT 15 1904

7-D-602.

COPY.

Muskegee, Indian Territory, October 15, 1904.

Ida McDaniel,  
Caddo, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered October 15, 1904, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED) *Tams Bixby.*

Registered.

Chairman.

Encl. 7-D-602.

COPY

7-D-602.

Muskegee, Indian Territory, October 15, 1904.

M. S. Cobb,  
Attorney-at-Law,  
Hot Springs, Arkansas.

Dear Sir:

You are hereby notified that the Commission to the Five Civilized Tribes, on October 15, 1904, rendered its decision granting the application of Ida McDaniel for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of said decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling said Ida McDaniel as a citizen of the Choctaw Nation. If at the expiration of said time no protest has been filed, her name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED) *Tame Bixby.*

Registered.

Chairman.

7-D-602.

COPY

Muskogee, Indian Territory, October 15, 1904.

Henry Byington,  
Attorney-at-Law,  
Caddo, Indian Territory

Dear Sir:

You are hereby notified that the Commission to the Five Civilized Tribes, on October 15, 1904, rendered its decision granting the application of Ida McDaniel for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of said decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling said Ida McDaniel as a citizen of the Choctaw Nation. If at the expiration of said time no protest has been filed, her name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

*Tams Bixby.*

Chairman.

Registered.

VII  
7-D-602.

COPY.

Muskogee, Indian Territory, October 15, 1904.

Mansfield, McMurray & Cornish,  
Attorneys for Choctaw and Chickasaw Nations,  
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of this Commission, rendered October 15, 1904, granting the application for the enrollment of Ida McDaniel as a citizen by inter-marriage of the Choctaw Nation.

You are hereby notified that you will be allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling said applicant as a citizen of the Choctaw Nation. If at the expiration of said time no protest has been filed, Ida McDaniel's name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

SIGNED) *Tams Bixby.*

Registered. For registry receipt

Chairman.

Incl. 7-D-602 see 7-D-447.

DEPARTMENT OF THE INTERIOR,  
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

-----

In the matter of the application for the enrollment as a  
citizen by intermarriage of the Choctaw Nation of . . . . .

MOLLIE McDANIEL.....7-3720.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES,  
Atoka, Ind. Ter. June 7, 1900.

In the Matter of the Application of :  
Mollie McDaniel, as a citizen of the : Choc.-3720.  
Choctaw Nation. :  
: :  
-----: :  
:

Nicholas McDaniel, being first duly sworn, testified as follows:

By Mr. Bixby:

- Q What is your name? A Nicholas McDaniel.  
Q What is your age? A About 60 years.  
Q What is your postoffice address? A Blue, I. T.  
Q Do you live at Blue? A Yes sir.  
Q Are you a Choctaw indian by blood? A Yes sir.

Note. Records of the Commission examined and the name of  
Nicholas McDaniel found on Choctaw card, Field No. 3720

- Q Last year you gave your age as 65 years; is that correct?

Through Interpreter:

- A He says he is not certain; that is somewhere near his age.  
Q Are you married? A Yes sir.  
Q Under what law were you married? A Choctaw law.  
Q When was you married under Choctaw law? A A little over a week ago.  
Q Have you your marriage license and certificate with you? A I have got a pper.  
Marriage certificate presented and placed on file.  
Q Where were you married--where were you living at the time you were married? A In Blue Co, on Caddo creek.  
Q What was your wife's name before she was married? A Mollie Taylor.  
Q Is she a citizen of the United States? A Yes sir.  
Q Is she a white woman? A Yes sir.  
Q Where is she? A She is here.

Mollie McDaniel being first duly sworn by Acting Chairman Bixby testified as follows:

- Q What is your name? A Mollie McDaniel.  
Q How old are you? A 28 years.  
Q Are you a citizen of the U. S.? A Yes sir.  
Q Where were you born? A I was born in Ill.  
Q How long have you lived in the Ind. Ter.? A Three years.  
Q Did you ever claim any Indian blood? A No sir.  
Q You never claimed to be anything but a white person? A No.  
Q Did your mother or father claim to be Indian? A No sir.  
Q You are certain about that? A Yes sir.  
Q Have you any children? A I have three.  
Q By this man? A No.  
Q You have no children of whom this man is the father? A No.  
Q What is the name of your father? A James Burk.  
Q Is he living? A Yes sir.  
Q Is he a citizen of the U. S.? A Yes sir.  
Q What is the name of your mother? A Sarah Burk.  
Q Is she living? A No sir.  
Q Was she a citizen of the U. S.? A I suppose so; we have been here 25 or 30 years.

Frances R. Brown, being first duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes, she reported

S-Mollie-Schmidt.

the testimony of the above named witness, and that the foregoing is a true and complete transcript of her deposition taken in the above entitled case.

*James H. Brown*

Subscribed in my presence and sworn to before me this  
18th day of June, A. D., 1900



Notary Public.



11

11

1

# LETTER

Dear Sir,  
I have the honor to acknowledge the receipt of your letter of the 10th inst. in relation to the above mentioned matter. I am sorry to hear that you are not satisfied with the result of the investigation. I have been unable to obtain any further information from the authorities concerned. I am sure that you will understand the reasons for this. I am sure that you will be satisfied with the result of the investigation. I am sure that you will be satisfied with the result of the investigation.

# BILL OF DIVORCE.

The Choctaw Nation,

In Circuit Court of the Third Judicial District, Regular *Aug* term  
1900, a petition of *Nicholas McDonald*  
being presented by *Nicholas McDonald* Attorney in said Court, for a Bill of Divorce, setting forth the facts, etc.,

and after the Court hearing the Testimony in regard to the petition do order and decree that a Bill of Divorce be issued to the applicant. *Nicholas McDonald*

THEREFORE, I do issue a Bill of Divorce to said applicant *Nicholas McDonald*  
forever releasing *him* from the Bonds of Matrimony heretofore existing

between *Nicholas McDonald* and *Mattie McDonald*

Given under my hand and seal of office, this the *15<sup>th</sup>* day of *August* A.D. 1900

*W. E. ...*

Circuit Clerk, 3d District, C. N.

By

Deputy.

DEPARTMENT OF THE INTERIOR  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
Atoka, I.T. December 11th, 1900.

In the matter of the enrollment of Mollie McDaniel as a citizen by intermarriage of the Choctaw Nation.

MR. CORNISH: (Attorney for the Choctaw Nation) I desire to take now the testimony of Mr. McDaniel with the understanding that his testimony is to be applied to the matter of the application of Mollie McDaniel as an intermarried Choctaw after an attempt by the attorneys for the Choctaw and Chickasaw Nations to serve notice of contest upon her by registered letter and publication of warning order, as required by the Commission; in that event this testimony is to be applied to her case in support of the protest of the Choctaw and Chickasaw Nations to her enrollment as an intermarried citizen.

MR. BIXBY: (Acting Chairman of the Commission) All right.

NICHOLAS McDANIEL, being sworn by Acting Chairman Bixby, was examined by Mr. Melvin Cornish, and testified as follows:

Q What is your name? A Nicholas McDaniel.  
(Examination conducted through D. R. Homer, duly sworn as interpreter)

Q How old are you? A I am sixty-five years old.  
Q A full blood Choctaw Indian? A Yes, sir.  
Q Were you at one time married to a white woman named Mollie?  
A Yes, sir.  
Q What became of her? A He don't know where she is at. She has left him he says.  
Q When did she leave you? A Last summer.  
Q Did you provide her with a home? A Yes, sir.  
Q Did you treat her well? A Yes, sir.  
Q Were you willing to continue to live with her as husband and wife if she had remained with you? A Yes, sir.  
Q Do you know where she is now? A No, sir.  
Q Ask him if he knows why she left him. A He says he don't know; he has been told by some outsiders that she was persuaded off.  
Q Ask him if he procured a divorce from her? A Yes, sir.  
Q Ask him what grounds he alleged why the Court should grant him a divorce from this woman. A Abandonment.  
Q Did the court grant him the divorce upon that ground? A Yes, sir.  
Q What court was that? A The 3rd district Court in Jackson County.

Witness excused.  
---o---

The undersigned, being sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings in his application for enrollment and that the foregoing is a true, correct and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 19th day of December 1900.

*M. J. Hendon*  
Acting Chairman.

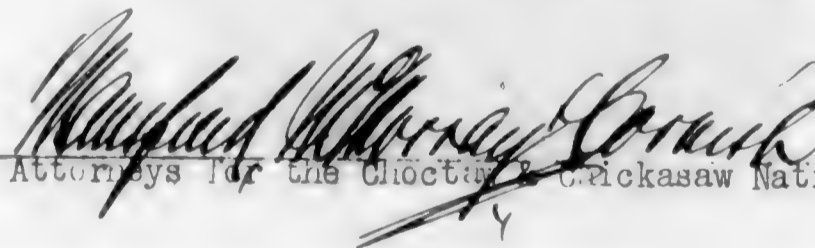
BEFORE THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Mollie McDaniel as a citizen by intermarriage of the Choctaw Nation, Choctaw Field No. 3720.

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We hereby request, on behalf of the Choctaw and Chickasaw Nations, that final decision in this case be postponed until final decision by the Choctaw and Chickasaw Citizenship Court in the case of B. F. Thompson vs. Choctaw and Chickasaw Nations, No. 38 on the South McAlester Docket, in which the said court will decide the question of the validity of that portion of the intermarriage laws of the Choctaw Nation providing for the forfeiture of citizenship of white persons who separate from their Indian spouses, which question is involved in the case to which this communication refers.

This request is filed under authority granted by the Honorable Secretary of the Interior in his communication to the Commission to the Five Civilized Tribes upon the subject, dated November 18, 1903.

  
Attorneys for the Choctaw & Chickasaw Nations.

January 25, 1904.

3-7

Choctaw 3720.

In the matter of the enrollment  
of Hollie McDaniel as an inter-  
married citizen of the Choctaw  
Nation.

PROTEST of  
Choctaw and Chickasaw Attorneys

*Protest overruled by  
Department, March 28,  
1904.*

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

**FILED**

FEB 6 1904

*[Handwritten signature]*  
Feb 4 1904

CHAIRMAN

7-3720.

UNITED STATES OF AMERICA, }  
CENTRAL DISTRICT, } SS  
INDIAN TERRITORY. }

Personally appeared before me the undersigned, a Notary Public in and for the Central District of Indian Territory, J. M. Burke, who being first duly sworn makes answer to the following interrogatories:

What is your name, age and post office address?

James M. Burke Age 68 Post-Office Bennington, I. T.

Are you related to Mollie McDaniel, an applicant for enrollment as a citizen by intermarriage of the Choctaw Nation? Yes.

If so, how? Her Father.

Is Mollie McDaniel living? No.

If not, what is the date of her death? Oct. 6th 1902.

When was Mollie McDaniel married to Nicholas McDaniel? Spring of 1900.

Where were Mollie McDaniel and Nicholas McDaniel residing at the time of their marriage? Near Bokchito, I. T.

Was Nicholas McDaniel married prior to his marriage to Mollie McDaniel? He said he was.

If so, to whom? Don't know her name.

Was she living at the time of his marriage to Mollie McDaniel? No.

Was Mollie McDaniel married prior to her marriage to Nicholas McDaniel? She was.

If so, to whom? Firts husband Harve Mitchell. Second Husband J.PTaylor.

Was he living at the time of her marriage to Nisholas McDaniel?

Both of them was living at the time of her marriage ~~into~~ to Nicholas McDaniel.

How long did Mollie McDaniel and Nicholas McDaniel live together as husband and wife, and where? 3 months.

Were they divorced? Yes.

If so, when? In the Summer or Fall of 1900.

If divorced, did Mollie McDaniel subsequently remarry?

No.

In what Nation or Nations did Mollie McDaniel reside after her marriage to Nicholas McDaniel? Choctaw Nation.

In what Nation or Nations did Nicholas McDaniel reside after his marriage to Mollie McDaniel? Choctaw Nation

J. M. Burke

Subscribed and sworn to before me this 18th day of May, 1906

M. O. Dyke

Notary Public.

UNITED STATES OF AMERICA, )  
CENTRAL DISTRICT, ) SS.  
INDIAN TERRITORY. )

Personally appeared before me the undersigned, a Notary Public in and for the Central District of Indian Territory, J. M. Burke, who being first duly sworn upon oath, makes answer to the following interrogatories:

Q What is your name, age and post office address?

A J. M. Burke, Bennington, I. T. o/o First National Bank

Q Are you related to Mollie McDaniel, an applicant for enrollment as a citizen by intermarriage of the Choctaw Nation? If so, how?

A She is my Daughter

Q Was your daughter, Mollie McDaniel, divorced from her first husband, Harve Mitchell? If so, when and where?

A At Greenville, Texas about the year 1894.

Q If divorced, can you furnish the original or copy of the decree?

A Suppose I can obtain a copy from the County Clerk at Greenville Texas.

Q Was Harve Mitchell a white man or an Indian?

A White man

Q Was your daughter, Mollie McDaniel, divorced from her second husband, J. P. Taylor? If so, when and where?

A At Greenville, Texas about the year 1896 or 1897

Q If so, have you either the original or a certified copy of said decree?

A No.

Q Was J. P. Taylor a white man or an Indian?

A White man

Subscribed and sworn to before me this 31 day of May, 1906.

Post office: Bennington, I. T.

My Commission Expires: Aug 8th 1908.

J. M. Burke  
Notary Public.



Mary L. Mitchell #  
#  
No. 3604, -vs- #  
#  
P. H. Mitchell;...#

sss.

January 20th, 1896.

This day came on to be heard the above styled and numbered cause, The plaintiff appeared by attorney announced ready for trial and the defendant came not. The matters as well of fact as of law, being submitted and fully understood by the Court it is the opinion of the Court that plaintiff is entitled to judgment prayed for. It is, therefore, ordered, adjudged and decreed by the Court that the marriage heretofore solemnized ~~between~~ between plaintiff and defendant be dissolved and hereafter stand for naught and that the plaintiff Mary L. Mitchell be given the custody of the child born plaintiff and defendant as the issue of the marriage between them.

The State of Texas.#  
#  
County of Hunt.....#

I, J. Y. Schenck, District Clerk of Hunt County, Texas, do hereby certify that the above is true and correct copy of the divorce decree, in cause No. 3604, Mary L. Mitchell -vs- P. H. Mitchell, as is shown on page No. 620, Volume "K" District Court Minutes.

Given under my Hand and the Seal of said Court this 11th, day of August, A.D.

1896.

  
*J. Y. Schenck*  
Clerk of District Court Hunt Co. Tex

James Tayler, †  
No. 4693; -vs- †ss.  
Mollie Tayler, †

November 23rd., 1899.

On this day this cause was called and the plaintiff appeared and announced ready ~~for trial~~ and the defendant though she had filed an answer herein came not.

And the matters both of fact and of law were submitted to the Court, and the Court heard the pleading of the parties and the evidence adduced, and the argument of counsel, and finds for the plaintiff. It is therefore considered and adjudged by the Court that the bonds of matrimony heretofore existing between the plaintiff, James Tayler and the Defendant, Mollie Tayler, be and are hereby dissolved and forever held for naught.


W. C. Jones, Special Judge.

The State of Texas, †  
County of Hunt..... †

I, J. Y. Schenck, Clerk of the District Court of Hunt County, Texas, do, hereby certify that the above is a true and correct copy of the divorce decree, of James Tayler, -vs- Mollie Tayler, cause No. 4693, as is shown on, page, No. 376, Volume "M" District Court Minutes.

Given under my hand and the Seal of said Court, this 11th day of August, A. D.

1906.

  
*J. Y. Schenck*  
Clerk Dist. Court Hunt Co. Texas.

7-3720.

Department of the Interior,  
Commissioner to the Five Civilized Tribes.  
Muskogee, Indian Territory, December 3, 1906.

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In the matter of the application for the enrollment of  
Mollie McDaniel as a citizen by intermarriage of the Choctaw Nation.

-----ooOoo-----

J. M. BURKE, being first duly sworn, testified as follows:

Examination by the Commissioner:

- Q What is your name? A Burke, J. M. Burke.  
Q How old are you, Mr. Burke? A Will be seventy my next birth-  
day. Sixty-nine.  
Q What is your post office? A Bokchito, now.  
Q Are you related to Mollie McDaniel, an applicant for enrollment  
as a citizen by intermarriage of the Choctaw Nation? A I am  
her father.  
Q Is she living at this time? A No sir, she is dead.  
Q When did she die? A She died the 6th day of October, 1902.  
Q Did she die at your home? A She died at her home. She was  
keeping house for herself when she died.  
Q At what place? A About three miles west of Bokchito.  
Q Were you present on the occasion of her death? A Yes sir, I  
was there; had been for a month.  
Q Who attended her in her last illness? A Why, Dr. Jackson.  
Q Is he living at this time? A I think he is living in New  
Mexico.  
Q Was she buried at Bokchito? A Yes sir.  
Q Who preached the funeral sermon? A There was an old fellow  
made a talk at the grave, but I don't remember his name.  
Q Didn't you have a preacher there? A I think he was kind of a  
preacher, but I don't remember his name. He made a talk at the  
grave when she was buried.  
Q Where did you buy her coffin? A At Caddo.  
Q From whom? A Well, now, I don't know. A couple of the boys  
went after it.  
Q Who went after it? A My son.  
Q What is his name? A J. T. Burke. Him and Jake Richardson  
went after the coffin. Nolan was the name of the man who made  
the talk at the grave.  
Q Is he living? A Yes sir.  
Q At what place? A At Bokchito, I think in that neighborhood  
some place, or was the last I knew of him. William Nolan I think  
his name is.  
Q Do you remember the date that they voted on the supplemental  
treaty, the Choctaw and Chickasaw treaty? A I believe I do.  
I recollect about it.

- Q Was her death before or after that time? A After that time.
- Q Through whom did Mollie McDaniel claim her right to enrollment as a citizen by intermarriage of the Choctaw Nation? A Why, by her husband, Nicholas.
- Q Nicholas McDaniel? A Yes sir.
- Q What was he? A He was a Choctaw Indian.
- Q When was Nicholas McDaniel married to your daughter? A Now, I couldn't tell exactly the date, but I think it was in the spring of '91.
- Q 91 or 1901? A In 1901. That is my recollection about it.
- Q Were you present at that time? A I wasn't. They went to Judge Armby south of Caddo.
- Q Who married them? A Judge Armby. That is what they said. That is all the preacher there was in there south of Caddo, Choctaw preacher.
- Q Where was your daughter living at that time? A She was living at my house when she married.
- Q At what place? A About seven miles southwest of Bokchito, there close to Albany.
- Q In the Choctaw Nation? A In the Choctaw Nation, yes sir.
- Q Where was her husband, Nicholas McDaniel, living at that time? A Why, he was living about three miles west of Bokchito. I think it was about three miles, on Caddo Creek.
- Q Where did they live after they were married? A Lived on his place there.
- Q How long did they live together? A About three months.
- Q Then what happened? A Well, he failed to provide for her, and she was sick and he wouldn't get her any medicine, so I took her back home.
- Q Had Nicholas McDaniel been married before he married your daughter? A I think he had; said he had been married; I don't know who, a Choctaw though.
- Q Do you know whether or not his wife was living at that time? A I don't know whether she was or not.
- Q In your affidavit made on May 18, 1906, you stated that she was not living? A Well, I aint sure about it. I just know what they told me. I heard about his wife being dead. I heard him say he had a girl about grown, but I couldn't testify whether she was dead or not. I don't remember positive about that part of it. I know he said he had been married and had a girl about grown. I wouldn't swear whether she was dead, but they was separated. He had been married before and had one child, so he said.
- Q Had your daughter been married before she married Mr. McDaniel? A Yes sir.
- Q How many times? A Twice.
- Q What was the name of her first husband? A Harve Mitchell.
- Q Was he living? A He lived in Kansas the last I knew of him.
- Q Did your daughter secure a divorce from him? A Yes sir.
- Q Who was the second husband? A J. P. Taylor, near Wolfe City.
- Q Was he living when your daughter married Mr. McDaniel? A Yes sir, living yet.
- Q Did she secure a divorce from him? A Yes sir.
- Q At what place? A Got both divorces at Greenville, Texas.

- Q After your daughter separated from Mr. McDaniel, did she continue to live in the Choctaw Nation? A Yes sir.
- Q Until her death? A Until her death, yes sir. She died about two miles west of Bokchito. She had bought her a little claim there and aimed to file on it, but she died.
- Q Both Mr. Mitchell and Mr. Taylor were white men, were they not?  
A Yes sir, both white.
- Q You are pretty sure Nicholas McDaniel was married before he married your daughter, are you? A He said he was, but I wouldn't swear positive whether he said his wife was dead or not.

(Witness excused.)

-----

Lenora B. Ashton, a stenographer to the Commissioner to the Five Civilized Tribes, on oath states that she reported the testimony in the above entitled cause on the 3rd day of December, 1906, and that the above and foregoing transcript is a true and complete translation of her stenographic notes.

*Lenora B. Ashton*

Subscribed and sworn to before me this 3rd day of December, 1906.

*Chas E. Webster*  
Notary Public.



DEPARTMENT OF THE INTERIOR

Commission to the five Civilized Tribes.

Affidavit of Acquaintance

UNITED STATES OF AMERICA

State of Texas

-----District

I, Harve Richardson, on oath state that I am 26 years of age and a citizen, of the State of Texas; that my postoffice address is Memphis Texas. (Here insert name of postoffice) that I was personally acquainted with Mollie McDaniel (Here insert name of deceased) who was a citizen by marriage, of the Choctaw Nation, Indian Terr. and that said Mollie McDaniel died on the 6th day of October, 1903.

*Harve<sup>his</sup> Richardson*  
*mark*

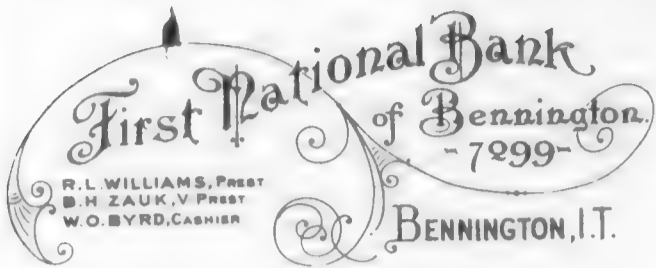
Witnesses to mark:

Must be two) Witnesses )

*J. T. Burke*  
*J. B. Dickerson*

Subscribed and sworn to before me this 18<sup>th</sup> day of October 1906.

*H. E. Deaver*  
Notary Public.  
*Hall County Tex.*



DEPARTMENT OF THE INTERIOR

Commission to the five Civilized Tribes.

Affidavit of Acquittance

UNITED STATES OF AMERICA )

State of Texas )

-----District )

I, Jake Richardson -----, on oath state that I am <sup>27</sup> -----  
 years of age and a citizen, of the State of Texas; that my postoffice  
 address is Memphis ----- Texas.  
 (Here insert name of postoffice)  
 that I was personally acquainted with Mollie McDaniel -----  
 (Here insert name of deceased)  
 who was a citizen by marriage, of the Choctaw Nation, Indian Terr.  
 and that said Mollie McDaniel ----- died on the 6th day of  
 October, 1903.

Witnesses to mark:

Must be two )  
 Witnesses )

( Jake Richardson -----  
 -----  
 ----- )

1906.

Subscribed and sworn to before me, this 18th ----- day of October -----

H. E. Deacon -----  
 Notary Public,  
Hall County Texas,

UNITED STATES OF AMERICA, )  
CENTRAL DISTRICT, ) SS.  
INDIAN TERRITORY. )

Personally appeared before me, the undersigned Notary Public in and for, the Central District, Indian Territory, Nicholas McDaniel, who being first duly sworn upon oath makes answer to the following interrogatories:

Q What is your name, age and postoffice address?

A Nicholas McDaniel Age 75 years P.O. Caney I.T.

Q Are you a citizen by blood of the Choctaw Nation?

A Yes

Q Were you married to Mollie McDaniel, formerly Burke?

A Yes

Q If so, what is the date of said marriage?

A July 1898 the best I remember

Q Were you ever married prior to your marriage to Mollie McDaniel?

A Yes in the year 1871

Q If so, to whom?

A Caroline McDaniel

Q Was she living at the time of your marriage to Mollie McDaniel?

A No she was dead

Q If living, had you secured a divorce from her prior to your marriage to Mollie McDaniel?

A No

Q On what date and at what place was said divorce secured?

A No

Witness to me

Wice Ope  
M Ope

Subscribed and sworn to before me this 8 day of Dec, 1906  
Nicholas <sup>his</sup> McDaniel

J. Lloyd  
Notary Public

My Commission expires Oct 26 - 1908

Postoffice Address: Caney I.T.



7-3720.  
O.L.J.

DEPARTMENT OF THE INTERIOR,  
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

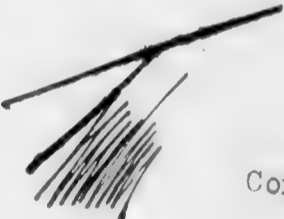
-----  
In the matter of the application for the enrollment of  
Mollie McDaniel as a citizen by intermarriage of the Choctaw Nation.

D E C I S I O N .

It appears from the record herein that on June 7, 1900, application was made to the Commission to the Five Civilized Tribes for the enrollment of Mollie McDaniel as a citizen by intermarriage of the Choctaw Nation.

It further appears from the record herein that on May 28, 1900, the applicant was lawfully married to Nicholas McDaniel, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 10532 upon a list prepared by the Commission to the Five Civilized Tribes, under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation, and approved by the Secretary of the Interior February 4, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation; and that they lived together continuously as husband and wife in said nation for a period of about three months, when they separated and were subsequently divorced.

I am, therefore, of the opinion that Mollie McDaniel should be enrolled as a citizen by intermarriage of the Choctaw Nation, under the provisions of the Acts of Congress approved June 28, 1898 (30 Stats., 495), and July 1, 1902 (32 Stats., 641), and it is so ordered.



Commissioner.

Muskogee, Indian Territory,

JUN 10 1907

7-3720

COPY.

Muskogee, Indian Territory, January 10, 1907.

J. M. Burks,,

Care of First National Bank,

Bennington, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered January 10, 1907, granting the application for the enrollment of Mollie McDaniel as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from the date of this notice within which to file protest against her enrollment. If at the expiration of that time no protest has been filed, the name of Mollie McDaniel will be placed upon the final roll of citizens by intermarriage of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

*J. M. Eddy*  
Commissioner.

Registered.  
Incl. 7-3720

7-3720

COPY.

Muskogee, Indian Territory, January 10, 1907.

L. D. Horton,

Attorney at Law,

Durant, Indian Territory.

Dear Sir:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on January 10, 1907, rendered his decision granting the application for the enrollment of Mollie McDaniel as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of the decision and have been allowed fifteen days from the date of this notice within which to file protest against her enrollment. If at the expiration of that time no protest has been filed, the name of Mollie McDaniel will be placed upon the final roll of citizens by intermarriage of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

*Lemo Pixby*

Commissioner.

Registered.

COPY

Muskogee, Indian Territory, January 10, 1907.

Mansfield, McMurray, and Cornish,  
Attorneys for the Choctaw and Chickasaw Nations,  
South McAlester, Indian Territory.

Dear Sirs:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered January 10, 1907, granting the application for the enrollment of Mollie McDaniel as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from the date of this notice within which to file protest against her enrollment. If at the expiration of that time no protest has been filed, the name of Mollie McDaniel will be placed upon the final roll of citizens by intermarriage of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

SIGNED,

*James G. ...*

Commissioner.

Registered.

Incl. 7-3720

Muskogee, Indian Territory, September 14, 1900.

Nicholas McDonald,

Care Henry Byington, Attorney at Law,  
Caddo, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 3rd instant in which you state that in the month of May, 1900, you were married to Mollie Burke, a white woman and that she was registered by this Commission as an intermarried citizen of the Choctaw Nation soon thereafter. When she had been enrolled, you state that she refused to live with you any longer and that her marriage to you was fraudulent and for the purpose of being enrolled and participating in the division of the lands in the Choctaw Nation.

You enclose in your letter a bill of divorce of Nicholas McDonald from Mollie McDonald and protest to the enrollment of this woman as a citizen by intermarriage of the Choctaw Nation.

The bill of divorce has been filed with the records of this Commission and will receive proper consideration in the preparation of the final rolls of citizens of the Choctaw Nation.

Yours truly,

Acting Chairman.

AS DEAC TO INDIAN TERRITORY, March 5, 1901.  
Muskogee, Indian Territory.

We have to inform you that it appears from our  
Mansfield, McMurray & Cornish,

Attorneys at Law,

South McAlester, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 2nd  
instant, in the matter of the application of Mollie McDaniel for  
enrollment as a citizen by intermarriage of the Choctaw Nation.

You state in your letter that this case developed at the Com-  
mission's appointment in Atoka, in December last, and, inasmuch, as  
she had not before been contested by you, and had not been served  
with notice of such contest, it was suggested by your Mr. Cornish that  
the testimony of her husband, Nicholas McDaniel, be taken and held  
by the Commission, and applied to her case at a later date, after  
service of notice of contest upon her.

You now request that you be furnished with a carbon copy of the  
testimony taken at the Atoka appointment, above referred to.

We have to inform you that it appears from our records that at  
Atoka, Indian Territory, on June 7, 1900, the Commission listed for  
enrollment as a citizen by intermarriage of the Choctaw Nation,  
Mollie McDaniel, wife of Nicholas McDaniel.

The name of Mollie McDaniel appears upon our records on Choctaw  
roll card, Field Number, 3720.

At Atoka, Indian Territory, on December 11, 1900, Ida McDaniel,

M.M. & C. #2.

appeared before the Commission and made application for enrollment as a citizen by intermarriage of the Choctaw Nation, claiming such right by reason of her marriage to Nicholas McDaniel, and offered in evidence a certificate as to her marriage to said Nicholas McDaniel, dated October 20, 1900. The name of Ida McDaniel appears upon our records on Choctaw roll card, Field Number D-602.

There is enclosed you herewith, a copy of the testimony taken by the Commission at Atoka on December 11, 1900, in the matter of the application of Ida McDaniel for enrollment as a citizen by intermarriage of the Choctaw Nation; also, the testimony of Nicholas McDaniel relative to his former marriage to Mollie McDaniel, and the divorce procedure from his first wife.

There is also enclosed you herewith the supplemental testimony of Nicholas McDaniel, of December 11, 1900, relative to his divorce from Mollie McDaniel.

Yours truly,

Acting Chairman.

6-3720  
7-D-602  
Encl.R.S.#8.

Muskegee, Indian Territory, July 11, 1901.

Mr. W. A. Witten,  
Pauls Valley, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 8th instant, in which you desire to be advised of the status of the case of Mollie McDaniel, applicant for enrollment as a citizen by intermarriage of the Choctaw Nation.

Replying to your inquiry, you are informed that it appears from our records that at Atoka, Indian Territory, on June 7, 1900, Mollie McDaniel, twenty-eight years of age, together with her husband, Nicholas McDaniel, appeared before the Commission and made application for the enrollment of Mollie McDaniel as a citizen by intermarriage of the Choctaw Nation.

Nicholas McDaniel was duly identified as having been listed for enrollment as a citizen by blood of the Choctaw Nation, and the applicants at that time presented a marriage certificate between Nicholas McDaniel and Mollie Burke, and the said Mollie McDaniels was on that day duly listed for enrollment as a citizen by intermarriage of the Choctaw Nation.

On September 14, 1900, Nicholas McDaniel forwarded to this Commission a bill of divorce releasing him from the marriage here-



W. A. W.--2.

before contracted and entered into with Mollie McDaniel, and this was filed with and made a part of the application for enrollment of this woman as a citizen by intermarriage of the Choctaw Nation; and at Atoka, Indian Territory, December 11, 1900, the Commission heard the testimony of Nicholas McDaniel in person as to the separation and divorce from Mollie McDaniel. This testimony was taken to be considered by the Commission subject to proof of service of notice upon the said Mollie McDaniel as to the contest entered by the attorneys for the Choctaw Nation, as to her enrollment as a citizen by intermarriage of the Choctaw Nation.

It further appears from our records that since the divorce of Mollie McDaniel from Nicholas McDaniel, that the said Nicholas McDaniel has again married. The question upon which depends the enrollment of Mollie McDaniel as a citizen by intermarriage of the Choctaw Nation, is whether or not she deserted Nicholas McDaniel. In his testimony of December 11, 1900, Nicholas McDaniel sets forth that this woman willfully and without cause deserted him.

If she desires to offer any testimony of witnesses denying this charge, such witnesses will be heard by the Commission at its office at Muskogee, I. T. Notice of the hearing of such testimony must, however, be served upon the attorneys for the Choctaw Nation, Messrs. Mansfield, McParry & Cornish.

Yours truly,

Commissioner in Charge.

Wahkiakum, Indian Territory, October 18, 1901.

Mr. [Name]

Atoka, Indian Territory.

Dear Sir:

I beg to hereby acknowledge of your letter of September 11, 1901, in which you desire information relative to your right to enrollment as a citizen by intermarriage of the Cherokee Nation.

Replying to your inquiry you are informed that it appears from our records that at Atoka, Indian Territory, on June 7, 1900, you were issued for enrollment as a citizen by intermarriage of the Cherokee Nation, having been married on the 7th day of May, 1900, to Elizabeth [Name], a citizen by blood of the Cherokee Nation.

On September 17, 1900, Elizabeth [Name] filed with this court a bill of divorce issued by the circuit court of the third judicial district of the Cherokee Nation, releasing him from the bonds of matrimony [Name] existing between Elizabeth [Name] and [Name].

At Atoka, Indian Territory, on December 11, 1900, Mr. [Name] appeared representing the Cherokee Nation, entered an objection to the enrollment of Elizabeth [Name] as an intermarried citizen of the Cherokee Nation and requested Elizabeth [Name] in person the

M. McD--2.

testified that his former wife, Mollie McDaniel, had deserted him, and that on the grounds of desertion and abandonment he had been granted a divorce from her, and that subsequent thereto he had married another white woman with whom he was at that time living named Ida McDaniel.

At the time this testimony was taken an agreement was made with the representatives of the Choctaw Nation that this testimony was only to apply after service of a copy thereof upon Mollie McDaniel, and opportunity being afforded her to offer testimony in rebuttal.

If you now desire to offer any additional testimony in support of your application for enrollment as a citizen by intermarriage of the Choctaw Nation, the same will be heard at the office of the Commission at Muskogee, Indian Territory. Notice of the hearing of such testimony must first, however, be served upon Messrs. Mansfield, McMurray & Cernish, attorneys for the Choctaw Nation, South McAlester, Indian Territory.

Yours truly,

Acting Chairman.

7-3720

Muskogee, Indian Territory, October 18, 1901.

Messrs. Mansfield, McMurray & Cornish,  
Attorneys at Law,  
South McAlester, Indian Territory.

Gentlemen:

At Atoka, Indian Territory, December 11, 1900, the Commission heard the testimony of Nicholas McDaniel in the matter of the application of Mollie McDaniel for enrollment as a citizen by intermarriage of the Choctaw Nation, it being understood that the testimony heard at that time was only to apply after an attempt by the attorneys for the Choctaw and Chickasaw Nations to serve notice upon Mollie McDaniel by registered letter and publication of notice as required by the Commission.

It does not appear from the records in this case that any such action has been taken by your firm, and you are therefore requested to give this matter as early attention as possible.

Yours truly,

Acting Chairman.

Muskogee, Indian Territory, November 11, 1901.

B. F. Moreman,

Durant, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 7th instant, in which you desire to be informed if Mrs. Mollie McDaniels will be allowed to introduce depositions or affidavits in the matter of her application for enrollment as a citizen by intermarriage of the Choctaw Nation.

Replying to your inquiry you are informed that Mollie McDaniels appears upon our records as an applicant for enrollment as a citizen by intermarriage of the Choctaw Nation; that she was married to Nicholas McDaniels, a citizen by blood of the Choctaw Nation, May 28, 1900 and that he obtained a divorce from her on August 18, 1900, and has since that time married another white woman. The Choctaw Nation is contesting the right to enrollment of this woman on the ground that she is not entitled to enrollment as a citizen by intermarriage of the Choctaw Nation having forfeited her rights by her separation and divorce from her Choctaw husband.

In these contested enrollment cases the Commission has required the personal attendance of applicants or their witnesses ~~for the purpose of giving their testimony and has not accepted for consideration depositions or affidavits unless by special arrange-~~

B F M 2

for the purpose of giving their testimony and has not accepted for consideration depositions or affidavits unless by special arrangement where it had been conclusively demonstrated that the testimony of the witnesses was material and that they were physically unable to appear in person before the Commission.

If Mrs. McDaniels desires to offer personal testimony of any witnesses in support of her application for enrollment as a citizen by intermarriage of the Choctaw Nation, they will be heard by the Commission at its office at Muskegee, Indian Territory.

Before such testimony can be heard, however, it will be necessary that proof of service of notice upon Messrs. Mansfield, McMurray & Cornish, attorneys for the Choctaw Nation at South McAlester, Indian Territory, be shown.

If she desires to take the testimony of these witnesses by deposition it will be necessary that sufficient reason therefor be shown to the Commission and that arrangements be made with the attorneys for the Choctaw Nation.

Yours truly,

Acting Chairman.

7-3720

*Substitute*

7-3722  
7-3720

Muskogee, Indian Territory, March 11, 1902.

Nicholas McDaniel,  
Blue, Indian Territory.

Dear Sir:

Information has been received by the Commission that your daughter Susan Frazier of Jackson, Indian Territory, has died since the time she was listed for enrollment as a citizen by blood of the Choctaw Nation. If this information is correct you are kindly requested to have the enclosed blank proof of death properly executed and return the same to this office at your earliest convenience in the envelope enclosed herewith which requires no postage.

You will notice that there is an affidavit for a relative and an acquaintance. In having the same executed be careful to see that all blanks are properly filled, all names written in full, and in event either of the persons whose names are to be affixed to the affidavits are unable to write and their signatures are by mark that such signatures be attested by two disinterested parties witnesses thereto.

The notary public before whom the affidavits are

W M B

acknowledged must affix his notarial jurat and seal to each  
separate affidavit.

Yours truly,

D. C.  
Env.

Commissioner in Charge.



Muskogee, Indian Territory, August 6, 1902.

Mellie McDaniel,  
Stringtown, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 1st instant, in which you desire to be advised if you are entitled to be enrolled as a citizen by intermarriage of the Choctaw Nation.

Replying to your communication you are informed that it appears from our records that you were on May 28, 1900, married to a full blood Choctaw Indian, a citizen of the Choctaw Nation, by the name of Nicholas McDaniel; that within a short time after said marriage you left your Choctaw husband, and on August 15, 1900, he obtained a divorce from you on the ground of desertion. Subsequent to the obtaining of such divorce Nicholas McDaniel has married another white woman by the name of Ida McDaniel.

No decision has been rendered by the Commission at this time relative to your right to be enrolled as a citizen by intermarriage of the Choctaw Nation, but it is probable that your case will be taken up for consideration and decided in the near future.

In the determination of the rights of applicants to enrollment as citizens by intermarriage of the Choctaw Nation the Commission is admonished to respect the treaties, laws and customs

M. Mcd.--2.

of the tribe, and for your information your attention is invited to the following provision of the act of the National Council of the Choctaw Nation approved November 9, 1875:

"Every person who shall lawfully marry, under the provisions of this act, and afterwards abandon his wife or her husband shall forfeit every right of citizenship, and shall be considered an intruder and removed from this Nation by order of the Principal Chief."

When the decision of the Commission is rendered relative to your right to be enrolled as a citizen of the Choctaw Nation you will be duly advised thereof and of the forwarding of the record to the Secretary of the Interior for his review.

Yours truly,

Acting Chairman.

7-D-602.  
7-3720.

Muskogee, Indian Territory, August 29, 1902.

Ida McDonald,  
Ringgold, Texas.

Dear Madam:

Receipt is hereby acknowledged of your affidavit stating that your husband, Nickles McDonald, is at present confined in the United States prison at Fort Smith, and that you desire to draw his allotment of land and annuity money, to which he is entitled as a Choctaw Indian.

It appears from the records of the Commission that on August 22, 1899, Nicholas McDaniel, sixty-five years of age, of Caddo, Indian Territory, was listed by the Commission for enrollment as a citizen by blood of the Choctaw Nation. It further appears from our records that on December 11, 1900, Ida McDaniel, thirty-six years of age, of Blue, Indian Territory, made application to the Commission for enrollment as an intermarried citizen of the Choctaw Nation, claiming her intermarried rights in said nation through her marriage with said Nicholas McDaniel, on October 20, 1900. No final action has been taken by the Commission in the matter of the enrollment of these parties as citizens of the Choctaw Nation.

The records of the Commission do not show that any applica-

I. McD., 2.

tion has been received for the enrollment of Ida McDonald and Nickles McDonald, as citizens of the Choctaw or Chickasaw Nation. If these applications above referred to are for the enrollment of yourself and your husband, you will please advise the Commission as to the correct spelling of your name.

Section seventy of the act of Congress approved July 1, 1902, entitled

"An Act To ratify and confirm an agreement with the Choctaw and Chickasaw Tribes of Indians, and for other purposes."

which is the pending agreement between the United States and the Choctaw and Chickasaw Nations, provides as follows:

"Allotments may be selected and homesteads designated....for prisoners, convicts, aged and infirm persons by duly appointed agents under power of attorney!...."

The Commission is without the means at this time of recording the selections of allotments of applicants for enrollment as citizens of the Choctaw and Chickasaw Nations, and such selections will be received at the allotment offices to be established in said Nations. The affidavit forwarded by you is therefore returned.

I. McD., 2.

From the records of the Commission it appears that at the time of your application for enrollment you were a resident of Blue, Indian Territory, but in your affidavit your residence is given as Ringgold, Texas. You will please advise the Commission as soon as practicable whether you have changed your residence to the state of Texas since your application for enrollment on December 11, 1900.

Yours truly,

Acting Chairman.

~~Choctaw 1720~~  
Choctaw D 608

Muskogee, Indian Territory, September 20, 1902.

Ida McDonald,  
Ringgold, Texas.

Dear Madam:

Receipt is hereby acknowledged of your letter of September 15th replying to our communication of August 29th, in which you state that Nickles McDaniel, or McDonald, is the same person and that some parties have misspelled the name.

You also state that your present residence is Blue, Indian Territory, and that you are on a visit to Ringgold, Texas.

You state that you desire to draw an allotment of land and annuity money to which you and your husband are entitled.

In reply to your letter you are advised that the Commission cannot at this time record the selections of allotments of applicants for enrollment as citizens of the Choctaw and Chickasaw Nations, but that such selections will be received at the allotment office to be established in said nations for the purpose of allowing the citizens of those two tribes to make selection and file upon their prospective allotments.

Respectfully,

Acting Chairman.

Muskogee, Indian Territory, January 21, 1903.

Ida McDonald,

Durant, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of your letter of December 26, 1902, asking if it will be necessary for you to appear before the Commission again in the matter of your enrollment.

In reply to your letter you are advised that it appears from our records that you have been listed among the doubtful claimants to enrollment as an intermarried citizen of the Choctaw Nation. The Commission is now preparing rolls of the citizens and freedmen of the Choctaw Nation, under the provisions of the act of Congress of July 1, 1902, which was ratified by the Choctaw and Chickasaw Nations on September 25, 1902, for submission to the Secretary of the Interior, and it is necessary to secure the testimony of all intermarried citizens of said nations relative to their status as such intermarried citizens on September 25, 1902, the date of the final ratification of the act of Congress above referred to.

It would be advisable for you to appear before the Commission at its office at Muskogee, Indian Territory for the purpose of giving such testimony at the earliest date possible, as until the

I MoD 2

same is taken no further consideration can be given your application  
for enrollment as an intermarried citizen of the Choctaw Nation.

Respectfully,



*912*  
*11/11/03*  
*11/11/03*

Choctaw-3720.

Muskogee, Indian Territory, February 27, 1903.

Mollie McDaniel,  
Stringtown, Indian Territory.

Dear Madam:

It is the present intention of the Commission to establish land offices in the Choctaw and Chickasaw nations April 1, 1903.

The act of Congress approved July 1, 1902, provides as follows:

"No person whose name does not appear upon the rolls as herein provided shall be entitled in any manner to participate in the distribution of the common property of the Choctaw and Chickasaw tribes."

It will be necessary, before your right to enrollment as an intermarried citizen of the Choctaw Nation can be determined, that you appear before the Commission and testify as to your status on September 25, 1902.

For this purpose the Commission has made an appointment at Atoka, Indian Territory, March 10 to 13, 1903, and you should personally appear at this place on one of the above dates for the purpose herein indicated. No further action can be taken relative to the determination of your right to enrollment until this testimony is received.

Respectfully,

Chairman.

20769 1903  
Chapter 3721

Muskogee, Indian Territory, March 27, 1903.

Mollie McDaniel,

Stringtown, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of March 21, stating that you did not receive notice of the appointment of the Commission at Atoka, Indian Territory, in time to appear there before March 13, 1903, and you ask whether you can give your testimony before a Notary Public, or what steps you should take in the matter.

In repl. to your letter you are advised that you will be permitted to appear before the Commission in person at its office at Muskogee, Indian Territory, to testify relative to your intermarried status on September 25, 1902. It would be advisable for you to make such appearance at the earliest date possible, as until your testimony is received no further consideration will be given your application for enrollment as an intermarried citizen of the United States.

Respectfully,

Chairman.

Chester 190

Mustang, Indian Territory, April 21, 1900.

Willie McDaniel,

Strickland, Indian Territory,

Dear Madam:

I have to hereby acknowledge of your letter of April 7, regarding to a communication of the Commission of March 27, 1900, advising you to appear before the Commission to testify relative to your status as an intermarried citizen of the Chester Nation on September 27, 1898, in which you state that you are the wife of Lawrence McDaniel and appeared before the Commission December 9, 1898, at Muskogee. You further state that you believe the communication has now been intended for Willie McDaniel, wife of Nicholas McDaniel, but if it is necessary for you to appear again before the Commission you will appear to do so.

In reply to your letter you are advised that it appears from our records that on December 10, 1898, at Muskogee, Indian Territory, Willie McDaniel, wife of Lawrence McDaniel, appeared before the Commission and testified relative to her intermarried status on September 27, 1898. If you are the wife of Lawrence McDaniel, it will not be necessary for you to appear again before the Commission at this time. The letter of the Commission is intended for Willie McDaniel, wife of Nicholas McDaniel.

Muskogee, Indian Territory, October 16, 1903.

Ida McDaniel,

Durant, Indian Territory.

Dear Madam:

It appears from the records of the Commission that you are an applicant for enrollment as an intermarried citizen of the Choctaw Nation, claiming your right thereto by reason of your marriage to Nicholas McDaniel, a recognized and enrolled citizen by blood of the Choctaw Nation.

In your testimony before this Commission, given on February 24, 1903, you state that you were married to Nicholas McDaniel in the year 1900 and that you lived together as husband and wife until January or February 1902, when your husband, Nicholas McDaniel, was sent off to Fort Smith, and you did not know whether they sent him to the Penitentiary or not; you further stated that you had not been divorced from him and that you and your said husband had not lived together since he was released from jail.

You are advised that it will be necessary for you to furnish the Commission with a sworn statement showing for what crime your husband was sent to Fort Smith and also as to whether he was still in said Penitentiary on September 23, 1902.

I.M. - 2.

This matter should receive your immediate attention as until this is done nothing further can be done in the matter of your enrollment as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

Commissioner in Charge.

Muskogee, Indian Territory, November 12, 1903.

Ida McDaniel,

Durant, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 9th inst., enclosing the affidavits of Jesse N. Hatchett, J. D. Catlin and A. S. Eshelman relative to the conviction and imprisonment of your Choctaw husband, Nicholas McDaniel; and the same have been duly filed with the records of the Commission in the matter of your application for enrollment as an intermarried citizen of the Choctaw Nation in accordance with your request.

Respectfully,

Chairman.

7-D-602

Muskogee, Indian Territory, December 10, 1903.

Ida McDaniel,

Durant, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of December 5, asking the status of your enrollment.

In reply to your letter you are informed that the Commission has not yet passed upon your application for enrollment as an intermarried citizen of the Choctaw Nation. As soon as a decision is reached in this case you will be notified of the action taken therein.

Respectfully,

Chairman.

W.C.A.

COMMISSIONERS  
TAMM BIXBY,  
THOMAS B. NEEDLES,  
C. R. BRECKINRIDGE,  
W. E. STANLEY.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

Choctaw 3720.

ALLISON L. AYLESWORTH,  
SECRETARY

ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES

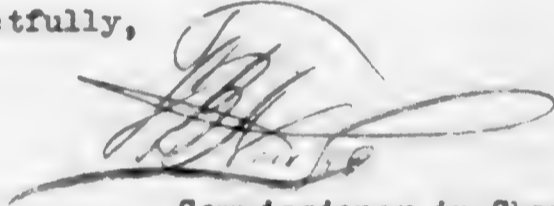
Muskogee, Indian Territory, February 13, 1904.

Mollie McDaniel,  
Caddo, Indian Territory.

Dear Madam:

You are hereby advised that under direction of the Secretary of the Interior of November 18, 1903, and upon a protest filed with the Commission by the attorneys for the Choctaw and Chickasaw Nations dated January 23, 1904, no further action will be taken relative to your enrollment as a citizen by intermarriage of the Choctaw Nation until the Commission is further instructed by the Secretary of the Interior.

Respectfully,



Commissioner in Charge.



Choctaw D 602

Muskegee, Indian Territory, March 22, 1904.

Ida McDaniel,

Durant, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of your letter of March 14, asking if you are entitled to an allotment and in reply you are advised that the Commission has not yet passed upon your application for enrollment as an intermarried citizen of the Choctaw Nation. As soon as a decision is reached you will be notified of the action taken therein.

You are further advised that, pending your enrollment by the Commission and the approval thereof by the Secretary of the Interior, you will not be permitted to make selection of allotment.

Respectfully,

Commissioner in charge.

7-D-602

Muskogee, Indian Territory, May 6, 1904.

Ida McDaniel,

Caddo, Indian Territory.

Dear Madam:

Receipt is heroby acknowledged of your letter of the 2nd instant requesting to be advised relative to your application for enrollment as an intermarried citizen of the Choctaw Nation.

You are informed that the Commission has not yet passed upon your application for enrollment. As soon as a decision is reached in your case, you will be duly notified of the action taken therein.

Respectfully,

Commissioner in Charge.

7-3720.

Muskogee, Indian Territory, June 1, 1904.

Mrs. Mollie McDaniel,  
Stringtown, Indian Territory.

Dear Madam:

In the matter of your application for enrollment as a citizen by intermarriage of the Choctaw Nation, it appears that you claim your rights as such citizen by reason of your marriage with Nicholas McDaniel; but it does not appear that you have ever testified before the Commission as to your status as an intermarried citizen of the Choctaw Nation on September 25, 1902.

You have heretofore been advised several times that before the Commission could determine your right as a citizen by intermarriage of the Choctaw Nation, it would be necessary for you to appear in person before the Commission at its office in Muskogee, Indian Territory, there to testify as to your status on September 25, 1902 as a citizen by intermarriage of the Choctaw Nation.

You are again advised that until such appearance is made and such testimony is given, the Commission cannot determine your rights as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

Chairman.

Choctaw D-602.

Muskogee, Indian Territory, June 30, 1904.

Ida McDaniel,

Caddo, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of June 26, in which you ask the status of your enrollment as an intermarried citizen of the Choctaw Nation.

In reply to your letter, you are informed that the Commission has not yet passed upon your application for enrollment as an intermarried citizen of the Choctaw Nation, but will, as early as practicable, take up the same for consideration and determination and as soon as a decision is reached in this case, you will be notified of the action taken.

Respectfully,

Commissioner in Charge.

Choctaw D 602

Muskogee, Indian Territory, August 8, 1904.

Mrs. Ida McDaniel,

Caddo, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of your letter of August 4, asking the status of your application for enrollment as an intermarried citizen of the Choctaw Nation.

In reply to your letter you are advised that the Commission is now passing upon all applications for enrollment as intermarried citizens of the Choctaw and Chickasaw Nations pending before it as rapidly as practicable, and as soon as a decision is reached in your case you will be notified of the action taken therein.

Respectfully,

Commissioner in Charge.

7-D-602

Muskogee, Indian Territory, September 29, 1904.

M. S. Cobb,

Attorney at Law.

Hot Springs, Arkansas.

Dear Sir:-

Receipt is hereby acknowledged of your letter of recent date requesting information relative to the application for enrollment of Ida McDaniel as an intermarried citizen of the Choctaw Nation.

You are advised that the Commission has not yet passed upon the application for enrollment of Ida McDaniel as an intermarried citizen of the Choctaw Nation, but as soon as a decision is reached in her case she will be duly notified of the action taken therein.

Respectfully,

Chairman.

7-D-602

Muskogee, Indian Territory, October 1, 1904.

Ida McDaniel,

Caddo, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of September 29, 1904, requesting to be advised what disposition has been made of your application for enrollment as an intermarried citizen of the Choctaw Nation.

You are informed that the Commission has not yet passed upon ~~your~~ application for enrollment as an intermarried citizen of the Choctaw Nation. As soon as a decision is reached in your case, you will be duly notified of the action taken therein.

Respectfully,

Chairman.

7-5771 7-3821  
7-D-18 7-D-602

Muskogee, Indian Territory, October 6, 1904.

Henry Byington,

Attorney at Law.

Gads, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of the 1st instant, requesting information relative to the status of the application for enrollment of Mary Williams, Ida McDaniel, and Maria Jackson as intermarried citizens of the Choctaw Nation, and Elijah R. Colbert as a citizen by blood of the Choctaw Nation.

You are advised that the Commission has not yet passed upon the applications for the enrollment of Maria Jackson or Ida McDaniel as intermarried citizens of the Choctaw Nation.

You are further advised that Mary Williams has been enrolled by this Commission as an intermarried citizen of the Choctaw Nation, but her enrollment as such has not yet been approved by the Secretary of the Interior.

You are also advised that Elijah Reuben Colbert has been enrolled by this Commission as a citizen by blood of the Choctaw Nation but his enrollment has not yet been approved by the Secretary of the Interior.

Respectfully,

Chairman.



Relative to the selection of  
power of attorney, your attention is invited to sections one, nine,  
and eleven of the rules and regulations governing the selection of  
allotments and the designation of homesteads in the Choctaw and  
Chickasaw Nations, copy of which is herewith inclosed <sup>Choctaw 3720</sup> you.

Muskogee, Indian Territory, October 26, 1904.  
~~Hot Springs, Arkansas~~

M. S. Cobb,  
Rules for allotment.  
Attorney at Law,

Chairman.

Hot Springs, Arkansas,

Dear Sir:

Receipt is hereby acknowledged of your letter of October  
17, stating that you have been notified that Ida McDaniel has been  
enrolled as a member of the Choctaw tribe of Indians; that you have  
power of attorney to select her allotment, and therefore request to  
be advised her address.

In reply to your letter you are informed that on October  
21, 1904, a letter was addressed you advising you that the last known  
post office address of Ida McDaniel as it appears from our records  
is Durant, Indian Territory.

Relative to the selection of an allotment for her under  
power of attorney, your attention is invited to sections one, nine,  
and eleven of the rules and regulations governing the selection of  
allotments and the designation of homesteads in the Choctaw and  
Chickasaw Nations, copy of which is herewith inclosed you.

Respectfully,

Rules for allotment.

Chairman.

REFER IN REPLY TO THE FOLLOWING:

7-3720.

DEPARTMENT OF THE INTERIOR,  
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, October 17, 1905.

Mollie McDaniel,  
Caddo, Indian Territory.

Dear Madam:

You are hereby notified that before any further action can be taken in the matter of your application for enrollment as a citizen by intermarriage of the Choctaw Nation, it will be necessary for you to appear before the Commissioner to the Five Civilized Tribes at Muskogee, Indian Territory, and give testimony relative to your status as such intermarried citizen on September 25, 1902.

This matter should receive your immediate attention.

Respectfully,



Commissioner.

7-3720

Muskogee, Indian Territory, January 26, 1906.

J. M. Burke,

Bennington, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 10, 1906, in which you state that your daughter Mollie Burke married a Choctaw named Nicholas McDaniel but that she is now dead and leaves two children by a former husband; if her allotment has been allowed you ask how to proceed to file on her land for your grandchildren.

In reply to your letter you are advised that the application of Mollie McDaniel, formerly wife of Nicholas McDaniel, as an intermarried citizen of the Choctaw Nation, has not yet been passed upon and pending her enrollment and the approval thereof by the Secretary of the Interior no selection of allotment can be made on behalf of Mollie McDaniel.

You are further advised that it will be necessary, as you state Mollie McDaniel is deceased, that some one who has personal knowledge of the fact, appear at this office to testify relative to her intermarried status on September 25, 1902, notice of the time of taking such testimony must first be served upon the attorneys for the Choctaw and Chickasaw Nations, Mansfield, McMurray & Cornish, at South McAlester, Indian Territory.

J. M. B. #2

You are also requested to have the inclosed blank for proof of death executed giving the correct date of the death of Hollie McDaniel.

Respectfully

Acting Commissioner.

7-3720

Muskogee, Indian Territory, February 14, 1906.

Phillips, Horton & Phillips,  
Attorneys at Law,  
Durant, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of February 2, 1906, in which you state you have been advised by this office that allotment has been made by Mollie McDaniel and you have advised her father Mr. J. M. Burke of this fact and he now requests to be informed to whom the certificates have been delivered and also requests the numbers of the land so that he can take steps to have it handled in the interest of her minor children.

In reply to your letter you are advised that from the information contained therein it is apparent that the Mollie McDaniel referred to was formerly the wife of Nicholas McDaniel and her application for enrollment as an intermarried citizen of the Choctaw Nation has not yet been determined, while the Mollie McDaniel referred to in office letter of January 31, 1906, was the wife of Leonadus McDaniel. No selection of allotment has therefore been made for Mollie McDaniel who was formerly the wife of Nicholas McDaniel.

You are informed that a letter was addressed to J. M. Burke, Bennington, Indian Territory, on January 28, 1906, advising

P. H. & P. #2

him that it would be necessary for some one who has personal knowledge of the facts to appear at this office to testify relative to the intermarried status on September 25, 1902, of said Mollie McDaniel, deceased, notice of the time of taking such testimony being first served upon the attorneys for the Choctaw and Chickasaw Nations.

A blank for proof of death of Mollie McDaniel was also inclosed with the request that the same be executed and returned to this office.

Respectfully,

Acting Commissioner.

7-3720.

Muskogee, Indian Territory, April 6, 1906.

J. M. Burke,

Bennington, Indian Territory.

Dear Sir:

You are hereby notified that before any further action can be taken in the matter of the application for the enrollment of your daughter, Mollie McDaniel, as a citizen by intermarriage of the Choctaw Nation, it will be necessary that this office be furnished with certain information relative thereto, and for this purpose there is enclosed you herewith a blank affidavit in interrogatory form, which you are requested to take before some Notary Public and answer under oath the questions therein propounded, returning the same to this office at the earliest possible date.

Respectfully,

Acting Commissioner.

LBA 6/2.

7-3720

Muskogee, Indian Territory, April 12, 1906.

L. D. Horton,  
Attorney at Law,  
Durant, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of April 4, 1906, in which you state that you have taken steps to furnish the necessary proof in the matter of the enrollment of Mollie McDaniel deceased, as an intermarried citizen of the Choctaw Nation and you ask for blank proof of death and ask what evidence is necessary in this case.

In reply to your letter you are advised that there is inclosed herewith blank form for proof of death, also interrogatories to be propounded to J. M. Burke in the matter of the enrollment of his daughter Mollie McDaniel as an intermarried citizen of the Choctaw Nation.

Respectfully,

D. C.

Acting Commissioner.



7-3720.

Muskogee, Indian Territory, May 23, 1906.

J. M. Burke.

c/f First National Bank,  
Bennington, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 18th instant, enclosing your affidavit relative to Mollie McDaniel, an applicant for enrollment as a citizen by intermarriage of the Choctaw Nation.

It is desired that you furnish this office with proof of death of your daughter, Mollie McDaniel, and for this purpose there is enclosed you herewith a blank affidavit, which you are directed to fill in, returning the same to this office at the earliest possible date.

There is also enclosed herewith a blank affidavit which you are requested to take before some Notary Public and answer under oath the questions therein propounded, returning same to this office with the above proof of death.

An envelope requiring no postage is enclosed herewith.

Respectfully,

Encl. Env.  
D.A.  
LBA 23/1.

Acting Commissioner.

7-3720

Muskogee, Indian Territory, August 31, 1906.

W. O. Byrd,

Bennington, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of August 25, 1906, inclosing certified copies of the divorce proceedings between Mary L. Mitchell and P. H. Mitchell of January 20, 1896 and James Taylor and Mollie Taylor, November 23, 1899, which are offered in support of the application of Mollie McDaniel as an intermarried citizen of the Choctaw Nation and the same have been filed with the record in this case.

Relative to that part of your letter in which you inquire if it will be necessary for Mr. Burke, father of Mollie McDaniel who is prosecuting her claim to enrollment to secure the services of an attorney, you are advised that this office can give no advice as to the employment of attorneys by applicants as it is a matter which is entirely within their own discretion.

Respectfully,

Acting Commissioner.

7-3720.

Muskogee, Indian Territory, September 4, 1906.

J. M. Burke,

c/o First National Bank,

Bennington, Indian Territory.

Dear Sir:

In the matter of the application for the enrollment of your daughter, Mollie McDaniel, as a citizen by intermarriage of the Choctaw Nation, you are advised that before any further action can be taken therein it will be necessary that additional proof of her death be forwarded to this office.

Such proof should consist of affidavits made by persons who have personal knowledge of her death and the date thereof.

Respectfully,

Acting Commissioner.

7-3720

Muskogee, Indian Territory, October 30, 1906.

J. M. Burke,  
Care of First National Bank,  
Bennington, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of October 23, 1906, inclosing affidavits of Harve Richardson and John Richardson to the death of Lollie McDaniel a citizen by intermarriage of the Choctaw Nation October 6, 1903 and the same have been filed as evidence of death of the above named person.

Respectfully,

Commissioner.

REFER IN REPLY TO THE FOLLOWING:  
7-3720.

DEPARTMENT OF THE INTERIOR,  
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, November 26, 1906.

J. M. Burke,  
Care of First National Bank,  
Bennington, Indian Territory.

Dear Sir:

You are hereby notified that before any further action can be taken in the matter of the application for the enrollment of your daughter, Mollie McDaniel (now deceased), as a citizen by intermarriage of the Choctaw Nation, it will be necessary for you to appear before the Commissioner to the Five Civilized Tribes at his office at Muskogee, Indian Territory, for the purpose of giving testimony relative to her right to enrollment as such citizen. This matter should receive your immediate attention.

Respectfully,



Commissioner.

7-3720

Luskogee, Indian Territory, December 20, 1906.

W. O. Byrd,

Bennington, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of December 8, 1906, inclosing affidavit of Nicholas McDaniel in the matter of the application for the enrollment of his former wife Mollie McDaniel as an intermarried citizen of the Choctaw Nation and you state that if further evidence is necessary in this case that Mr. Burke will forward the same.

In reply to your letter you are advised that the affidavit inclosed with your letter has been filed with the record in this case and in the event additional evidence is necessary to establish the right of Mollie McDaniel to enrollment, Mr. Burke will be duly notified.

Respectfully,

Commissioner.

7-3720

Muskogee, Indian Territory, March 9, 1907.

Creek & Kyle,

Durant, Indian Territory.

Gentlemen:

Your letter of February 19, 1907, addressed to the Secretary of the Interior has been by him referred to this office for consideration and appropriate action. Therein you ask the status of the application for the enrollment of Mollie McDaniel as a citizen by intermarriage of the Choctaw Nation, and wish to be entered as attorneys of record for this applicant.

In reply to your letter you are advised that the name of Mollie McDaniel has been placed upon a schedule of citizens by intermarriage of the Choctaw Nation which has been forwarded to the Secretary of the Interior and you will be notified of approval of her enrollment by the Department.

Your request to be entered as attorneys of record for this applicant has been made a matter of record.

Respectfully,

Commissioner.

7-3720

Muskegee, Indian Territory, April 3, 1907.

J. M. Burks,

Care of Nat Burks,

Bennington, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of March 25, 1907, in which you ask to be informed if the application for the enrollment of Mollie McDaniels has been approved by the Secretary of the Interior.

In reply to your letter you are advised that Mollie McDaniel has been enrolled as an intermarried citizen of the Choctaw Nation and her enrollment as such was approved by the Secretary of the Interior March 2, 1907.

Respectfully,

Acting Commissioner.



MEMORANDA.

(Date) Aug 22 1899.

65-

Name Michael Mc Linnell

Choctaw? yes County Blaine Year 1896

No. 4216

Chickasaw? County Year

Page 237

Citizen by blood? yes Mother's citizenship Blaine

Intermarried citizen?

Married under what law?

License filed this day,

Wife's name,

Choctaw? County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

| County | Year  | Page  | No.   |
|--------|-------|-------|-------|
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3720

**MEMORANDA.**

(Date) June 7, 1900 1899.

63

Name Mrs. M. E. ...

Choctaw?  County ... Year ..... No. ....

Chickasaw?  County ..... Year ..... Page .....

Citizen by blood?  Mother's citizenship .....

Intermarried citizen?

Married under what law? At home

License filed this day, .....

28

Wife's name, ...

Choctaw?  County ..... Year ..... No. ....

Chickasaw?  County ..... Year ..... Page .....

Citizen by blood?  Mother's citizenship .....

Intermarried citizen?

Married under what law? .....

License filed this day .....

**Names of children:**

|       |              |            |            |          |
|-------|--------------|------------|------------|----------|
| ..... | County ..... | Year ..... | Page ..... | No. .... |
| ..... | County ..... | Year ..... | Page ..... | No. .... |
| ..... | County ..... | Year ..... | Page ..... | No. .... |
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| ..... | County ..... | Year ..... | Page ..... | No. .... |
| ..... | County ..... | Year ..... | Page ..... | No. .... |
| ..... | County ..... | Year ..... | Page ..... | No. .... |

*Jos. Purkin*  
*Govt*

Choc 3721 Forbis Manning

3721

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

The record herein is in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of

L a u r a   M a n n i n g ,        7 - 3721

Department of the Interior.  
Commission to the Five Civilized Tribes.  
Atoka, I. T., November 20th, 1902.

Choctaw 3721  
Intermarried

-----oOo-----

In the matter of the application of Laura Manning for enrollment as an intermarried citizen of the Choctaw Nation.

Laura Manning being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Laura Manning.  
Q How old are you? A Twenty-nine.  
Q What is your post office address? A Caddo.  
Q How long have you been a resident of the Choctaw Nation?  
A Fourteen years.  
Q Have you lived here continuously for the past fourteen years?  
A Yes sir.  
Q Never made your home anywhere else during that time? A No sir.  
Q Do you claim intermarried rights in the Choctaw Nation? A Yes sir.  
Q What is the name of your Choctaw husband through whom you claim?  
A Forbis Manning.  
Q Is he a recognized and enrolled citizen of the Choctaw Nation?  
A Yes sir.  
Q His rights have never been disputed? A No sir.  
Q When were you married to Forbis Manning? A '93.  
Q Where was this marriage ceremony performed? A Near Caddo.  
Q Since your marriage to him in '93 have you lived together continuously as husband and wife up to the present time? A Yes sir.  
Q There has been no separation, abandonment or divorce? A No sir.  
Q You are at present living together as bona fide residents of the Choctaw Nation? A Yes sir.  
Q Were you an applicant before this Commission in 1896 for admission to intermarried citizenship in the Choctaw Nation? A Yes sir.  
Q What action was taken upon your application at that time?  
A I wasn't present.  
Q Was that case ever appealed to the United States Court?  
A No sir.

Albert G. McMillan being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 20th day of November, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

*May* Subscribed and sworn to before me this 14<sup>th</sup> day of January, 1903.

*Albert G. McMillan*  
*Charles H. Sawyer*

Notary Public.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of  
Laura Manning as a citizen by intermarriage of the Choctaw Nation.

DECISION.

It appears from the census card record in this case that Laura Manning appeared before the Commission at Caddo, Indian Territory, on August 22, 1899, and made personal application for enrollment as a citizen by intermarriage of the Choctaw Nation. Further proceedings were had in the matter of this application at Atoka, Indian Territory, on November 20, 1902.

It further appears from the records of the Commission that on September 7, 1896, in the case entitled "Mrs. Laura Manning vs. Choctaw Nation," (1896 Choctaw Citizenship Docket, case number 395), the applicant herein made original application to this Commission under the provisions of the act of Congress approved June 10, 1896 (29 Stat., 321), for admission to citizenship in the Choctaw Nation, claiming her right thereto by virtue of her marriage with Forbis Manning, a recognized and enrolled citizen by blood of the Choctaw Nation, and on December 2, 1896, the said Laura Manning was by this Commission admitted to citizenship in the Choctaw Nation as a citizen by intermarriage, from which decision of the Commission no appeal was taken.

It further appears from the evidence in this case that the applicant herein was a resident in good faith of Indian Territory on June 28, 1898, and that her status as an intermarried citizen has remained unchanged from the date of her said admission in 1896 up to and including September 25, 1902.

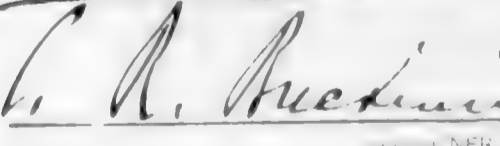
It is, therefore, the opinion of this Commission that Laura Manning should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495) and July 1, 1902 (32 Stat., 641), and it is so ordered.

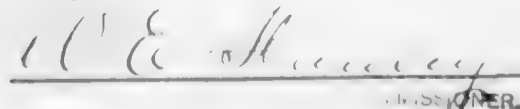
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory,

  
Chairman.

  
Commissioner.

  
C. R. Anderson.

  
W. E. H. H. H.

COPY.

Choctaw-3721

Muskogee, Indian Territory, July 20, 1903.

Laura Manning,

Caddo, Indian Territory.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission, rendered July 20, 1903, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

ERIC

*T. D. Neff*

Commissioner in Charge.

Registered.

Enc. HG. 02 / 02

(1)

~~Enrollment~~

Washington, Indian Territory, July 20, 1903.

Mansfield, McMurray & Cornish,  
Attorneys for the Choctaw and Chickasaw Nations,  
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission, rendered July 20, 1903, granting the application of Laura Manning, for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Commissioner in Charge.

Registered.

Enc. No. 96/90



Commission to the Five Civilized Tribes,  
Indian Territory.

In the settlement of Marie and Sugar Manning as cheaters;  
with Marie being given and examined by Com'r McKenna states:

- 1. That she is a white woman.
- 2. That she is a Treaty Indian.
- 3. That she is the first wife of Sugar Manning.
- 4. That she is a white woman.
- 5. That she is the mother of Marie and Sugar Manning.
- 6. That she is a white woman.
- 7. That she is the mother of Marie and Sugar Manning.
- 8. That she is a white woman.
- 9. That she is the mother of Marie and Sugar Manning.
- 10. That she is a white woman.

- 11. That she is a white woman.
- 12. That she is the mother of Marie and Sugar Manning.
- 13. That she is a white woman.
- 14. That she is the mother of Marie and Sugar Manning.
- 15. That she is a white woman.
- 16. That she is the mother of Marie and Sugar Manning.
- 17. That she is a white woman.
- 18. That she is the mother of Marie and Sugar Manning.
- 19. That she is a white woman.
- 20. That she is the mother of Marie and Sugar Manning.

J. C. ...  
...

MEMORANDA.

(Date) Aug 22 1899.

78

Name Forbes Manning

Choctaw? X County Blue Year 96 No. 2150

Chickasaw? County Year Page

Citizen by blood? Yes Mother's citizenship Choc

Intermarried citizen?

Married under what law?

License filed this day,

75

X Wife's name, Lena Manning

Choctaw? X County Blue Year 96 No. 14752

Chickasaw? County Year Page 394

Citizen by blood? Mother's citizenship U.S.

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

9

James Manning County Blue Year 96 Page 211 No. 5101

7

Edg County Year Page No. 8752

3

Lena County Year Page No. 5750

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

*[Faint handwritten notes]*

13721

Choc 3722 Susan Frazier

3722

Choc 3722 Susan Frazier

3722

Muskogee, Indian Territory, February 5, 1902.

Susan Frazier,

Jackson, Indian Territory.

Dear Madam:

It does not appear from the records of the Commission that any proof of the birth of your child, Bessie Frazier, has been furnished in the matter of her enrollment as a citizen of the Choctaw Nation. It is necessary that the same be supplied.

In order to assist you in this matter a blank for that purpose is inclosed you herewith. In having the same executed be careful to see that all blanks are properly filled, all names written in full, and in the event either of the persons whose names are to be affixed to the affidavits are unable to write, and their signatures are by mark, that such signatures be attested by two disinterested parties witnesses thereto.

The notary public before whom the affidavits are acknowledged must affix his notarial jurat and seal to each separate affidavit.

This matter should receive prompt attention as the affidavits are essential in the matter of the enrollment of your child.

Yours truly,

Env.  
B. C.

*Substitute*

7-3722  
7-3720

Muskogee, Indian Territory, March 11, 1902.

Nicholas McDaniel,  
Blue, Indian Territory.

Dear Sir:

Information has been received by the Commission that your daughter Susan Frazier of Jackson, Indian Territory, has died since the time she was listed for enrollment as a citizen by blood of the Choctaw Nation. If this information is correct you are kindly requested to have the enclosed blank proof of death properly executed and return the same to this office at your earliest convenience in the envelope enclosed herewith which requires no postage.

You will notice that there is an affidavit for a relative and an acquaintance. In having the same executed be careful to see that all blanks are properly filled, all names written in full, and in event either of the persons whose names are to be affixed to the affidavits are unable to write and their signatures are by mark that such signatures be attested by two disinterested parties witnesses thereto.

The notary public before whom the affidavits are

HM 2

acknowledged must affix his notarial jurat and seal to each  
separate affidavit.

Yours truly,

D. C.  
Env.

Commissioner in Charge.

Choctaw 3722

Muskogee, Indian Territory, July 18, 1902.

Nicholas McDaniel,  
United States Jail,  
Fort Smith, Arkansas.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 8th instant, replying to our communication of March 11, 1902, requesting that you supply evidence relative to the death of your daughter, Susan Frazier.

You state that you are now confined in the United States jail at Fort Smith, Arkansas and have no money with which to attend to this matter but as soon as you are released that you will have the affidavits properly executed and returned to the Commission.

You are advised that the Commission has this date taken steps to secure the affidavits relative to the death of Susan Frazier from some other persons in the neighborhood of Jackson, Indian Territory and it will therefore not be necessary for you to take any further steps in this matter.

Yours truly,

Commissioner in Charge.



Choctaw 3722

Muskogee, Indian Territory, July 18, 1902.

Postmaster,

Jackson, Indian Territory.

Dear Sir:

The Commission has information of the death of Susan Frazier, a full-blood Choctaw Indian in the neighborhood of Jackson, Indian Territory and desires to secure proper proof of such death in order to complete our records.

For the purpose of making her death a matter of record there is enclosed you herewith a blank for making proof of death, which you are requested to have properly executed and return to this office in the enclosed envelope which requires no postage.

You will notice that there is an affidavit for a relative and an acquaintance. In having the same executed, be careful to see that all blanks are properly filled, all names written in full and in event either of the persons whose names are to be affixed to the affidavits are unable to write and their signatures are by mark, that such signatures be attested by two disinterested parties, witnesses thereto. The notary public before whom the affidavits are acknowledged must affix his notarial jurat and seal to each separate affidavit.

Yours truly,

MEMORANDA.

(Date) Aug 22 1899.

Name .....

Choctaw ? ..... County ..... Year ..... No. ....

Chickasaw ? ..... County ..... Year ..... Page .....

Citizen by blood ? ..... Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day, .....

35

Wife's name, Susan Frazier

Choctaw ? yes ..... County Jackson ..... Year 1900 ..... No. 4288

Chickasaw ? ..... County ..... Year ..... Page 104

Citizen by blood ? yes ..... Mother's citizenship Chocoma

Intermarried citizen ? .....

Married under what law ? .....

License filed this day .....

Names of children:

2

Bessie Frazier County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

3722

7-3722

INDEXED

IN RE  
THE DEATH OF

*Susan Frazier*

a citizen of the

*Choctaw* Nation.

Approved NOV 26 1902 190

*C. A. Beckwith*  
Commissioner.

U.S. DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS  
TO THE CHIEF OF CIVILIZED TRIBES  
FILED  
NOV 23 1902

*[Signature]*  
ACTING CHAIRMAN

CHOCTAW. # 3722

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Susan Grazier  
(Here insert name of deceased)  
a citizen of the Choctaw Nation, who formerly resided at or near  
Jackson, Ind. Ter., and died on the \_\_\_\_\_ day of  
October, 1901.  
(Here insert name of post office)

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA, )  
INDIAN TERRITORY, )  
Central District )

I, Nicholas McDaniel, on oath state that I am 70  
years of age and a citizen, by blood, of the Choctaw Nation;  
that my post office address is Blue, Ind. Ter.; that I am  
the father of Susan Grazier,  
(State relationship as: the father; an uncle; a cousin, etc.) (Here insert name of deceased)  
who was a citizen, by blood, of the Choctaw Nation;  
and that said Susan Grazier died on the \_\_\_\_\_ day of  
October, 1901.  
(Here insert name of deceased)

Nicholas McDaniel  
Witness  
WITNESSES TO MARK  
Wm A. Bunn  
H. G. Haring  
(Must be Two Witnesses.)

Subscribed and sworn to before me this 19th day of November 1902  
H. Christie  
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA, )  
INDIAN TERRITORY, )  
\_\_\_\_\_ District. )

I, \_\_\_\_\_, on oath state that I am \_\_\_\_\_  
years of age, and a citizen, by \_\_\_\_\_, of the \_\_\_\_\_ Nation;  
that my post office address is \_\_\_\_\_, Ind. Ter.;  
(Here insert name of post office)  
that I was personally acquainted with \_\_\_\_\_,  
(Here insert name of deceased)  
who was a citizen, by \_\_\_\_\_, of the \_\_\_\_\_ Nation;  
and that said \_\_\_\_\_ died on the \_\_\_\_\_ day of \_\_\_\_\_,  
(Here insert name of deceased)

WITNESSES TO MARK  
(Must be Two Witnesses.) { \_\_\_\_\_  
\_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 190\_\_\_\_  
\_\_\_\_\_  
Notary Public.

Choc 3723 Salina SCOTT

3723

MEMORANDA.

(Date) Aug 22 1899.

Name \_\_\_\_\_

Choctaw? \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ No. \_\_\_\_\_

Chickasaw? \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_

Citizen by blood? \_\_\_\_\_ Mother's citizenship \_\_\_\_\_

Intermarried citizen? \_\_\_\_\_

Married under what law? \_\_\_\_\_

License filed this day, \_\_\_\_\_

60 Wife's name, Salina Scott

Choctaw? ye County Jackson Year 90 No. 1537

Chickasaw? \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page 298

Citizen by blood? ye Mother's citizenship \_\_\_\_\_

Intermarried citizen? \_\_\_\_\_

Married under what law? \_\_\_\_\_

License filed this day \_\_\_\_\_

Names of children:

21 Johnson Bevin County Jackson Year 16 Page 37 No. 1475

18 Elisha County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. 1476

County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

13923

Choc 3724 Solomon Julius

3724

MEMORANDA.

Call

(Date) Aug 22 1899.

44 ✓

Name Solomon Julius

Choctaw? yes County Blue Year 96 No. 7219

Chickasaw? County Year Page 178

Citizen by blood? yes Mother's citizenship Cho

Intermarried citizen?

Married under what law?

License filed this day,

44 x

Wife's name, Serena Julius

Choctaw? yes County Blue Year 96 No. 7220

Chickasaw? County Year Page 178

Citizen by blood? yes Mother's citizenship Cho

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

| Age | Name       | County | Year | Page | No.  |
|-----|------------|--------|------|------|------|
| 18  | Eli Julius | Blue   | 96   | 178  | 7221 |
| 15  | Jane "     | "      | "    | "    | 7222 |
| 11  | Sallie "   | "      | "    | "    | 7223 |
| 7   | Rosa "     | "      | "    | "    | 7224 |
| 4   | Gilbert "  | "      | "    | "    | 7225 |
| 2   | Adam "     | "      | "    | "    | "    |
|     |            | County | Year | Page | No.  |
|     |            | County | Year | Page | No.  |
|     |            | County | Year | Page | No.  |
|     |            | County | Year | Page | No.  |

✓ An " Salomon Julius  
 ✓ " " Zornera "  
 # " " Eli Julius  
 = " " Russey "  
 // " " Calbert "

3724



Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,  
 of Adam Julius, born on the 1st day of August, 1897  
 Name of father: Almon Julius, a citizen of the Choctaw Nation.  
 Name of mother: Serina Julius, a citizen of the Choctaw Nation.  
 Post Office: Jackson, T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }  
 INDIAN TERRITORY, }  
Beaufort District. }

I, Serina Julius, on oath, state that I am 44 years of age and a  
 citizen, by Blood, of the Choctaw Nation; that I am the  
 lawful wife of Almon Julius who is a citizen, by Blood, of the  
Choctaw Nation; that a male child was born to me on the 1st day  
 of August, 1897; that said child has been named Adam Julius,  
 and is now living.

Subscribed and sworn to before me this 4th day of September, 1897  
Serina Julius  
A. W. Pittman  
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }  
 INDIAN TERRITORY, }  
 District. }

I, \_\_\_\_\_, a \_\_\_\_\_, on oath, state that I  
 attended on Mrs. \_\_\_\_\_, wife of \_\_\_\_\_  
 on the \_\_\_\_\_ day of \_\_\_\_\_, 1\_\_\_\_; that there was born to her on said date a \_\_\_\_\_ child;  
 that said child is now living and is said to have been named \_\_\_\_\_.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 1\_\_\_\_.  
 Notary Public.

Choc 3725 Ellis Hayes

3725

MEMORANDA.

(Date) Aug 21 1899.

51 Name Ellis Hayes

Choctaw? yes County Jackson Year 96 No. 5824

Chickasaw? County Year Page 142

Citizen by blood? yes Mother's citizenship Choctaw

Intermarried citizen?

Married under what law?

License filed this day,

Wife's name,

Choctaw? County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

12 Lizzie Hayes County Jackson Year 96 Page 142 No. 5825

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

2725

Choc 3726 Robert Fulsom

3726

MEMORANDA

(Date) Aug 22 1899.

Name .....

Choctaw ? County Year No.

Chickasaw ? County Year Page

Citizen by blood ? Mother's citizenship

Intermarried citizen ?

Married under what law ?

License filed this day,

Wife's name,

Choctaw ? County Year No.

Chickasaw ? County Year Page

Citizen by blood ? Mother's citizenship

Intermarried citizen ?

Married under what law ?

License filed this day

Names of children:

16 ✓ Robert Fulson County *Jackson* Year *76* Page *97* No. *4008*

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

✓ *Ann* *and* *Robt* *Fulson*

*5726*

Choc 3727 ROBERT E. Bell

3727

MEMORANDA.

(Date) Aug 22 1899.

Name .....

Choctaw ? County Year No.

Chickasaw ? County Year Page

Citizen by blood ? Mother's citizenship

Intermarried citizen ?

Married under what law ?

License filed this day,

Wife's name,

Choctaw ? County Year No.

Chickasaw ? County Year Page

Citizen by blood ? Mother's citizenship

Intermarried citizen ?

Married under what law ?

License filed this day

Names of children:

19 Robert E. Bell County Talbot Year 96 Page 24 No. 914

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

11727

Chc 3728 John H. Tracey

3728



Chester 3728  
Chester 4009

Waskagan, Indian Territory, April 16, 1903.

J. H. Westright,

Waskagan, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of April 9, asking for the letters of guardianship appointing you guardian of John T. Tracy, and in accordance with your request the same are returned you herewith, certified copy thereof having been made at this office for filing with our records.

Respectfully,

W. H. H.

MEMORANDA.

(Date) Aug 22 1899.

Name .....

Choctaw ? County ..... Year ..... No. ....

Chickasaw ? County ..... Year ..... Page .....

Citizen by blood ? Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day .....

Wife's name .....

Choctaw ? County ..... Year ..... No. ....

Chickasaw ? County ..... Year ..... Page .....

Citizen by blood ? Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day .....

Names of children :

11 ✓ John H. Tracy County Sans Bois Year 96 Page 307 No. 11876

County ..... Year ..... Page ..... No. ....

County ..... Year ..... Page ..... No. ....

County ..... Year ..... Page ..... No. ....

County ..... Year ..... Page ..... No. ....

County ..... Year ..... Page ..... No. ....

County ..... Year ..... Page ..... No. ....

County ..... Year ..... Page ..... No. ....

County ..... Year ..... Page ..... No. ....

County ..... Year ..... Page ..... No. ....

✓ On call for H. Tracy

12728

CLOC 3729 Adam Lucas

3729

MEMORANDA.

(Date) Aug 22 1899.

Name .....

Choctaw ?..... County..... Year..... No.....

Chickasaw ?..... County..... Year..... Page.....

Citizen by blood ?..... Mother's citizenship.....

Intermarried citizen ?.....

Married under what law ?.....

License filed this day.....

Wife's name.....

Choctaw ?..... County..... Year..... No.....

Chickasaw ?..... County..... Year..... Page.....

Citizen by blood ?..... Mother's citizenship.....

Intermarried citizen ?.....

Married under what law ?.....

License filed this day.....

Names of children:

19

Adam Lucas County Talbot Year 96 Page 195 No. 7861

County..... Year..... Page..... No.....

County..... Year..... Page..... No.....

County..... Year..... Page..... No.....

County..... Year..... Page..... No.....

County..... Year..... Page..... No.....

County..... Year..... Page..... No.....

County..... Year..... Page..... No.....

County..... Year..... Page..... No.....

County..... Year..... Page..... No.....

13729

choc 3730 Charles Bascom

3730

Muskogee, Indian Territory, January 17, 1901.

Charles Bascom,

Weatherstone, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of recent date, enclosing the application for enrollment as a citizen of the Chickasaw Nation of Lena Bascomb, the infant daughter of Charles Bascomb, a citizen of the Choctaw Nation by blood and of Jane Bascomb nee Garney, a citizen by blood of the Chickasaw Nation. The application contains the affidavit of Charles Bascom, the father of the child and Wallace Garney, as to its birth on the 21st of November, 1900.

You state in your letter that it is impracticable for you to obtain the affidavits of your wife and the physician who waited on her at the birth of this child.

The application is herewith returned to you for the reason that the same is not in proper form to be accepted by the Commission as evidence of the birth of this child. There is enclosed you herewith a blank which has been adopted and used by the Commission in the matter of the applications for enrollment of infant children. In having the same executed be careful to see that all blanks are properly filled, all names written in full and in the event that either the mother or attending physician making affidavit to the birth of the child are unable to write and their signatures are by mark, that such mark is attested by two signers-

Charles Bascom 2

ested parties as witnesses thereto. The Notary Public taking the acknowledgments of the mother and attending physician must affix his notarial jurat and seal to each separate affidavit. The Commission must require that the affidavit of the mother and of the attending physician or nurse at the birth of the child be properly executed before the application can receive consideration.

The records of the Commission show that Charles Bascom, 23 years of age, was listed for enrollment on August 22nd, 1899, as a citizen by blood of the Choctaw nation at which time his post office address was given as Academy, Indian Territory. If you are the party so listed for enrollment, you are requested to so inform the Commission.

As to your wife's enrollment, the records of the Commission do not show that any party by the name of Jane Garney has been listed for enrollment as a citizen by blood of the Chickasaw Nation but it does appear that on November 18th, 1899, Jincy Garney, 23 years of age and the daughter of Wallace Garney, a Choctaw Freedman and Susan Garney, deceased, a Chickasaw Indian by blood, was listed for enrollment by the Commission as a citizen by blood of the Chickasaw nation. If this is your wife who has been so listed for enrollment you are requested to so inform the Commission and it will also be necessary that evidence of your marriage to Jincy Garney be supplied as authority for the changing of her name upon our records from Garney to Bascom.

The Commission has also to request that with the return of the application, her name appear thereon as Jincy, under which name she made application for enrollment.

Dear Mr. [Name]

Your receipt of the [document] and the [document] are  
evidence of your marriage to [Name] and the [document]  
application for the [document] will be [document] in [document]  
form and matter will receive [document] consideration.

Yours truly,

Acting Chairman.

Enc 3

20

9-27-61

9-15-61



Waskogee, Indian Territory, February 16, 1901.

Charles Bascom,

Featherstone, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 7th instant relative to the application for enrollment of Lena Bascom, the infant daughter of Charles and Jinsey Bascom, born November 14th, 1900.

From the information contained in your letter the Commission has been enabled to identify the mother of this child as Jinsey Garney who has been listed for enrollment as a citizen by blood of the Chickasaw Nation. The application for the enrollment of Lena Bascom is returned to you herewith for the reason that the application for the enrollment of this child should be made as a citizen of the Chickasaw and not of the Choctaw Nation, as the rules of the Commission require that children whose parents are both citizens by blood of one or more of the Five Tribes of the Indian Territory, that the child must follow the blood of the mother and be listed for enrollment with the tribe to which the mother belongs.

There is enclosed you herewith a new blank application which have filled out as an application for the enrollment of this child as a citizen of the Chickasaw Nation in accordance with the notations in blue pencil made upon the old application which is returned you herewith.

The Commission has also to request that you furnish  
either the original or a certified copy of the marriage license  
and certificate between yourself and Elmer Percy as security for  
the changing of her name and her records from Carey to Mackay.

Upon receipt of the marriage license and certificate as  
required and the application for the enrollment of your child in  
proper form, the matter will be given further consideration.

Yours truly,

Acting Chairman.

Enc e

DO

9-1961

9-1789

COMMISSIONERS

HENRY L. DAWES  
TAMM BIXBY,  
THOMAS B. NEEDLES,  
C. R. BRECKINRIDGE,

ALLISON L. AYLESWORTH,  
SECRETARY

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 14, 1901.

Charles Bascom,

Featherstone, Indian Territory.

Dear Sir:

You are requested to furnish the Commission with the following information at your earliest convenience. Please answer the questions on the blanks below:

What is your father's name? Cornelius Bascomb.

Is he living or dead? dead.

Was he a citizen by blood of the Choctaw Nation? I don't know.

To what county in the Choctaw nation did he belong? Skullsville

What is your mother's name? Mary Bascomb. or Lucas.

Is she living or dead? dead.

To what county in the Choctaw nation does she belong? Skullsville

For the return of this letter there is enclosed an envelope which will require no stamp. Your prompt attention to this matter will be appreciated.

Yours truly,

  
Acting Chairman.

7-3730

Env

Muskogee, Indian Territory, March 8th, 1901.

Mr. Charles Bascomb,

Featherstone, Indian Territory.

Dear Sir:

The Commission is in receipt of the application for enrollment as a citizen of the Chickasaw Nation of Lena Bascomb, the infant daughter of Charles and Jincy Bascomb, born November 14th, 1900, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen by blood of the Chickasaw Nation.

The Commission in its letter of the 14th of February requested that you furnish either the original or a certified copy of the marriage license and certificate between yourself and Jincy Garney. We have not received this evidence of your marriage up to this time and the same will be necessary as authority for the changing of the name of your wife upon our records, from her maiden name of Garney to her present married name of Bascomb. Please give this matter your prompt attention.

Yours truly,

Acting Chairman.

7-5730.

9-1561.

Choctaw 3730

Muskogee, Indian Territory, April 21, 1908.

Charles Bascomb,

Featherston, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 21st instant, in which you desire to be furnished with a blank for the purpose of filing your selection of allotment of the lands of the Choctaw-Chickasaw country and you desire to be advised as to how many acres you will be allowed to file on at the present time.

With your letter of the 21st instant, you enclose your affidavit setting forth your selection of the lands of the Choctaw Nation for yourself and your minor child, Lena Bascomb.

The affidavit enclosed with your letter is returned herewith with the information that the Commission cannot receive or consider the same at this time as it has no means of recording the selections of allotments of the citizens of the Choctaw and Chickasaw country. Neither can we comply with your request to furnish you with blanks for the purpose of designating your selection of allotment of land for yourself and your minor child.

Matters of this character will receive the attention of the Commission upon the establishment of an allotment office in the Choctaw-Chickasaw country for the purpose of allowing the

0 2 2

citizens of these two tribes to make selection of and file upon their prospective allotments.

It is impossible to inform you at this time as to the probability of the establishment of such office but ample public notice will be given thereof so that all citizens of the Choctaw and Chickasaw Nations will have an opportunity to make selections of their allotments.

Yours truly,

Acting Chairman.

Enc Y 85

Madison, Indian Territory, February 25, 1901.

Judge Charles Smith,

Madison, Indian Territory.

Dear Sir:

I have been advised of your letter of the 21st  
without giving information relative to your parents, and the case  
has been set a matter of record with this Commission.

Yours truly,

Walter H. H. H.

W. H. H.

Choctaw 3730  
Choctaw 5465

Muskegee, Indian Territory, January 24, 1903.

Charles Bascomb,  
Seminole, Indian Territory,  
New York

Receipt is hereby acknowledged of your letter of January 3, 1903, in which you state that you appear before the Commission at S. U. McAlester because your family was sick, and you understand that you are registered as a Choctaw and that your wife, Jane Bascomb, and your child Jane Bascomb, are registered as Chickasaws.

In reply to your letter you are advised that it appears from our records that Charles Bascomb's wife, Nancy Bascomb, and his child, Mary Bascomb, and his wife's brothers and sister, Emma, William, George and Aseline Burns, have been listed for enrollment as citizens by blood of the Choctaw Nation.

Respectfully,

Acting Chairman .



MEMORANDA.

Cade

(Date) Aug 22 1899.

Name .....

Choctaw ? ..... County ..... Year ..... No. ....

Chickasaw ? ..... County ..... Year ..... Page .....

Citizen by blood ? ..... Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day, .....

Wife's name, .....

Choctaw ? ..... County ..... Year ..... No. ....

Chickasaw ? ..... County ..... Year ..... Page .....

Citizen by blood ? ..... Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day .....

Names of children:

23 Charles Basson County Lawson Year 96 Page 18 No. 681

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

1730

Choc 3731 Sampson Morris

3731

7-2477  
7-3731

Muskogee, Indian Territory, November 24, 1902.

Thompson Barnett,

Bokoshe, Indian Territory.

Dear Sir:

In the matter of the enrollment of your nephew, Sampson Morris, as a citizen of the Choctaw Nation, you are requested to immediately notify the Commission as to whether or not he was, in 1896 or 1897, a student at Armstrong Academy, and also as to where he was living in 1893.

This matter should receive your immediate attention as the information requested is necessary in the matter of the enrollment of your nephew.

Respectfully,

Commissioner in Charge.

7-2477  
7-3731

Muskogee, Indian Territory, August 31, 1903.

Thompson Barnett,  
Bokoshe, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 25th instant in reply to our communication dated August 13, 1903, requesting information relative to the enrollment of Sampson Morris, a citizen by blood of the Choctaw Nation, whose death occurred November 22, 1901, as stated in your affidavit dated December 22, 1902.

The information contained in your letter has enabled the Commission to properly identify Sampson Morris, and your prompt action in the matter is duly appreciated.

Respectfully,

Commissioner in Charge.

7-3731

Muskogee, Indian Territory, August 31, 1903.

Commissioner in Charge,  
Choctaw Land Office,  
Atoka, Indian Territory.

Dear Sir:

You are hereby advised that the following notation has  
this day been made upon original Choctaw enrollment card, No. 3731:

"No. 1 is duplicate of No. 3 on Choctaw card  
No. 2477. See letter of Thompson Barnett in  
Gen. Office files No. 23301-1903."

You are, therefore, requested to make like notation upon  
the duplicate card in your possession in accordance with the above  
information.

Respectfully,

Commissioner in Charge.

7-3731

Muskogee, Indian Territory, August 31, 1903.

Commissioner in Charge,  
Chickasaw Land Office,  
Tishomingo, Indian Territory.

Dear Sir:

You are hereby advised that the following notation has  
this day been made upon original Choctaw enrollment card, No. 3731:

"No. 1 is duplicate of No. 3 on Choctaw card  
No. 2477. See letter of Thompson Barnett in  
Gen. Office files No. 23301-1903."

You are, therefore, requested to make like notation upon  
the duplicate card in your possession in accordance with the above  
information.

Respectfully,

Commissioner in Charge.

MEMORANDA.

(Date) Aug 22 1899.

Name .....

Choctaw ? County Year No.

Chickasaw ? County Year Page

Citizen by blood ? Mother's citizenship

Intermarried citizen ?

Married under what law ?

License filed this day,

Wife's name,

Choctaw ? County Year No.

Chickasaw ? County Year Page

Citizen by blood ? Mother's citizenship

Intermarried citizen ?

Married under what law ?

License filed this day

Names of children:

13 Sampson, Wm. County Year 72 Page 220 No. 8817

3731

Choc 3732 Wilson Gardner

3732



7-1354  
7-2737

Muskogee, Indian Territory, November 24, 1902.

Wilson Gardner,  
Eagle Town, Indian Territory.

Dear Sir:

In the matter of the enrollment of yourself as a citizen of the Choctaw Nation you are requested to immediately notify the Commission whether or not you were, in 1896 or 1897, a student at Armstrong Academy.

This matter should receive your immediate attention as this information is necessary to your enrollment.

Respectfully,

Commissioner in Charge.

7-3732  
7-1454

Muskogee, Indian Territory, August 13, 1903.

Wilson Gardner,  
Care Jeff Gardner,

Bagletown, Indian Territory.

Dear Sir:

It appears from our records that on August 22, 1899, Wilson Gardner, 17 years of age, was duly listed for enrollment by this Commission as a citizen by blood of the Choctaw Nation.

You are requested to state whether you was, at that time, a student at Armstrong Academy, and also state where you were living in 1893.

Kindly give this matter prompt attention, returning your reply in the enclosed envelope.

Respectfully,

Commissioner in Charge.

Hrv.

7-3732  
7-1454.

Muskegee, Indian Territory November 30, 1904.

Wilson Gardner,  
c/o Jeff Gardner,  
Bagletown, Indian Territory.

Dear Sir:

It appears from our records that on August 22, 1899 Wilson Gardner, seventeen years of age, was duly listed for enrollment by this Commission as a citizen by blood of the Choctaw Nation.

You are requested to furnish the Commission with an affidavit setting forth in what county of the Choctaw Nation you were living in 1893, whether or not you were ever a student at Armstrong Academy, if so, when, and also the names of your parents and whether or not they are living.

You should give this matter your immediate attention, returning the affidavit requested in the inclosed envelope which requires no postage.

Respectfully,

Commissioner in Charge.

Inv.

7-1354  
7-3732.

Muskogee, Indian Territory, August 25, 1905.

Chief Clerk,  
Choctaw Land Office,  
Atoka, Indian Territory.

Dear Sir:

On Choctaw field card No. 1354 appears the name of Wilson Gardner, eighteen years of age, full blood, having been identified on the 1893 Leased District Payment roll, Eagle county, No. 290, his post office being given as Eagletown, Indian Territory, and his name appears as No. 3713 upon a final roll of Choctaws by blood approved by the Secretary of the Interior, December 12, 1902; an arbitrary allotment was made to him February 28, 1905 (Choctaw by blood roll No. 3713) amounting to \$1040.00.

On Choctaw field card No. 3732 appears the name of Wilson Gardner, seventeen years of age, full blood, having been identified on the 1896 Choctaw Census roll, Blue county, No. 4939, his post office being given as Academy, Indian Territory.

It is probable that this is a case of a duplicate enrollment although this has not been definitely established up to this time.

C. L. O. 2.

You are requested to advise this office whether your record in the matter of the arbitrary allotment made to Wilson Gardner as above noted shows anything from which it can be established that the Wilson Gardner to whom such allotment was made is the same person as the Wilson Gardner listed for enrollment on Choctaw field card No. 3732.

Respectfully,

Commissioner.



Chc 3733 Gaines Colbert

3733

Muskogee, Indian Territory, March 8, 1901.

T. W. Hunter,  
Caddo, Indian Territory,

Dear Sir:

On August 22nd, 1890, at the time of the Commission's session at Caddo, Indian Territory, you had listed for enrollment one of the orphans at Armstrong Academy, Gaines Colbert, thirteen years of age, and a full blood Choctaw Indian. The Commission waived the information as to the parentage of this child at that time, and we have to request that you now furnish us with the following information, if you possibly can.

The name of the father of Gaines Colbert, whether he is living or dead, to what county in the Choctaw Nation he belonged; the name of his mother, whether she is living or dead, and to what county in the Choctaw Nation she belonged; also, if this boy was ever known by the name of Elijah Colbert, and also if you ever heard of this boy going by the name of Elijah Carter.

Please give this matter your early attention.

Yours truly,

Acting Chairman.

7-3733.

In answering this letter  
refer to 7-3733.



Muskogee, Indian Territory, March 18, 1901.

T. W. Hunter,

Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 8th instant replying to the Commission's inquiry as to the parentage and other information in regard to a boy by the name of Gaines Colbert.

You have the thanks of the Commission for your prompt attention to our request.

Yours truly,

Acting Chairman.

7-3753

MEMORANDA.

(Date) Aug 22 1899.

Name .....

Choctaw ? County Year No.

Chickasaw ? County Year Page

Citizen by blood ? Mother's citizenship

Intermarried citizen ?

Married under what law ?

License filed this day,

Wife's name,

Choctaw ? County Year No.

Chickasaw ? County Year Page

Citizen by blood ? Mother's citizenship

Intermarried citizen ?

Married under what law ?

License filed this day

Names of children:

13

Garnes Colbert County Blue Year 96 Page 69 No. 2706

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

3733

Choc 3734 Solomon Clay

3734

~~XXXXXXXXXX~~

18

Name \_\_\_\_\_  
 Captain? \_\_\_\_\_  
 Officer? \_\_\_\_\_  
 Chief by Staff? \_\_\_\_\_  
 Ensign? \_\_\_\_\_  
 Midshipman? \_\_\_\_\_  
 Surgeon? \_\_\_\_\_  
 Chaplain? \_\_\_\_\_  
 Clerk? \_\_\_\_\_  
 Steward? \_\_\_\_\_  
 Cook? \_\_\_\_\_  
 Gunner? \_\_\_\_\_  
 Carpenter? \_\_\_\_\_  
 Blacksmith? \_\_\_\_\_  
 Barber? \_\_\_\_\_  
 Surgeon's Mate? \_\_\_\_\_  
 Steward's Mate? \_\_\_\_\_  
 Cook's Mate? \_\_\_\_\_  
 Gunner's Mate? \_\_\_\_\_  
 Carpenter's Mate? \_\_\_\_\_  
 Blacksmith's Mate? \_\_\_\_\_  
 Barber's Mate? \_\_\_\_\_

18 *Salmon Day* \_\_\_\_\_ *130* \_\_\_\_\_ *100* \_\_\_\_\_ *80* \_\_\_\_\_

\_\_\_\_\_  
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 \_\_\_\_\_  
 \_\_\_\_\_

1834

chc 3735 Daniel Williams

3735

MEMORANDA.

(Date) Aug 20 1899.

Name .....

Choctaw ?..... County..... Year..... No.....

Chickasaw ?..... County..... Year..... Page.....

Citizen by blood ?..... Mother's citizenship.....

Intermarried citizen ?.....

Married under what law ?.....

License filed this day,.....

Wife's name,.....

Choctaw ?..... County..... Year..... No.....

Chickasaw ?..... County..... Year..... Page.....

Citizen by blood ?..... Mother's citizenship.....

Intermarried citizen ?.....

Married under what law ?.....

License filed this day.....

Names of children:

18

Daniel Williams County Blue Year Ca Page 365 No. 13916

..... County..... Year..... Page..... No.....

..... County..... Year..... Page..... No.....

..... County..... Year..... Page..... No.....

..... County..... Year..... Page..... No.....

..... County..... Year..... Page..... No.....

..... County..... Year..... Page..... No.....

..... County..... Year..... Page..... No.....

..... County..... Year..... Page..... No.....

..... County..... Year..... Page..... No.....

3735

Choc 3736 MARCUS BATTIE

3736

7-3736

Muskogee, Indian Territory, May 16, 1908.

Marcus Battice,

Wiah, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 12th, in which you ask if certificate of approved citizenship from the Secretary of the Interior is necessary before you will be permitted to file on your claims. You further ask if it would be necessary for you to have your allotment located, or if the Government will furnish surveyors for that purpose.

In reply to your letter you are advised that it appears from our records that Marcus Battice has been enrolled by this Commission as a citizen by blood of the Choctaw Nation, and on February 4, 1908, his enrollment was approved by the Secretary of the Interior.

If you desire to select your allotment of the lands of the Choctaw Nation you will be permitted to do so upon your personal appearance at the land office for the nation in which the land is located. A ticket of admission to land office



Marcus Battice-----8

will be furnished you upon written request therefor.

In reply to that part of your letter, relating to the location of your allotments, you are advised that it is expected that citizens will be informed as to the location of their allotments at the time they make personal application therefor at the land office for the nation in which their land is located. The Commission, however, has, for several years past, had parties in the field, platting and locating lands and will be in a position to assist citizens materially in the location of allotments, but cannot at this time delegate surveyors for the specific purpose of locating allotments.

Respectfully,

Commissioner in Charge.

MEMORANDA.

(Date) Aug 22 1899.

Name .....

Choctaw ?..... County..... Year..... No.....

Chickasaw ?..... County..... Year..... Page.....

Citizen by blood ?..... Mother's citizenship.....

Intermarried citizen ?.....

Married under what law ?.....

License filed this day,.....

Wife's name,.....

Choctaw ?..... County..... Year..... No.....

Chickasaw ?..... County..... Year..... Page.....

Citizen by blood ?..... Mother's citizenship.....

Intermarried citizen ?.....

Married under what law ?.....

License filed this day.....

Names of children:

|      | County.....    | Year..... | Page..... | No..... |
|------|----------------|-----------|-----------|---------|
| 1901 | Marcus Battice | 96        | 28        | 1110    |
|      | County.....    | Year..... | Page..... | No..... |
|      | County.....    | Year..... | Page..... | No..... |
|      | County.....    | Year..... | Page..... | No..... |
|      | County.....    | Year..... | Page..... | No..... |
|      | County.....    | Year..... | Page..... | No..... |
|      | County.....    | Year..... | Page..... | No..... |
|      | County.....    | Year..... | Page..... | No..... |
|      | County.....    | Year..... | Page..... | No..... |
|      | County.....    | Year..... | Page..... | No..... |

On roll Marcus Battice

3736

Choc 3737 Harrison Pisachabe

3737

MEMORANDA.

(Date) Aug 24 1899.

Name .....

Choctaw ? County ..... Year ..... No. ....

Chickasaw ? County ..... Year ..... Page .....

Citizen by blood ? Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day, .....

Wife's name, .....

Choctaw ? County ..... Year ..... No. ....

Chickasaw ? County ..... Year ..... Page .....

Citizen by blood ? Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day .....

Names of children :

18 ✓ Harrison Peachaby County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

✓ Camp 62 H 537 - 75 PR Jackson Co  
as Harrison Peachabie

3737

Choc 3738 Sampson Jackson

3738

MEMORANDA.

(Date) Aug 22 1899.

Name

Choctaw? County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day,

Wife's name,

Choctaw? County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

15 Sam Jackson Jackson County Year 76 Page 174 No. 7091

13738

Clac 3739 moses Armstrong

3739

Muskogee, Indian Territory, November 14, 1901.

William H. Harrison,

Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 11th instant, in which you desire to be advised if the names of Lewis and Moses Armstrong have been listed for enrollment as citizens of the Choctaw Nation and if the Leased District payment of 1893 has been made to them and if so who drew their money.

Replying to your inquiry you are informed that it appears from the records of the Commission that on August 22, 1899, Moses Armstrong, 13 years of age, an orphan child who was at that time at Armstrong Academy, Choctaw Nation, was listed for enrollment as a citizen of the Choctaw Nation having been identified from the 1896 census roll of Atoka County, Choctaw Nation.

Also, on September 1, 1899, Lewis Armstrong, 15 years of age, of Atoka, Indian Territory, was listed for enrollment as a citizen by blood of the Choctaw Nation, having been identified from the 1896 census roll of Atoka County, Choctaw Nation.

You are further informed that the names of these two children, Lewis and Moses Armstrong, appear as Numbers 51 and 52 respectively upon page 120 of the 1893 Leased District payment roll of Blue County, Choctaw Nation, in a list of orphan boys at



W H H 2

Armstrong Academy. At the end of this orphan roll is the following certificate:

"The sum of (\$6386.) six ~~thousand~~ thousand, three hundred and eighty six dollars is deposited in the national treasury of the Choctaw Nation, to pay the above 62 orphan boys \$103. each. Said sum to draw interest at the rate of 4 %, per annum from June 10, 1893 until each child comes of age. Green McCurtain, Treasurer."

It is impossible for us to give you any more information as to the payment of the \$103.00 to these orphan boys than is shown by the record above quoted.

Yours truly,

Acting Chairman.

7-4363

7-3739

Choctaw 3739

Muskogee, Indian Territory, February 20, 1903.

Solomon J. Homer,  
Attorney at Law,  
Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of February 16, in which you ask if the name of Mose Armstrong appears on the citizenship rolls of the Choctaw Nation; you also desire information as to whether or not he has received his pro rata share of the Leased District payment.

In reply to your letter you are advised that it appears from our records that Moses Armstrong, sixteen years of age, and a pupil at Armstrong Academy in 1899, has been enrolled by this Commission as a citizen by blood of the Choctaw Nation, and on February 4, 1903, his enrollment was approved by the Secretary of the Interior

You are further informed that the name of Moses Armstrong, Atoka County, appears upon the 1893 Leased District payment roll of the Choctaw Nation, Blue County, as number 52, among sixty seven names after which appears the following notation:

\*The sum of \$6386.00) six thousand three hundred and eighty six dollars is deposited in the National Treasury of the Choctaw Nation, to pay the above 62 orphan boys \$103.00 each. Said sum to draw

S J H 2

interest at the rate of 4 % per annum from June 10, 1893 until each child comes of age.

(Signed) Green McCurtain,  
Treasurer.\*

Respectfully,

Acting Chairman.

MEMORANDA.

(Date) ..... 1899.

Name .....

Choctaw ? ..... County ..... Year ..... No. ....

Chickasaw ? ..... County ..... Year ..... Page .....

Citizen by blood ? ..... Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day, .....

Wife's name, .....

Choctaw ? ..... County ..... Year ..... No. ....

Chickasaw ? ..... County ..... Year ..... Page .....

Citizen by blood ? ..... Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day .....

Names of children:

13 *William M. ...* County *...* Year *7* Page *11* No. *11*

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

131139

choc 3740 willis moore

3740

Muskogee, Indian Territory, August 15, 1903.

The Honorable,

The Secretary of the Interior.

Sir:

On January 9, 1903, the Commission transmitted for departmental approval schedule number eleven of the partial roll of the citizens by blood of the Choctaw Nation, numbers 9995 to 10979 inclusive, copies of which were returned approved by the Secretary of the Interior February 4, 1903.

Referring to the name of Willis Moore, which appears thereon opposite No. 10562, the Commission has to advise that on May 27, 1903, Willis Moore appeared before the Choctaw Land Office at Atoka, Indian Territory for the purpose of making application for his allotment.

From an examination of the applicant it developed that Willis Moore is identical with Willie Moore, whose name appears opposite No. 12165 upon schedule number thirteen of the partial roll of citizens by blood of the Choctaw Nation, forwarded with our letter of February 15, 1903, copies

Secretary -----2

of which were returned, approved by the Secretary of the Interior March 6, 1902.

As a allotment of land has been made to Willie Moore, the Commission has to recommend that the enrollment of Willie Moore, No. 13165 on the approved roll of Choctaw citizens, be canceled upon the schedule of citizens by blood of the Choctaw Nation in the possession of the Department, and that the Commissioner be authorized to cancel his enrollment upon the approved schedule of the citizens by blood of the Choctaw Nation in its possession.

There is inclosed herewith a copy of the testimony of Willie Moore, taken at the Choctaw Land Office, Atoka, Indian Territory, May 27, 1902.

Respectfully,

Chairman.

Commissioner.

Inc. 61-6-3

Commissioner.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES,  
CHOCTAW LAND OFFICE,  
Atoka, Indian Territory, May 27, 1903.

Doc. N. 10662  
Doc. N. 12165

-\*-  
-\*

Doc. card 3740  
Doc. card 4543

In the matter of the enrollment of Willis Moore, Choctaw  
by blood approved Choctaw schedule No. 10662, Choctaw card field  
No. 3740.

-\*-

In the matter of the enrollment of Willis Moore, Choctaw  
by blood approved Choctaw schedule No. 12165, Choctaw card field  
No. 4543.

-\*-

Willis Moore being sworn testifies as follows:

TESTIMONY OF THE WITNESS

That is your name? A. Willis Moore, and will be Willis,  
how old are you? A. I am twenty three years old,  
Are you a full blood Choctaw? A. Yes, sir.  
What was the name of your father? A. James Moore,  
What was the name of your mother? A. I don't know,  
Is your father living? A. No, sir, and long time,  
What is your post office address at the present time? A. Chick-  
saw, Indian Territory.  
Did you appear before the Commission to the Five Civilized  
Tribes on September 1, 1903, at Atoka, Indian Territory, and  
were you sworn for your enrollment as a citizen by blood of  
the Choctaw Tribe? A. Yes, sir.  
Is that the only time you were sworn as a citizen of the  
Choctaw Tribe? A. Yes, sir.  
Do you know the name of the witness who was sworn with  
you on that day? A. Yes, sir,  
What name was the witness sworn with? A. I don't know,  
Did you ever see the witness since that time? A. No, sir,  
Do you know whether or not the witness was sworn for you or  
for himself as a citizen by blood of the Choctaw Tribe by the  
Commissioners of the Five Civilized Tribes? A. I don't know,  
What was the name of the witness at Atoka, Ind. T. on that day?  
A. I don't know,  
Do you know whether or not the enrollment of the witness  
was approved by the Commission of the Five Civilized Tribes  
at Atoka, Ind. T. on that day? A. I don't know,  
Do you know whether or not the witness was sworn as a  
citizen of the Choctaw Tribe by the Commission of the Five  
Civilized Tribes at Atoka, Ind. T. on that day? A. I don't know.



Willis Moore 2  
Willie Moore 2

- Q Do you believe that your name was sent up by him along with the names of the rest of the students ? A Yes, sir.
- Q Are you married ? A Yes, sir.
- Q What was the name of your wife prior to your marriage to her ? A Fannie Williams.
- Q Who was the superintendent of the academy at the time you were a student there ? A T. W. Hunter.
- Q He is the man who enrolled the Choctaws who were there in the school at that time ? A Yes, sir, he is.
- Q Was there another Choctaw attending Armstrong Academy at the time you were there by the name of Willis Moore or Willie Moore ? A No, sir, there was not.
- Q You made personal application to the Commission to the Five Civilized Tribes, when they were in session here at Atoka, Indian Territory, camped out here in the North East part of town -- at that time you appeared and made application for the enrollment of yourself as a citizen by blood of the Choctaw Nation ? A Yes, sir. I did.

-:-

Fred V. Kinkade being first duly sworn on oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the proceedings had in the matter above referred to at Atoka, Indian Territory, May 27, 1903; that the above and foregoing is a true, full and correct translation of his stenographic notes as taken in said case on said date.

*Fred V. Kinkade*

Subscribed and sworn to before me this June 2, 1903.

*W. W. Shelby*  
Notary Public.

(COPY)

D.C. 25850

EAF.

ITD 6582 &  
2326-1903.

DEPARTMENT OF THE INTERIOR.  
W A S H I N G T O N .

L.R.S.

September 15, 1903.

Commission to the Five Civilized Tribes,  
Muskogee, Indian Territory.

Gentlemen:

August 15, 1903, you recommended that the enrollment of Willie Moore, whose name appears as No. 12165 of the approved schedule No. 13, of citizens by blood of the Choctaw Nation, be canceled for the reason that this citizen has been enrolled as a Choctaw at No. 10562, on schedule No. 11, as Willis Moore, and that an allotment has been made to said Willis Moore.

The copy of the schedule in this office has been corrected in that <sup>the</sup> name of Willie Moore, No. 12165, has been canceled therefrom, and you are directed to cancel said name from the copies returned to the Commission. The Commissioner of Indian Affairs has been requested to cause the copy in his office to be likewise corrected.

Inclosed is a copy of the Commissioner's letter of transmittal, dated September 1.

Respectfully,

Thos. Ryan,

Acting Secretary.

1 inclosure.

(COPY)

Land.  
54444--1903.

DEPARTMENT OF THE INTERIOR,  
Office of Indian Affairs,  
Washington, Sept. 1, 1903.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith letter of the Commission to the Five Civilized Tribes of the 15th ultimo, inviting attention to the fact that on January 9, 1903, the Commission transmitted for Departmental approval schedule No. 11 of the partial roll of citizens by blood of the Choctaw Nation, including Nos. 9998 to 10979, copies of which were approved by the Department and returned February 4, 1903.

Referring to the name of Willis Moore which appears opposite No. 10562, the Commission now reports that on May 27<sup>th</sup>, 1903, Willis Moore appeared before the Choctaw Land office at Atoka for the purpose of making application for his allotment, and from an examination of him it developed that he is identical with Willie Moore whose name appears opposite No. 12165 upon schedule No. 13 of the partial roll of citizens by blood of the Choctaw Nation forwarded with letter of February 15, 1903, copies of which were returned approved by the Secretary of the Interior, March 6, 1903.

As an allotment of land has been made to Willis Moore,

the Commission now recommends that the enrollment of Willis Moore, No. 12165 on the approved roll of Choctaw citizens be cancelled upon the schedule of citizens by blood of the Choctaw Nation in the possession of the Department, and that the Commission be authorized to cancel his enrollment upon the schedules in its office . The Commission also encloses copy of the testimony of Willis Moore relative to this matter taken at atoka, May 27, 1903.

I concur in the recommendation of the Commission.

Very respectfully,

W. A. Jones,  
Commissioner.

E.B.H.-S.

7-3740

Muskogee, Indian Territory, September 22, 1903.

Commissioner in Charge,  
Chickasaw Land Office,  
Tishomingo, Indian Territory.

Dear Sir:

You are hereby advised that the following notations have this day been placed upon original Choctaw enrollment card No. 3740:

"No. 1 is a duplicate of No. 1 on Choctaw card No. 4348."

"No. 1 is husband of Fannie Moore, on Choctaw card No. 4206."

You are, therefore, requested to make like notations upon the duplicate card in your possession, in accordance with the above information.

Respectfully,

Chairman.

7-3740

Muskogee, Indian Territory, September 22, 1903.

Commissioner in Charge,  
Chootaw Land Office,  
Atoka, Indian Territory.

Dear Sir:

You are hereby advised that the following notations have this day been placed upon original Chootaw enrollment card No.3740:

"No. 1 is a duplicate of No. 1 on Chootaw card No. 4348."

"No. 1 is husband of Fannie Moore, on Chootaw card No.4206."

You are, therefore, requested to make like notations upon the duplicate card in your possession, in accordance with the above information.

Respectfully,

Chairman.

MEMORANDA.

(Date) Aug 22 1899.

Name .....

Choctaw ? County ..... Year ..... No. ....

Chickasaw ? County ..... Year ..... Page .....

Citizen by blood ? Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day, .....

Wife's name, .....

Choctaw ? County ..... Year ..... No. ....

Chickasaw ? County ..... Year ..... Page .....

Citizen by blood ? Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day .....

Names of children:

|     |    |        |      |      |     |
|-----|----|--------|------|------|-----|
| 157 | 21 | County | Year | Page | No. |
|     |    | County | Year | Page | No. |
|     |    | County | Year | Page | No. |
|     |    | County | Year | Page | No. |
|     |    | County | Year | Page | No. |
|     |    | County | Year | Page | No. |
|     |    | County | Year | Page | No. |
|     |    | County | Year | Page | No. |
|     |    | County | Year | Page | No. |
|     |    | County | Year | Page | No. |

~~SS~~  
13740

MEMORANDA.

21 Name *W. J. ...* (Date) *...* 1899.

Choctaw? *yes* County *Atoka* Year *...* No. *...*

Chickasaw? County *...* Year *...* Page *...*

Citizen by blood? *yes* Mother's citizenship *...*

Intermarried citizen? *...*

Married under what law? *...*

License filed this day, *...*

Wife's name, *...*

Choctaw? County *...* Year *...* No. *...*

Chickasaw? County *...* Year *...* Page *...*

Citizen by blood? Mother's citizenship *...*

Intermarried citizen? *...*

Married under what law? *...*

License filed this day *...*

Names of children:

| Name | County | Year | Page | No. |
|------|--------|------|------|-----|
|      | County | Year | Page | No. |
|      | County | Year | Page | No. |
|      | County | Year | Page | No. |
|      | County | Year | Page | No. |
|      | County | Year | Page | No. |
|      | County | Year | Page | No. |
|      | County | Year | Page | No. |
|      | County | Year | Page | No. |
|      | County | Year | Page | No. |
|      | County | Year | Page | No. |
|      | County | Year | Page | No. |
|      | County | Year | Page | No. |

*v. Cur p 34 ... Atoka Co*

4348



7-4348

Muskegee, Indian Territory, September 24, 1903.

Commissioner in Charge,  
Chickasaw Land Office,  
Tishomingo, Indian Territory.

Dear Sir:

You are hereby advised that original Choctaw enrollment card number 4348 has been cancelled and you are directed to cancel the duplicate card number 4348 in your possession, drawing a red ink line through the entire length of line one on said card.

You are also requested to make the following notation on said duplicate card number 4348 in red ink:

"No. 1 cancelled Sept. 15, 1903. See Departmental letter of that date, D. C. No. 25850-1903, " and the following notation in black ink:

"No. 1 is a duplicate of No. 1 on Choctaw card 3740."

Respectfully,

Chairman.

7-4348

Muskogee, Indian Territory, September 24, 1903.

Commissioner in Charge,  
Choctaw Land Office,  
Atoka, Indian Territory.

Dear Sir:

You are hereby advised that original Choctaw enrollment card number 4348 has been cancelled and you are directed to cancel the duplicate card number 4348 in your possession, drawing a red ink line through the entire length of line one on said card:

You are also requested to make the following notation on said duplicate card number 4348 in red ink:

"No. 1 cancelled Sept. 15, 1903. See Departmental letter of that date, D. C. No. 25850-1903," and the following notation in black ink:

"No. 1 is a duplicate of No. 1 on Choctaw card 3740."

Respectfully,

Chairman.

Choc 3741 Ephraim Nicholas

3741

MEMORANDA.

(Date) Aug 22 1899.

Name .....

Choctaw ? ..... County ..... Year ..... No. ....

Chickasaw ? ..... County ..... Year ..... Page .....

Citizen by blood ? ..... Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day, .....

Wife's name, .....

Choctaw ? ..... County ..... Year ..... No. ....

Chickasaw ? ..... County ..... Year ..... Page .....

Citizen by blood ? ..... Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day .....

Names of children:

15 of train Nicholas County 13 June Year 96 Page 249 No. 2827

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

3741

Choc 3742 Lavinia S. Senter

3742

MEMORANDA.

(Date) Aug 22 1899.

Name \_\_\_\_\_

Choctaw? \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ No. \_\_\_\_\_

Chickasaw? \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_

Citizen by blood? \_\_\_\_\_ Mother's citizenship \_\_\_\_\_

Intermarried citizen? \_\_\_\_\_

Married under what law? \_\_\_\_\_

License filed this day, \_\_\_\_\_

5<sup>2</sup> ✓ Wife's name, Lavinia S. Senter

X Choctaw? y<sup>o</sup> County Blue Year 96 No. 11606

Chickasaw? \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page 300

Citizen by blood? y<sup>o</sup> Mother's citizenship \_\_\_\_\_

Intermarried citizen? \_\_\_\_\_

Married under what law? \_\_\_\_\_

License filed this day \_\_\_\_\_

Names of children:

59 x Florence C. Lewis County Blue Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

257 Rush C. Lewis County " Year 96 Page 284 No. 8211

22 x Sora L. " County " Year " Page " No. 8212

13 x James W. " County " Year " Page " No. 8213

County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

In all Lavinia S. Senter  
x Admitted by Act Choct. Council #13 app.  
Act. 29 - 1897 - Lavinia S. Senter is  
Lavinia S. Lewis, James W. or James  
F. Lewis

As to residence see testimony of #1  
3742

Commission to the Five Civilized Tribes,  
Caddo, Indian Territory.

In the enrollment of Lavinia S. Sinter and children as Choctaws; being sworn and examined by Com'r McKennon she states:

Q What is your name? A Lavinia S. Sinter.

Q Where have you been living with these children- how long have you been in the Choctaw Nation? A Seventeen years.

Have all these children been with you during that time?

A Only except when they went back in Tennessee on a visit. Florence has been back twice on a visit, about a year each time; she has made this her home all the time.

Q All of these children have been here and made this their home? A Yes sir.

-----

of the Interior,  
Commission to the Five Civilized Tribes.  
I, W. D. Green, do hereby certify that I am my official oath as  
stenographer to the named Commission, that this  
transcript is a true and correct translation of  
my stenographic notes.

W. D. Green

Muskogee, Indian Territory, March 9, 1904.

Mrs. Lavina S. Senter,

Bokchito, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 3rd inst., requesting to be advised if you can now appear at the land office and select allotment for your daughter, Florence E. Lewis, you having been appointed her guardian.

You are informed it appears from our records that Florence E. Lewis, has been duly enrolled by this Commission as a citizen by blood of the Choctaw Nation and her enrollment as such approved by the Secretary of the Interior, February 4, 1903.

Respectfully,

Commissioner in Charge.



Choctaw 3742

Muskogee, Indian Territory, March 31, 1904.

Mrs. W. R. Senter,

Bokchito, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of your letter of March 14, addressed to the Secretary of the Interior, which has been by him referred to the Commission for consideration and appropriate action. Therein you ask concerning the rights of your sister who was admitted with you by an act of the Choctaw Council as a citizen of the Choctaw Nation about sixteen years ago, and who removed from the Territory to Mississippi about 1890 for the purpose of educating her children.

In reply you are advised that if you will state your full Christian name, and the names of your sister and her children the matter of your inquiry will receive further consideration.

Respectfully,

Commissioner in charge.

Muskogee, Indian Territory, April 12, 1904.

Mrs. W. R. Senter,

Bokchito, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 5th inst., stating that your sister's name was Maria F. Berry; that she was admitted by the Choctaw Council, October 1888; that your name at that time was Lavinia S. Lewis, and that you were admitted by the Choctaw Council, October 1887.

You are informed it does not appear from our records that any application has ever been made to this Commission for the enrollment of your sister, Maria F. Berry, and under the provisions of the Act of Congress, approved July 1, 1902, the Commission is now without authority to receive or consider the original application for enrollment of any person whomsoever as a citizen of the Choctaw or Chickasaw Nation.

Respectfully,

Commissioner in Charge.

Muskegee, Indian Territory, August 25, 1904.

Lavinia S. Senter,

Hokchito, Indian Territory.

Dear Madam :-

Receipt is hereby acknowledged of your letter of the 20th inst., referring to our letter to you of the 17th, requesting you to appear before the Commission for the purpose of giving testimony as to your status as an intermarried citizen, and stating that you are a Chectaw by blood, have been approved by the Secretary of the Interior, and have filed on your land and received your certificate.

You are informed that our letter to you of the 17th inst., was written under a misunderstanding by one of our clerks, who reported that your application had not been finally approved, and your

It will not, of course, be necessary for you to appear.

Respectfully,

Chairman.

7-3742

Muskogee, Indian Territory, December 28, 1905.

C. W. Edens,

Bokchito, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of November 23, 1905, in which you state that in October or November 1902 Marie V. Berry was admitted as a citizen by blood of the Choctaw Nation by a special act of the Choctaw Council; that she afterward left Indian Territory and went back to her home in Connecticut and only returned a short time ago, you therefore ask if she can appear now and be enrolled as a citizen; you state that her sister Leville S. Senter and all of her family have been enrolled and approved.

In reply to your letter you are advised that Leville S. Senter and her children have been enrolled as citizens by blood of the Choctaw Nation and their enrollment as such approved by the Secretary of the Interior. You are advised, however, that it does not appear from the records of this office that application has been made by or on behalf of Marie V. Berry for enrollment as a citizen of the Choctaw Nation and under the provisions of the act of Congress approved July 1, 1902, this office is now without

C. W. E. #2

authority to receive or consider original applications for enrollment in the Choctaw or Chickasaw Nations.

Respectfully,

Commissioner.

7-3742

Muskogee, Indian Territory, March 24, 1906.

Lavinia S. Senter,

Bokohito, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of March 16, 1906, in which you ask relative to the right to enrollment of your sister Maria F. Berry and her children.

In reply to your letter you are advised that it does not appear from the records of this office that application has been made by or on behalf of Maria F. Berry for the enrollment of herself and her children as citizens of the Choctaw Nation and if no such application was made to the Commission to the Five Civilized Tribes in her behalf prior to December 25, 1902, this office is now without authority to receive or consider original applications for enrollment in the Choctaw and Chickasaw Nations.

Respectfully,

Acting Commissioner.

7-3742

Muskogee, Indian Territory, June 29, 1906.

Lavinia S. Senter,  
Bokchito, Indian Territory.

Dear Madam:

Your letter of May 22, 1906, addressed to the Secretary of the Interior has been by him referred to this office for consideration and appropriate action. Therein you refer to the right of your sister, Maria F. Berry, to enrollment as a citizen of the Choctaw Nation.

In reply you are advised that it does not appear from the records of this office that application has been made by or on behalf of Maria F. Berry for the enrollment of herself and her children as citizens of the Choctaw Nation, and in this connection your attention is invited to the following provision of the Act of Congress, approved April 26, 1906:

"That after the approval of this Act no person shall be enrolled as a citizen or freedman of the Choctaw, Chickasaw, Cherokee, Creek, or Seminole tribes of Indians in the Indian Territory, except as herein otherwise provided, unless application for enrollment was made prior to December first, nineteen hundred and five, and the records in charge of the Commissioner to the Five Civilized Tribes shall be conclusive evidence as to the fact of such application."

Respectfully,

Commissioner.

choc 3743 Thomas N.P. Smith

No 5627 Dismissed NOV 12, 1904

see C-134

3743



Commission to the Five Civilized Tribes,  
Cadoo, Indian Territory.

In the affidavit of Thomas A. P. Smith and family as Choctaws  
being sworn and examined by Commissioner Johnson he states:

- Q What is your name? A Thomas A. P. Smith.  
Q How old are you? A Thirty-six.  
Q How long have you been living with this family?  
A Since they first five years ago last year.  
Q Where did you come from? A From Texas here.  
Q How long have you been living with this family here all the while  
since that time? A Yes sir.  
Q Have you any children? A Yes sir.  
Q All of them children were born with you? A Yes sir,  
the two boys were with me, and the other one was born here.  
Q What is your oldest child's name? A Laura V.  
Q When was it born? A (October 1st 1880).  
Q Is that the correct date of its birth is it? A Yes sir,  
that is by my wife's recollection about it.  
Q Do you have got a record of that? A Yes sir.  
Q Was that affidavit taken from the records? A Yes sir, and  
from her recollection.  
Q Who else knew about the birth of that child? A Dr. Bryan.  
Q What is his post-office address? A Cadoo.  
Q Who else knows about the date of the birth? A Mrs. George  
Johnson, and my mother.

-----  
Department of the Interior,  
Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as  
Special Agent in Charge of the Commission, that this  
affidavit is a true and correct statement of  
my sworn testimony.

*W. D. Johnson*

DEPARTMENT OF THE INTERIOR,  
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

ENROLLMENT OF MEMBERS OF THE CHOCTAW NATION UNDER ACT OF CONGRESS APPROVED AUGUST 13, 1906

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,  
of Laura V. Smith, born on the 19 day of Oct 1897.  
[Here insert name of child]  
Name of Father: T. H. P. Smith a citizen of the Choctaw Nation.  
Name of Mother: Martha J. Smith a citizen of the Choctaw Nation.  
Tribal enrollment of the  
Postoffice Caddo, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory,  
Cent. District.

I, Martha J. Smith on oath state that I am 27  
years of age and a citizen by intermarriage of the Choctaw Nation;  
that I am the lawful wife of T. H. P. Smith, who is a citizen, by  
blood of the Choctaw Nation; that a female child was  
born to me on 19 day of Oct. 1897; that said child has been named  
Laura V. Smith, and is now living. and was living March 1, 1906.  
Martha J. Smith

WITNESSES TO MARK:

[Must be Two Witnesses] {

Subscribed and sworn to before me this 21 day of August, 1899

(SEAL)

Chas. E. McPherron,  
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory,  
Cent-- District.

I, T. B. Bryan a physician, on oath state that I  
attended on Martha J. Smith, wife of T. H. P. Smith  
on the 19 day of Oct. 1897; that there was born to her on said date a female  
child; that said child is now living and is said to have been named Laura V. Smith

T. B. Bryan, M. D.

WITNESSES TO MARK:

[Must be Two Witnesses] {

Subscribed and sworn to before me this 21st day of August, 1899

SEAL)

Chas. E. McPherron,  
Notary Public.



DEPARTMENT OF THE INTERIOR, COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation, of Thomas H. P. Smith, Jr., born on the 25 day of July 1902. Name of Father: Thomas H. P. Smith a citizen of the Choctaw Nation. Name of Mother: Martha J. Smith a citizen of the Choctaw Nation. Tribal enrollment: [crossed out] Postoffice: Matoy, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory, Cent. District.

I, Martha J. Smith, on oath state that I am 30 years of age and a citizen by marriage of the Choctaw Nation; that I am the lawful wife of Thomas H. P. Smith, who is a citizen, by Blood of the Choctaw Nation; that a male child was born to me on 25th day of July 1902; that said child has been named Thomas H. P. Smith, Jr. and [crossed out] is now living. Martha J. Smith.

WITNESSES TO MARK:

[Must be Two Witnesses]

Subscribed and sworn to before me this 18th day of Sept. 1902.

(SEAL) J. L. Rappelee Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory, Cent. District.

I, W. T. Lindsey, a Physician, on oath state that I attended on Martha J. Smith, wife of Thomas H. P. Smith on the 25 day of July 1902; that there was born to her on said date a Male child; that said child [crossed out], and is said to have been named Thomas H. P. Smith, Jr. W. T. Lindsey.

WITNESSES TO MARK:

[Must be Two Witnesses]

Subscribed and sworn to before me this 18 day of Sept. 1902.

(SEAL) J. L. Rappelee Notary Public.

Commission to the Five Civilized Tribes,  
Ottawa, Indian Territory.

In the enrollment of Daniel A. Smith as a Choctaw; being sworn  
and examined by Com'r Johnson he testifies as follows:

- Q What is your name? A Daniel A. Smith.  
Q How old are you? A Twenty-nine.  
Q Where have you been living? A In the Choctaw Nation five  
years.  
Q All the while? A No sir, not quite five years.  
Q When did you come to the Choctaw Nation? A I came here in  
1895.  
Q Where from? A I came from North-west Arkansas.  
Q How long had you been living in Arkansas? A About nine  
years.  
Q Where did you come from there? A From the Choctaw Nation.  
Q How long had you been living in the Choctaw Nation? A I  
don't know whether I can answer--  
Q You say you came here in 1895? A Yes sir.  
Q How long did you live here? A I have been here since that  
time all the while.  
Q Haven't lived anywhere else? A No sir.

-----  
Interior,  
Commission to the Five Civilized Tribes,  
Ottawa, Indian Territory.  
I hereby certify that the foregoing is a true and correct translation of  
the original in Choctaw.

*MD Green*

*Aug 24 1899*

Commission to the Five Civilized Tribes,  
Caddo, Indian Territory.

In the enrollment of Charles P. Smith and child as Choctaws;  
being sworn and examined by Com'r McKesson he testifies:

- Q What is your name? A Charles P. Smith.
- Q How old are you? A Thirty.
- Q Where have you been living? A I have been living in and near Caddo for five years.
- Q Is the Choctaw Nation? A Yes sir.
- Q All the while? A Yes sir.
- Q Haven't lived anywhere else during that time?
- A No sir.
- Q Where did you come from? A I came from Mississippi here. I went from Arkansas to Mississippi.
- Q You were born and raised in Arkansas? A No sir, born in Mississippi.
- Q How long did you stay in Mississippi? A Three or four months.
- Q Where did you go to there? A I came here.
- Q When you were three or four months old? A No sir.
- Q Where did you come to from Mississippi? A Right here to Caddo.
- Q Where were you born? A In Mississippi.
- Q How long did you stay there there? A Until I was four or five years old.
- Q Where did you go to there? A To the Choctaw Nation.
- Q How long did you stay in the Choctaw Nation? A I don't know, we staid here a long time.
- Q Where did you go to there? A To North-west Arkansas.
- Q How long did you live there? A I don't know exactly.
- Q How old were you when you were living there? A I suppose

Charles P. Smith and child #2)

I was fifteen or sixteen.

Q How many years did you live there? A I couldn't tell you.

Q Did you live there twenty-five years? A No sir.

Q Ten years? A I guess not.

Q How many do you think you lived there? A I think probably seven or eight or ten.

Q Where did you go from Arkansas? A From Arkansas I went to Mississippi and staid about four months, and then I come to Caddo and have been here ever since.

Q How old are you now? A Thirty.

Q You were fifteen when you went to Arkansas and staid there eight years and then went to Mississippi and staid a few months and came back here, - you didn't account for it all? A I couldn't be positive about it all.

Q What year did you come here last? A In 1894.

Q You are sure of that? A Yes sir.

Q And you have been here ever since? A Yes sir.

Q You say you have a child? A Yes sir.

Q What is the date of its birth? A May 12th, 1896.

Q What is its name? A Ottoma.

Q That is the correct date of its birth? A Yes sir.

Department of the Interior,

Commissioner of the General Land Office.

I hereby certify that the foregoing is a true and correct translation of the original statement of the witness, as taken by the stenographer, and as the same was read to and approved by the witness, and as the same is a correct translation of the stenographic notes.

*M. D. Green*

*May 25-1897*

MARRIAGE LICENSE.

STATE OF ARKANSAS, COUNTY OF CRAWFORD:

TO ANY PERSON AUTHORIZED BY LAW TO SOLEMNIZE MARRIAGE--GREETING:

You are hereby Commanded to solemnize the rite and publish the bans of Matrimony between Mr. Chas P. Smith in the County of Crawford and State of Arkansas aged 26 years, and Miss Ellie Moore in the County of Crawford and State of Arkansas, aged 20 years, according to Law, and do you officially sign and return this License to the parties herein named.

WITNESS my hand and official seal this 30 day of July 1894.

(SEAL)

P. D. Scott, County Clerk.

By J. F. Stuart, D. C.

CERTIFICATE OF MARRIAGE.

STATE OF ARKANSAS, COUNTY OF CRAWFORD.

I, A. H. Colgrove do hereby certify that on the 30 day of July 1894, I did, duly and according to Law, as commanded in the foregoing License, solemnize the rite and publish the bans of Matrimony between the parties therein named.

WITNESS MY HAND, this 30 day of July, 1894.

My Credentials are Recorded in Recorder's Office, \_\_\_\_\_ County, Ark., Book \_\_\_\_\_, Page \_\_\_\_\_.

A. H. Colgrove, J. P.

CERTIFICATE OF RECORD.

STATE OF ARKANSAS, COUNTY OF CRAWFORD:

I, P. D. Scott, Clerk of the Circuit Court, and Ex-Officio Clerk of the County Court, and Recorder of said County, certify that the License for and Certificate of the Marriage of Chas P. Smith and Ellie Moore were on the 7 day of Aug 1894 filed in my office, and the same are now duly Recorded on Page 198 of Book E of Marriage Records.

Witness my hand and the seal of said County, this 14 day of Sept. 1894.

P. D. Scott, Clerk.

Indorsed:

MARRIAGE CERTIFICATE.

Mr. Chas. P. Smith to  
M. Ellie Moore.

Recorded Book E Page 198.

Returned and filed this 7th day  
of August 1894.

P. D. Scott, Clerk.

By J. F. Stuart, D. C.



DEPARTMENT OF THE INTERIOR,  
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

~~ENROLLMENT OF NEGROES AND MIXED BLOOD OF FIVE CIVILIZED TRIBES.~~

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,  
of Ottoma Smith, born on the 12 day of May 1898  
(Here insert name of child)  
Name of Father: Chas. P. Smith a citizen of the Choctaw Nation.  
Name of Mother: Ellie Smith a citizen of the United States  
Tribal enrollment of ~~XXXXXX~~ ~~XXXXXX~~ ~~XXXXXX~~ ~~XXXXXX~~ ~~XXXXXX~~  
Postoffice Caddo, Ind. Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory,  
Cent District.

I, Ellie Smith, on oath state that I am 24  
years of age and a citizen by of the United States Nation;  
that I am the lawful wife of Chas. P. Smith, who is a citizen, by  
Blood of the Choctaw Nation; that a female child was  
born to me on 12 day of May 1898; that said child has been named  
Ottoma Smith, and is now living.  
Ellie Smith

WITNESSES TO MARK:

[ Must be Two Witnesses ]

Subscribed and sworn to before me this 21 day of August, 1899.

Chas. E. McPherron  
Notary Public

(SEAL)

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory,  
Cent District.

I, Mary A. Loving, a Midwife, on oath state that I  
attended on Ellie Smith, wife of Chas. P. Smith  
on the 12 day of May 1898; that there was born to her on said date a female  
child; that said child is now living and is said to have been named Ottoma Smith

Mary A. Loving

WITNESSES TO MARK:

[ Must be Two Witnesses ]

Subscribed and sworn to before me this 21 day of August, 1899.

Chas. E. McPherron  
Notary Public

(SEAL)

DEPARTMENT OF THE INTERIOR,  
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

~~ENROLLMENT OF MINORS. ACT OF CONGRESS, APPROVED APRIL 26, 1906.~~

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,  
of Olive Smith Smith, born on the 1st day of Jan 1900.  
[Here insert name of child]  
Name of Father: Charles P. Smith a citizen of the Choctaw Nation.  
Name of Mother: Ellie Smith a citizen of the United States.  
Tribal ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

Postoffice: Caddo, Ind. Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory,  
Central District.

I, Ellie Smith on oath state that I am 26  
old years of age and a citizen of the United States  
that I am the lawful wife of Chas. P. Smith who is a citizen, by  
blood of the Choctaw Nation; that a female child was  
born to me on the 1st day of Jan. 1900; and that said child has been named  
Olive S. Smith and ~~XXXXXXXXXXXXXXXXXXXX~~ is now living.  
Ellie Smith

WITNESSES TO MARK:

[Must be Two Witnesses]

Subscribed and sworn to before me this 5th day of June, 1900

(SEAL)

Chas. E. McPherron.  
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory,  
Central District.

I, H. F. Rappolee a physician on oath state that I  
attended on Mrs. Ellie Smith wife of Chas. P. Smith  
on the 1st day of Jan. 1900; that there was born to her on said date a female  
child; that said child was ~~born~~ <sup>is now living</sup> and is said to have been named Olive S. Smith

H. F. Rappolee

WITNESSES TO MARK:

[Must be Two Witnesses]

Subscribed and sworn to before me this the 5th day of June, 1900

(SEAL)

Chas. E. McPherron  
Notary Public.

DEPARTMENT OF THE INTERIOR,  
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,  
of Charles Gordon Smith, born on the 26th day of July 1902  
[Here insert name of child]  
Name of Father: Charles P. Smith, a citizen of the Choctaw Nation.  
Name of Mother: M. Ellie Smith, non a citizen of the Nation.  
Tribal ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
Postoffice Wade, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory,  
Central District.  
I, M. Ellie Smith, on oath state that I am 29  
years of age and a citizen by non of the Nation;  
that I am the lawful wife of Charles P. Smith, who is a citizen, by  
Blood of the Choctaw Nation; that a male child was  
born to me on 26th day of July 1902; that said child has been named  
Charles Gordon Smith and ~~XXXXXXXXXXXXXXXXXXXX~~ is now living.  
M. Ellie Smith.

WITNESSES TO MARK:

[Must be Two Witnesses] {  
Subscribed and sworn to before me this 5th day of Sept. 1902.  
(SEAL) C. H. Elting, Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory,  
Central District.  
I, W. E. Howard, a Physician on oath state that I  
attended on M. Ellie Smith, wife of Charles P. Smith,  
on the 26th day of July 1902; that there was born to her on said date a male  
child; that said child ~~XXXXXXXXXXXXXXXXXXXX~~ is now living  
and is said to have been named Charles Gordon Smith.  
W. E. Howard, M. D.

WITNESSES TO MARK:

[Must be Two Witnesses] {  
Subscribed and sworn to before me this 8 day of September, 1902.  
(SEAL) J. N. Gryder, Notary Public.

Commission to the Five Civilized Tribes,  
Caddo, Indian Territory.

In the enrollment of Mary A. Loviag as a Choctaw; being sworn and examined by Commissioner McKenna she testifies as follows:

Q What is your name? A Mary A. Loviag.

Q How old are you? A Sixty.

Q Where have you been living? A Here in the Nation a good part of the time; I come here from Mississippi in 1872; the last time I came back here was in 1897.

Q You came back here from Texas? A No sir, I come from Arkansas, I never have been in Texas.

Q You have been living here ever since? A Yes sir.

Q What time in 1897 did you come? A July, 21st, 1897.

Q You have not been living anywhere else since that time?

A I have not been six miles from the place.

-----

Department of the Interior,  
Commissioner of the Five Civilized Tribes.  
I hereby certify that the within as  
stated by the above named witness, that this  
is a true and correct translation of  
my stenographic notes.

*M. A. Green*

*Aug 26 - 1899*

Commission to the Five Civilized Tribes,  
Cameo, Indian Territory.

In the enrollment of William R. Smith as a Choctaw; his  
sworn and examined by Com'r McManis he testifies as follows:

- Q What is your name? A William R. Smith.
- Q How old are you? A Thirty-three.
- Q Where have you been living? A In the Choctaw.
- Q When did you come here last? A In 1891.
- Q Where from? A From Texas.
- Q You have been living here ever since? A Yes sir.
- Q All the while? A I have been away, it has been some time  
though ever since.
- Q Where were you born and raised? A I was born in DeWitt  
County, Mississippi.
- Q How long did you stay in Mississippi? A I left Mississippi  
when I was six years old.
- Q Where did you go to? A I came to the Choctaw Nation.
- Q How long did you stay in the Choctaw Nation? A Until 1884.
- Q How old were you when you left the Choctaw Nation? A  
I was twelve years old. I went to Arkansas.
- Q How long did you live in Arkansas? A Until I was 16, until  
the fall of 1884.
- Q Where did you go to then? A I went to the Choctaw Nation.
- Q How long did you stay here then, when you came here from  
Kansas? A I cannot tell the date, I don't recollect.
- Q Did you stay a month? A It was more or less than a month.
- Q Then you went back to Arkansas? A Yes I went to the Choctaw Nation, but I  
took the train at Purcell, Arkansas then, and went to Mississippi  
ippi.
- Q How long did you stay in Mississippi? A I got to Missis-  
ippi in December, 1890, and the 14th of December 1891 I left  
Mississippi.

William B. Smith (2)

Q Where did you go to Texas? A I came to Texas.

Q How long did you stay in Texas? A I stayed in Texas about two months.

Q Where did you go to Texas? A I came to Texas.

Q How long did you stay in Arkansas? A Until about the 15th of October 1892.

Q Where did you go to Texas? A I came to Texas in June 1894. I don't remember the place at Dallas, Texas, at the time of the election in Texas, Arkansas, Louisiana and Alabama.

Q Where did you go to Texas? A I came to Texas.

Q Where did you go to Texas?

Q Where did you go to Texas? A I came to Texas.

Q Where did you go to Texas? A I came to Texas.

Q Where did you go to Texas? A I came to Texas.

Q Where did you go to Texas? A I came to Texas.

Q Where did you go to Texas? A I came to Texas.

Q Where did you go to Texas? A I came to Texas.

Q Where did you go to Texas? A I came to Texas.

Q Where did you go to Texas? A I came to Texas.

Q Where did you go to Texas? A I came to Texas.

Q Where did you go to Texas? A I came to Texas.

Q Are you certain of your answer? A I am.

Q How did you get your answer? A I saw that.

Q How did you get your answer? A I saw that.

Q How did you get your answer? A I saw that.

Q How did you get your answer? A I saw that.

Q How did you get your answer? A I saw that.

Q What is the name of the man?

Q What is the name of the man? A William B. Smith, September

3rd, 1896; Arthur B. Smith, April 3rd, 1898.

112  
William R. Smith (8)

**Case Notes:**

Arthur P. was born since the judgment was rendered; it will be enrolled. The others were born before the judgment, and cannot be enrolled.

D. R. Smith, Jr.,  
Attorney at Law,  
No. 100 South Broadway,  
St. Louis, Mo.  
By \_\_\_\_\_  
M. G. M.

Commission to the Five Civilized Tribes,

Atoka, I. T., Dec. 30, 1897.

In the application of William R. Smith for the enrollment of his children as citizens; being sworn and examined by Com'r McKen-  
zie as testifies as follows:

Q. What is your name? A. William R. Smith.

Q. How old are you? A. Thirty-three.

Q. Were you admitted by the U. S. State courts? A. Yes sir.

Q. Where? A. At South McAlester.

Q. When? A. 11th of September, 1897.

Q. Will you state as you want to about your case?

A. I have nothing to state. So far as the statements and facts that are in this application and all the papers contained therein are true.

(The witness explained to the applicant that the Commission

is a body of men appointed by the President to file.)

Q. Do you have any children that were not embraced in the judgment  
and enrollment of you?

Q. How do you know that they were not embraced in that judgment?

A. I do not know.

Q. What is the date of your admission to citizenship?

A. 11th of September, 1897.

Q. Where?

A. At South McAlester, Indian Territory.

Q. How old?

A. Thirty-three.

Q. How do you know that they were not embraced in that judgment?

A. I do not know.

Department of the Interior,

Atoka, I. T., Dec. 30, 1897.





DEPARTMENT OF THE INTERIOR,  
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

X ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
IN RE APPLICATION FOR ENROLLMENT, as a citizen of the... Choctaw... Nation,  
of Ella Eunice Smith, born on the 5th day of July, 1902.  
Name of Father: William R. Smith a citizen of the Choctaw Nation.  
Name of Mother: Mary Ella Smith a citizen of the Choctaw Nation.  
Tribal enrollment of father: ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
Tribal enrollment of mother: ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
Postoffice: Roberts, Ind. Territory.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory, }  
Central District. }  
I, Mrs. Mary Ella Smith, on oath state that I am Twenty seven  
years of age and a citizen by marriage of the Choctaw Nation;  
that I am the lawful wife of William R. Smith, who is a citizen, by  
Blood of the Choctaw Nation; that a female child was  
born to me on 15th day of July 1902; that said child has been named  
Ella Eunice, and is now living. ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

Mary Ella Smith

WITNESSES TO MARK:

[Must be Two Witnesses] {  
.....  
.....

Subscribed and sworn to before me this 11th day of Sept. 1902 XKK.

(SEAL) W. T. Sprowls  
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory, }  
Central District. }  
I, Mrs. Elizabeth F. Fisher, a midwife, on oath state that I  
attended on Mary Ella Smith, wife of William R. Smith  
on the 15th day of July, 1902; that there was born to her on said date a female  
child; that said child is now living and is said to have been named Ella Eunice.

Elizabeth F. Fisher.  
her mark

WITNESSES TO MARK:

[Must be Two Witnesses] {  
M. R. Fisher  
W. A. Shidrich

Subscribed and sworn to before me this 11th day of Sept. 1902 XKK.

(SEAL) W. T. Sprowls  
Notary Public.

(COPY-DeB)

MARRIAGE LICENSE .

STATE OF TENNESSEE, Harding County.-- S. S.

To and Regular Minister of the Gospel of any Denonina-  
tion, or Jewish Rabbi, or any Judge, Chancellor or Justice of  
the Peace within said County:

These are to authorize you, or either of you, to solemnize

T H E R I T E O F M A T R I M O N Y

Between W. R. Smith and Mary E. Hanston of your County,  
agreeably to the Act of Assembly in such cases made and  
provided.

PROVIDED, ALWAYS, ~~that the said~~ . . . . .  
~~be an actual resident of~~ that the Rite of Matrimony be sol-  
emnized in this County, otherwise these shall be null and  
void, and shall not be accounted any License or authority  
to you, or either of you, for the purpose aforesaid, more  
than though the same had never been prayed or granted, etc.

Witness my hand at office, this 16 day of July, 1891.

W. C. Wood,

Clerk of County Court.

STATE OF TENNESSEE )  
COUNTY OF HARDIN. )

I, A. A. Watson, Clerk of the  
County Court said County and State hereby Certify that the  
within is a true copy of the Marriage License of W. R. Smith  
to Mary E. Hanston as appears of Record in Book 6, Page  
154 in my office This July 3, 1899.

A. A. Watson, Clerk.

(U.S. Stamp) (Endorsed) MARRIAGE LICENSE. W. R. Smith  
to Mary E. Hanston. Issued July 3, 1891. I solemnized the  
Rite of Matrimony between the within named parties on the 16  
day of July, 1891. J. W. Falkner, M.G.

(COPY)

In the matter of the Application of Gray W. Phillips for Choctaw Citizenship. Gray W. Phillips, being first duly sworn, on his oath, testified as follows:

- Q What is your name? A Gray W. Phillips.
- Q What is your age? A I am turning my forty-ninth year.
- Q Where do you reside? A Caddo.
- Q Caddo, Indian Territory? A Yes sir.
- Q What Nation is that in? A Choctaw Nation.
- Q Have you ever been upon the rolls of the Choctaw Nation? A No sir.
- Q Was your father and mother ever upon the rolls? A No sir, my father never was upon the rolls; I don't reckon my mother was either. I know my father was not.
- Q How much blood do you claim? A My mother was said to be about half.
- Q How long have you lived in the Choctaw Nation? A I moved here with my family and got here on the 5th day of January two years.
- Q That would be in '98? A Yes sir.
- Q Where did you remove from? A From Mississippi.
- Q Where were you born? A Mississippi.
- Q Raised in Mississippi and lived in Mississippi until you moved to the nation? A Yes sir.
- Q Do you claim citizenship through your mother? A Yes sir.
- Q Are you married? A Yes sir.
- Q What is your wife's name? A Salennia Augusta.
- Q Have you any children? A Yes sir.
- Q Please give the names and ages of the children that are under twenty-one? A They are all under twenty-one.
- Q Give their names and ages please. A Andrew B. is in his twenty first year now. He will be twenty one next October. Jesse W. about nineteen. Sarah Annie two years younger than Jesse.
- Q What is the next one? A The next one is John Allen, about fourteen. The next one is Gray T.

- Q How old is Gray T.? A Gray T. is about ten.
- Q What is the next one? A The next one is Grover Cleveland.
- Q How old is Grover? A Grover Cleveland is in his seventh or eighth year.
- Q What is the next one? A Martha Elizabeth.
- Q How old is Martha? A Martha is about four years old.
- Q And these children all live with you? A Yes sir.
- Q They are all residents of the Choctaw Nation? A Yes sir. They all live with me.
- Q Did you ever apply to the Dawes Commission for citizenship? A Yes sir, there was an application made, I didn't make it, but there was an application made for me.
- Q What was the result? A I was rejected. I was in Mississippi at that time.
- Q Was there an appeal taken to the United States Court? A Yes sir.
- Q What was the result? A I understand the decision of the Dawes Commission was affirmed.

By G. W. Walters, Attorney for Gray W. Phillips.

- Q Did your children all come with you to the Territory? A Yes sir.
- Q Mr. Phillips, do you know any of your people that have been enrolled before you came to the Territory? A Before I came to the Territory I had an uncle that came with the Choctaw Indians when they came.
- Q What is his name? A John Pickens.
- Q Do you know when he was first enrolled? A No sir.
- Q Was he an uncle on your father's or mother's side? A On my mother's side.
- Q Was he your mother's brother? A My mother's uncle.
- Q How many times was he enrolled? A I don't know how many times they made up the rolls. His name appears on the old Choctaw roll but I don't know when it was made up. I saw his name on it.
- Q Before 1890? A Oh, yes.

Q You don't know whether any others of your family are enrolled?

A I had a sister enrolled in August when the Commission was at Caddo.

Commissioner Needles: What was her name? A Her name was Mary E. Lovin.

Mr. Walters:

Q I will ask you whether or not all of your people that you know of living now have been enrolled but you and your family?

A All that I know of that are here; my sister and her children and grand-children are all enrolled.

Q When? A They were enrolled in August.

Q Last August? A Last August.

Q Why was you not enrolled in Mississippi? A I never met the Commission I was here when the Commission was in the state of Mississippi.

Q You was a citizen of the Indian Territory when the Commission was in Mississippi enrolling the Choctaws in Mississippi? A Yes sir.

Q You say you didn't make the application in person to be enrolled in the territory in 1896? A No sir.

Commissioner Needles: Your attorney made it for you? A Yes sir My sister's family made their application.

Q You and your family were included in that application? A Yes sir  
Mr. Walters:

Q And your sister and her family was ordered by the court in the decree to be enrolled on the appeal, and you was rejected because you was not a citizen of the Territory and they were; your sister and her family? A That is right.

Q And you was not a citizen of the Territory at the time - you understand that you was rejected because you was not a citizen in 1896, but was a citizen of Mississippi? A That is what my attorney wrote me.

Q Now these parties whose affidavits you have here, were taken in

Mississippi and here? A Yes sir.

Q Your people were born and raised in Mississippi, were they, or in Georgia? A My mother was born in Georgia.

Commissioner Needles: You removed from Mississippi to the Territory? A Yes sir.

Mr. Walters:

Q That is the only place you ever lived, in Mississippi and the Indian Territory? A Yes sir.

Q Mr Phillips, I will ask you to state now just what you did the 23rd and 24th of August at Caddo to the Commission in order to show that you tried to be enrolled there? A I went up to the entrance there and called the man and he came out and asked me if I wanted in, and he said, "Have you got your paper?"

Q Who was that? A It was one of the employees at that time. And that was on the first day, and he says "Have you got your paper?" I said "No"; said I haven't got no papers at all. And he said, "have you ever been enrolled by the courts or by the Commission or any body, and I said no sir. And he said there was no use in your going in. That was on the first day, I think, that I went over; then the next day I went back over there and talked to Mr. McKennon and he told me he had no jurisdiction in that case. I believe that is about the whole matter.

Q State whether he invited you in, or told you he would not take your evidence. A He told me that he would not take my evidence; that he had no jurisdiction.

Q Was you there for the purpose of making your statement and of introducing any testimony that might have been necessary? A That was what I went over there for.

Q Who was your attorney? A Charles McPherrin of Caddo.

Commissioner Needles: Your name and that of your family not appearing upon any of the rolls of the Choctaw Nation, and you

having applied to the Dawes Commission in 1896, your application having been rejected, and you having appealed your case to the United States District Court, the said Court having affirmed the judgment of the Dawes Commission, your application at this time is rejected, and the testimony and documents you file will be forwarded to the Secretary of the Interior.

February 16, 1900.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

I hereby certify upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

Anna Bell.



DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 ATOKA, INDIAN TERRITORY, MARCH 25, 1901.

In the matter of the application for identification as Mississippi Choctaws of Gray W. Phillips and his minor children. Gray W. Phillips, having been first duly sworn, on his oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Gray W. Phillips.  
 Q What is your age? A I am in my fiftieth year.  
 Q What is your post office address? A Caddo; Caddo, Indian Territory.  
 Q Indian Territory? A Yes sir.  
 Q How long have you lived at Caddo? A In Caddo? I moved there three years ago last January.  
 Q Where did you live before you lived there? A In Mississippi.  
 Q Did you always live in Mississippi before you came there?  
 A Yes sir, never lived any where else.  
 Q Where were you born in Mississippi? A What county you mean?  
 Q Yes sir. A Tishomingo County.  
 Q You have been living out of the state of Mississippi for how many years last past? A I come to Caddo the fifty of last January was three years ago.  
 Q And came from Mississippi? A And came from Mississippi.  
 Q What is your father's name? A Joseph D. Phillips.  
 Q Is he living? A No sir, dead.  
 Q What is your mother's name? A Elizabeth G. Phillips.  
 Q Is she living? A No sir, she is dead.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A Through my mother.  
 Q How much Choctaw blood do you claim? A Well, I have always understood that my mother was half breed.  
 Q You claim how much? A That would make me about one fourth wouldn't it?  
 Q Is the name of your mother on any of the tribal rolls of the Choctaw Nation? A Well, if it is, I don't know; I don't know whether it is or not.  
 Q Did she ever live in the Indian Territory? A No sir, not this Indian Territory.  
 Q Was she ever recognized by the Choctaw tribal authorities as a Choctaw Indian? A Yes sir.  
 Q In the Indian Territory? A Yes sir.  
 Q In the Indian Territory here? A In the Indian Territory? No sir, she was in Mississippi.  
 Q She was considered by the people who knew her in Mississippi as a Mississippi Choctaw Indian? A Yes sir.  
 Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir, never did.  
 Q Did you ever make application for enrollment as a Choctaw Indian to the Choctaw tribal authorities? A No sir.  
 Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision either of the Dawes Commission or the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application for enrollment or citizenship in the Choctaw Nation under the act of Congress of June 10, 1896?  
 A Well, now, I don't know that I can - they were my -- I never did make an application to the Dawes Commission except as I tell you, about a year ago, but there was an application made for me in '96

- but I was in Mississippi, never saw the application.
- Q An application was made to the Dawes Commission in 1896? A Yes sir.
- Q Who made the application for you? A I had a nephew living in this country and he made it through an attorney.
- Q This nephew made an application for himself through an attorney?
- A Yes sir, and put me in.
- Q And put you in? A Yes sir.
- Q Did you know anything about it at the time? A Yes sir, he wrote me.
- Q But you made no personal application? A No sir.
- Q You were then living in Mississippi? A Yes sir.
- Q What was done about that application made by your nephew in '96?
- A I understodd it was rejected.
- Q Did you after that make application to the Dawes Commission for enrollment or citizenship? A Yes sir, I did a little over a year ago.
- Q And where was that made? A That was made in Muskogee.
- Q Did you make your application then as a Choctaw citizen by blood?
- A Yes sir.
- Q What was done about that application? A Well, Mr. Dixby told me at the time that -- he said "I will reject your application on the ground that your name does not appear upon any of the rolls."
- Q You were given to understand then were you--- A (interrupting) I was given to understand that it would be rejected.
- Q Have you ever received a formal notification of rejection in writing? A No sir.
- Q Did you, or any body in your behalf make an effort to appeal from the action of the Commission or give notice of an appeal from the present case pending? A Yes sir; Judge Walters can tell you better about that than I can; I don't know; he has been my attorney.
- Q If that application is now pending which you made in Muskogee last year, what is your desire in reference to that application?
- A Well now I will tell you --
- Q Make it brief. A Well my desire now is to withdraw that application, but to retain the proof and have the same proof go into this application, and to make application as a Mississippi Choctaw.
- Q Whether the Commission has taken formal action or not, you don't desire to press that application? A No sir.
- Q But you desire to press this application? A Yes sir.
- Q And you would like to have the documentary evidence that you submit in that application transferred to this? A Yes sir, and made a part of the records in this case.
- Q This is the first application then that you have ever made for identification as a Mississippi Choctaw? A Yes sir.
- Q Under what treaty or treaties do you now make this application?
- A Under the treaty of 1830.
- Q Do you claim under the whole treaty or under only a certain article?
- Q A I reckon it is under a certain article; about the fourteenth.
- Q You claim under the fourteenth article? A Yes sir.
- Q What is the name of your ancestor who lived in Mississippi in 1830?
- A In 1830; my grandfather lived in Mississippi in 1830.
- Q What his name? A His name was Gabriel Pickens.
- Q P-i-c-k-e-n-s? A Yes sir.
- Q Your mother's father? A My mother's father.
- Q Was he a full blood Choctaw? A Said to be, but of course I never saw him.
- Q Have you any documentary proof that he was? A I think so; I think I have got that proof in those other papers.
- Q Is that also a family tradition that he was a full blood?
- A Yes sir.
- Q Did he within six months after the ratification of the treaty of 1830 tell the United States Indian Agent living in Mississippi that he intended to take land there and become a citizen of that state?
- A Well, I could not say that; I don't know.

- Q Do you know whether he removed from Mississippi to the Indian Territory in the years 1833 to 1837,-A He never removed.
- Q When the United States Government removed the Choctaw Indians?
- A He never removed, he had a brother who did, but he did not.
- Q Do you know why he did not? A No sir.
- Q Was he a beneficiary under article fourteen of the treaty of 1830?
- A I don't think he was.
- Q Did he comply in any way with the provisions of article fourteen of the treaty of 1830? A If he did this I don't know, I could not answer.
- Q Did he claim or receive any land in Mississippi as a beneficiary under article fourteen of the treaty of 1830? A No sir, think he ever did.
- Q Did he ever hold any land in Mississippi? A No sir, never; never owned none no way there.
- Q Have you or any of your ancestors ever received any benefits in Indian Territory as Choctaw Indians? A In this Territory?
- Q Yes sir? A I have a sister and a lot of nephews and cousins that have.
- Q Were they court citizens? A Yes sir.
- Q You never were included in any judgment of the United States Court in Indian Territory? A I never was included, the United States Court taken judgment against me.
- Q The United States Court took a judgment against you? A Yes sir, that case was appealed.
- Q What case? A That case I was telling you about.
- Q That application that was made by your nephew where you made no personal appearance? A Yes sir.
- Q An appeal was taken and your name went up to the court? A Yes sir.
- Q And the action of the court was adverse to you, was it? A Yes sir.
- Q Are you married? A Yes sir I still lived in Mississippi then
- Yes sir, I am married.
- Q What is your wife's name? A Salamina A.
- Q How do you spell that? A S-a-l-e-m-n-i-a
- Q S-a-l-e-m-n-i-a do you spell it? A Yes sir.
- Q Do you make any claim for her? A Yes sir.
- Q As what? A As an intermarried citizen.
- Q The only authority vested in this Commission to receive applications for identification as Mississippi Choctaws is found in the twenty first section of the act known as the Curtis Act, which I will read. "Said Commission (meaning this Commission) shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior." That is the only authority there is. If it were not for this clause in section twenty one of the Curtis Act you would not have a right to come before the Commission now and make an application for your self as a Choctaw Indian descended from a Mississippi Choctaw ancestor. But your wife is not descended from a Mississippi Choctaw ancestor; she has no Choctaw blood at all-- (Interrupting)
- No sir--- Q I understood she is white? A Yes sir.
- Q Therefore it is the position the Commission has taken, and founded upon their interpretation of this law, that it has no authority to act in the case of a person claiming citizenship by intermarriage. And with this explanation it is left with the applicant then to declare whether he intends to make application for his wife or not. I wish to say that the Commission's position is that it will not refuse your application for your wife, but we do not know of any authority.

Gray W. Phillips-4

Applicant: Well, it would not weaken the case any, would it, so far as others are concerned, that is, so far as my children are concerned?

A Commission: It does not weaken the case any; it is just something thrown in that is a superfluity.

Applicant: Well, I will just leave that to your honor.

Commission: Well, I don't like to have you leave it to the Commission

Q Do you think you care to make application for your wife?

A Why, I expect maybe it would not be any use.

Q Have you any children under twenty one years of age and unmarried that you wish to make application for? A My children are all under twenty one years of age except one.

Q What is the name of the oldest, unmarried and under twenty one?

A They are all unmarried.

Q What is the name? A Jesse W.

Q Boy? A Yes sir.

Q How old? A Nineteen.

Q What is the name of the next? A Sarah A.

Q What is the age? A Seventeen.

Q What is the name of the next? A John A.

Q How old is John A.? A Fourteen.

Q Next? A Gray T.

Q How old? A Gray is twelve years old.

Q Next? A Grover C. eight years; Martha R., four years; now that is all except one twenty one.

Q These are all the children you have under twenty one years of age?

A I have got one just turning into his twenty second year.

Q He will have to make application for himself. Is Salemnia Phillips the mother of these children? A Yes sir.

Q And you are the father? A Yes sir.

Q Are you and she living together as husband and wife? A Yes sir.

Q Are the children all living with you at your home? A Yes sir.

Q Is the basis of their claim the same as yours? A Yes sir.

Q Have you any documentary evidence you wish to submit now in support of your application? A Yes sir, I have two affidavits.

Affidavit of W. F. Blakney submitted by applicant, received filed, marked Exhibit A and made a part of the records in this case; affidavit of David Blakney presented by applicant, received, filed, marked Exhibit B and made a part of the records in this case; application of Gray W. Phillips presented, received, filed, marked exhibit C and made a part of the records in this case. Statement by G. W. Phillips presented by applicant, received, filed, marked Exhibit D and made a part of the records in this case.

Q Do you wish time in which to procure such other evidence as consider necessary? A Yes sir.

Twenty days time from the date hereof is allowed applicant in which to file other documentary evidence in support of your application.

Q Is there anything further you would like to state now in support of your claim? A No sir.

Examination by G. W. Walters, attorney for applicant

Q You were not a citizen of the Indian Territory at the time your friends made your application for you and was rejected? A No sir, I was a resident of Mississippi.

Gray W. Phillips 5

Q Well after that when you made another application to the Dawes Commission you understood that to have been rejected for the reason that the case had been decided once when you were not a citizen?

A Well, that might have been one reason.

Q Did you see that in the letter I sent you from Gads that he wrote?

A Yes sir. Mr. Bixby told me that day, he says I expect you ought to be enrolled but I will reject this application on the ground that your name or none of your ancestors, that is your mother, appears on none of the rolls, something about to that effect; Q He wrote us d nt you recollect that I wrote you; he never has made any decision; he said he would do it and I don't know but he said when he did do it it would be because it had been decided once by the court and for the reason that your ancestors, your mother or father names did not appear upon the rolls. That is the two grounds on which Mr. Bixby stated he would make his decision when he wrote it up?

A That is all except that he said when he wrote it he would send it to me.

The decision of the Commission in regard to this application which you make for identification as Mississippi Choctaws for yourself and children will be mailed to you at your present post office address.

Anna Bell, having been first duly sworn, on her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on March 25, 1901, and that the above and foregoing is a full, true and correct transcript of her stenographic notes in said cause on said date.

*Anna Bell*

Subscribed and sworn to before me this 26 day of March, 1901.

*Charles H. Sawyer*  
Notary public.

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
ATOKA I/T/ APRIL 10th, 1901.

In the matter of the application of Andrew D. Phillips for identification as a Mississippi Choctaw. Andrew D. Phillips being first duly sworn testified as follows:  
Examination by the Commission:

- Q Your full name is? A Andrew D. Phillips.  
Q What is your age? A A little past twenty-one.  
Q What is your post-office address? A Caddo, Indian Territory.  
Q How long have you lived at Caddo? A Three years and three months.  
Q Where did you live before you lives there? A In Mississippi.  
Q Were you born in Mississippi? A Yes sir.  
Q Always lived in the same place in Mississippi? A Yes sir.  
Q Where was that place? A Burnsville, Tishomingo County, Mississippi  
Q What is your father's name? A Gray W. Phillips.  
Q Is he living? A Yes sir.  
Q What is your mother's name? A Selemnie Phillips.  
Q Is she living? A Yes sir.  
Q Through which one of these parents do you claim Choctaw blood?  
A Father.  
Q How much Choctaw blood do you claim? A One eighth.  
Q Has your father ever been recognized by the Choctaw tribal authorities as a Choctaw Indian? A He has never been enrolled.  
Q When I ask that I mean if he has been recognized by the Choctaw tribal authorities in council by any official act? A No sir.  
Q Have you ever made application for enrollment or citizenship to the Choctaw tribal authorities? A No sir, except in 1896.  
Q That was to the Dawes Commission? A Yes sir, one application was made then by my father.  
Q He made application for you? A Yes sir.  
Q What was done with that application? A I don't know.  
Q That application was for enrollment as a Choctaw by blood? (no answer)  
Q Don't you know whether it was acted upon or not?  
A Why, it must have been rejected.  
Q Is that the only application that was ever made for you? A Yes sir.  
Q Was an appeal taken from the decision of the Commission to the United States Court? A Yes sir.  
Q Did your name go up along with the others? A Yes sir.  
Q What action was taken by the Court in reference to the appeal taken in your behalf? A Rejected, I suppose.  
Q So that you have no application pending now before the Dawes Commission? A No sir.  
Q And that was the only application ever made for you?  
A I don't think there was any other.  
Q Application was made by your father in which your name was included a little over a year ago at Muskogee? A Yes sir.  
Q That was an application as a Choctaw by blood? A Yes sir.  
Q And made for you by your father? A Yes sir.  
Q And do you know as a matter of fact that your father has withdrawn that application?  
A I have never seen it, but I have reason to suppose that he has.  
Q You now make application for identification as a Mississippi Choctaw?  
A Yes sir.  
Q What is the name of your ancestor under whom you now claim the right to be identified as a Mississippi Choctaw? A You mean grandfather?  
Q The ancestor under whom you claim--? A My grand-mother.  
Q What is her full name? A Klizabeth G. Phillips; formerly Klizabeth G. Pickens.

2 Andrew D. Phillips

Q Was she a full-blood? A No sir, a half.

Q Have you any documentary evidence showing she was a half-breed?

A Yes sir.

Q Did your ancestor under whom you now claim the right to be identified within six months after the ratification of the treaty of 1830 tell the, United States Indian Agent living in Mississippi- Col. Wash, that she intended to stay in Mississippi and take land there under article fourteen of the treaty of 1830 and become a citizen of the United States? A I don't know.

Q Did she remove from Mississippi to the Indian Territory within the years of 1833 -1837? A No sir.

Q Was she ever a beneficiary under article fourteen of that treaty?

A I don't know; I don't think she was.

Q Did she ever comply in any way with the provisions of that article?

A I don't know.

Q Have you ever received any benefits as a Choctaw Indian? A No sir.

Q Are you married? A No sir.

Q You are making this claim for yourself alone? A Yes sir.

Q Do you wish to introduce any documents in support of your application? A Yes sir.

Affidavit of Mary A. Loving presented by applicant, received, marked exhibit "A", filed and made a part of the records in this case.

The affidavit of F. H. P. Smith presented by applicant, received, marked Exhibit "B", filed and made a part of the records in this case.

The affidavit of David Blakney presented by applicant, received, marked Exhibit "C", filed and made a part of the records in this case.

The application of Andrew D. Phillips presented by applicant received, marked Exhibit "D", filed and made a part of the records in this case.

Q Is there anything further you would like to state in support of your application? A No sir, not that I know of.

Q Have you any other documentary evidence you would like to introduce?

A No sir.

Q Would you like time in which to introduce it? A I don't know whether I would or not; I think I have enough.

(Testimony of Gray W. Phillips in his son's behalf), Gray W. Phillips being first duly sworn stated:

Q What is your full name? A Gray W. Phillips.

Q You are the father of this applicant? A Yes sir.

Q I would like to have you state if in 1896 you made an application to the Dawes Commission for yourself and family?

A Yes sir; I think his name was included; I would not be positive.

Q What became of that application? A It was rejected, I understand.

Q Do you know whether an appeal was taken from that decision to the United States Court? A Yes sir.

Q And Rejected? A Yes sir.

Q Was any other application ever made for him before he became of age?

A No sir, none except the one we just withdrew; that was for him as a Choctaw.

Q You appeared before the commission in Muskogee and made application for yourself and family as Choctaws by blood? A Yes sir.

Q And since then withdrew that application? A Yes sir.

Q So that the only application pending for him is this one made today?

A Yes sir; that one made at Muskogee is withdrawn.

The decision of the Commission in reference to this application

3--- Andrew D. Phillips.

you make for yourself for identification as a Mississippi Choctaw will be mailed to you at your present post-office address.

Henry G. Hains, having been first duly sworn on his oath, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings had in the above entitled cause on April 10th, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to before me this 11 day of April 1901

Charles H. Sawyer

Notary Public.



M.C.1539.

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
ATOKA, I.T., MARCH 22, 1901.

In the matter of the application of Marcus L. Hickman for identification as a Mississippi Choctaw.

Marcus L. Hickman, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Marcus L. Hickman.  
Q What is your age? A Thirty three.  
Q What is your post office address? A Caddo, I. T.  
Q How long have you lived there? A About four years.  
Q Where did you live before you lived at Caddo? A Giles County, Tennessee.  
Q Born there? A Yes sir.  
Q And always lived there until you came to the Indian Territory?  
A No sir.  
Q Where else did you live? A Mississippi.  
Q Did you go from Tennessee to Mississippi? A Yes sir.  
Q How long did you live there? A About twelve months.  
Q And then where did you go? A Back to Tennessee.  
Q And then where? A To Caddo.  
Q You have lived altogether about twelve months in Mississippi?  
A Yes sir.  
Q And for three years last past in Indian Territory? A Yes sir.  
Q What is your father's name? A James R. Hickman.  
Q Living? A Yes sir.  
Q What is your mother's name? A Lydia Hickman.  
Q Is she living? A No sir.  
Q Through which one of these parents do you claim Choctaw blood?  
A My mother.  
Q How much Choctaw blood do you claim? A I would not know how to estimate it.  
Q You do not know? A No sir, my mother was a sister to the gentleman who has just testified.  
Q If you have any means of arriving at a conclusion so that you can testify as to your Choctaw blood, you may do so? A No sir.  
Q Is the name of your mother on any of the tribal rolls of the Choctaw Nation? A I do not know.  
Q Is your name on any of the tribal rolls of the Choctaw Nation?  
A Not as I know of.  
Q Have you ever made application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A Yes sir.  
Q When did you make application to them--did you ever make application to the Choctaw tribal authorities? A Not as I knew of.  
Q Have you ever made application for citizenship to the Dawes Commission? A Yes sir.  
Q Did you make application in person? A No sir.  
Q Did you appear in person before the Commission? A No sir, by attorney.

Marcus L. Hickman----2.

- Q He just presented your application did he? A Yes sir.  
Q When was that done? A I have forgotten just when.  
Q Where, do you know? A At Muskogee.  
Q Did you make application for citizenship by blood? A Yes sir.  
Q What was done with the application? A I do not know.----That application was made at Caddo and was rejected.  
Q Since that time, not other application has been made for you?  
A Not until now.  
Q I asked you a little while ago if you could tell the quantity of blood that you claim? A One eighth,  
Q You have given that matter consideration and have determined that is the quantity? A Yes sir.  
Q You are now seeking to be identified as a Mississippi Choctaw?  
A Yes sir.  
Q Under what treaty or treaties are you making this application, if you know? A I cannot explain that.

Mr Walters, counsel for applicant, states that the applicant claims under the treaty of 1830.

- Q Do you understand the provisions of the treaty of 1830? A No sir, I do not know as I do so I could explain it.  
Q Do you claim under the whole treaty or under any particular part of it? (No Answer).  
Q Did you ever hear of article fourteen of the treaty of 1830? A I cannot remember about articles and treaties that way, what little I have heard and read about it.  
Q What is the name of your ancestor who lived in Mississippi in 1830?  
A My grandmother, Elizabeth Phillips.  
Q Was she a full blood Choctaw Indian? A No sir.  
Q How much blood did she have, do you know? A One half.  
Q Have you any documentary evidence of that fact, that she was one half blood Choctaw Indian? A Yes sir, I have not in my possession.  
Q Do you wish to file writings of any kind to prove that she was half blood Choctaw Indian? A My attorney has some affidavits he will present.  
Q Did your ancestor within six months after the ratification of the treaty of 1830 tell the United States Indian Agent then living in Mississippi that she wished to remain in Mississippi and take land there and become a citizen of the United States? A I do not know.  
Q Did she come from Mississippi to the Indian Territory in the years 1833 to 1837 with the other Choctaw Indians? A No sir.  
Q Do you know why she did not come? A No sir.  
Q Did she comply in any way with the provisions of article fourteen of the treaty of 1830? A I do not know.  
Q Was she a beneficiary under article fourteen? A I do not know.  
Q Did she ever receive or claim any land in Mississippi as a beneficiary under article fourteen of the treaty of 1830? A I do not know.  
Q Did you or your ancestors ever receive any benefits in the Indian Territory as Choctaw Indians? A Not that I know of.  
Q You stated a little while ago that the only other application you have ever made or that was made for you to the Dawes Commission or the Choctaw tribal authorities was made to the Commission at Caddo? A Yes  
Q And there was no other application made previous to this for you?  
A No sir.  
Q And that application was rejected? A Yes sir.

Marcus L. Hickman---3.

- Q Are you married? A No sir.  
Q Making claim for yourself alone? A Yes sir.  
Q Have you any documentary evidence you want to introduce now? A My attorney will present anything he may have.

Written application of Marcus L. Hickman is presented by Mr Walters, counsel for applicant, received, filed, marked Exhibit A and made a part of the record in this case.

Affidavit of W. F. Blakney presented by counsel for applicant, received, filed, marked Exhibit B and made part of the record in this case.

Affidavit of David Blakney presented by counsel for applicant, received, filed, marked Exhibit C, and made part of the record in this case.

- Q Do you wish time for the presentation of other documentary evidence?

Mr Walters--Counsel for applicant--I do not think we could furnish same.

- Q You do not wish time? A No sir.

Examination by Mr Walters, counsel for applicant:

- Q Do you know whether your application as Sudds was made as a citizen by blood or as a Mississippi Choctaw? A As citizen by blood.

- Q This is the first application you have ever made to be enrolled as a Mississippi Choctaw? A Yes sir.

- Q You have no means of knowledge as to whether you know of by which to establish the fact as to whether your ancestors have been enrolled as the rolls of the government or not? A No sir.

- Q You are acquainted with these witnesses who have filed affidavits in this case? A Yes sir.

- Q How long have you known them? A I have known Captain Blakney for fifteen years, and I have known of both of them all my life, heard my mother and father speak of them always.

- Q Your father is living? A Yes sir.

- Q He is a white man? A Yes sir.

- Q Living in Tennessee? A Yes sir.

By the Commission:

- Q Is there anything further you want to say that you can think of?  
A No sir.

The decision of the Commission in regard to this application which you make for identification as a Mississippi Choctaw will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized

Harold L. Nickman---3.

Trikes he reported in full all proceedings had in the above entitled  
cause on the 22nd day of March 1901, and that the above and forego-  
ing is a full, true and correct transcript of his stenographic notes  
of said cause on said date.

*H. C. Risteen*

subscribed and sworn to before me this 15 day of March 1901.

*Charles H. Sawyer*

Notary Public.

(COPY-DeB)

DEPARTMENT OF THE INTERIOR  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

--oOo--

In the matter of the application of Gray W. Phillips, et al., for identification as Mississippi Choctaws, consolidating the applications of:

|                           |                |
|---------------------------|----------------|
| Gray W. Phillips, et al., | M. C. R. 1541  |
| Andrew D. Phillips,       | M. C. R. 1690  |
| Marcus L. Hickman,        | M. C. R. 1539. |

-: D E C I S I O N :-

It appears from the record herein that applications for identification as Mississippi Choctaws were made to this Commission by Gray W. Phillips for himself and his six minor children, Jesse W., Sarah A., John A., Gray T., Grover C. and Martha E. Phillips; by Andrew D. Phillips for himself; and by Marcus L. Hickman for himself, under the following provision of the Act of Congress approved June 28, 1898 (30 Stats., 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

It also appears that all of said applicants claim rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty seventh, eighteen hundred and thirty, by reason of being descendants of Gabriel (or Gabrel) Pickens, who is alleged to have been "almost a full-blood Choctaw Indian."

It further appears from the evidence submitted in support of said applications, and from the records in the possession of the Commission, that none of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation.

It appears from the records in the possession of the Commission that Gray W. Phillips, the principal applicant herein, in the case of G. P. Phillips, et al., vs. the Choctaw Nation (1896 Choctaw Citizenship case No. 546), made application to this Commission under the provisions of the Act of Congress approved June 10, 1896, (29 Stats., 321), for admission to citizenship by blood in the Choctaw Nation; that on December 2, 1896, said applicant was denied admission to citizenship by blood in the Choctaw Nation by this Commission, and that thereafter an appeal was taken therefrom to the United States Court for the Central District, Indian Territory. The names Jesse W., Sarah A., John A. (or John E.), Gray T., Grover C., Martha E., and Andrew D. Phillips and Marcus L. Hickman, applicants herein, were added in the petition for appeal. The said United States Court in the case of G. P. Phillips, et al., vs. the Choctaw Nation (Choctaw-Chickasaw Citizenship Case No. 71) affirmed the decision of the Commission denying Gray W. Phillips, and also denied the applications for citizenship by blood in the Choctaw Nation of Jesse W., Sarah A., John A. (or John E.), Gray T., Grover C., Martha E., and Andrew D. Phillips and Marcus L. Hickman. Under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), the case of G. P. Phillips, et al., vs. the Choctaw Nation was transferred from the United States Court for the Central District of Indian Territory-

to the Choctaw and Chickasaw Citizenship Court for a trial de novo, South McAlester Docket, case No. 49. On October 20, 1904, said Choctaw and Chickasaw Citizenship Court denied the petition of Sarah A. Phillips, John A. (or John E.) Phillips, Gray T. Phillips the applicants, G. W. Phillips, Jesse W. Phillips, Grover C. Phillips, Martha E. Phillips, Andrew P. Phillips and Marcus L. Hickman as citizens by blood of the Choctaw Nation.

It does not appear from the testimony and the evidence offered in support of said applications, or from the records in the possession of the Commission, relating to persons who complied or attempted to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said Gabriel (or Gabrel) Pickens, or an ancestor less remote signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of said Article fourteen or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1837 (5 Stats., 180) and August 23, 1842 (5 Stats., 513).

It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Gray W. Phillips, Jesse W. Phillips, Sarah A. Phillips, John A. Phillips Gray T. Phillips, Grover C. Phillips, Martha E. Phillips, Andrew D. Phillips and Marcus L. Hickman, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

(Signed) Tams Bixby Chairman.  
(Signed) T. B. Needles Commissioner.  
(Signed) C. R. Brockmeyer Commissioner.

Muskogee, Indian Territory.  
JAN 27 1905

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I.T.D. 13348-1905

G.R.  
RJH

DEPARTMENT OF THE INTERIOR,

WASHINGTON.

October 30, 1905.

L.R.S.

Commissioner to the Five Civilized Tribes,  
Muskogee, Indian Territory.

Sir:

March 6, 1905, the Commission to the Five Civilized Tribes transmitted the record of the consolidated applications for identification as Mississippi Choctaws made by Gray W. Phillips for himself and his six minor children Jesse W., Sarah A., John A., Gray T., Grover C., and Martha B. Phillips; by Andrew D. Phillips for himself, and by Marcus L. Hickman for himself, including the decision of the Commission dated January 27, 1905, refusing to identify the aforementioned applicants as Mississippi Choctaws, claiming rights in the Choctaw lands under article 14 of the treaty of September 27, 1830.

The evidence submitted shows that the principal applicant, Gray W. Phillips (whose wife, Salemmia A. is a white woman), is the legitimate son of Elizabeth G. Phillips, an alleged half-breed Choctaw (whose husband J. D. Phillips, was a white man), whose immediate ancestor, her father, Gabriel Pickens, came from the state of Georgia and settled in Tishomingo County, Mississippi (the northeastern part of the original Chickasaw Nation), and died in Mississippi most probably prior to the treaty of 1830. At any rate, his name does not appear among those who complied or attempted to comply with the provisions of article 14 of the treaty of 1830, nor was he in anywise a beneficiary thereunder; but his alleged brother, an alleged uncle of applicant, James Pickens, received an allotment of land in Leake County, Miss., under article 14 of the treaty of 1830. In 1845 James Pickens, the alleged uncle, was transported west by the Government.

The evidence and the records fail to show that Gabriel Pickens and James Pickens were brothers, as claimed, and even were that fact true the records of the Indian Office show that said James Pickens, who was allotted land in Leake County, Mississippi, as a beneficiary under article 14 of the treaty of 1830, was a white man. Neither the name of the applicant nor the names of his lineal ancestors appear upon any of the tribal rolls of the Choctaw Nation.

October 10, 1905, the Acting Commissioner of Indian Affairs reporting thereon, is of opinion that the applicants have failed to make satisfactory proof of descent from a 14th article claimant or beneficiary thereunder, and recommends that the decision of the Commission adverse to the applicants be approved. A copy of his letter is enclosed.

The Department concurs in the recommendation made and the decision of the Commission to the Five Civilized Tribes dated January 27, 1905, refusing to identify the aforementioned applicants as Mississippi Choctaws is hereby affirmed.

Respectfully,

(Signed) Thos. Ryan,  
First Assistant Secretary.

1 inclosure.



ASB  
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7-3743.

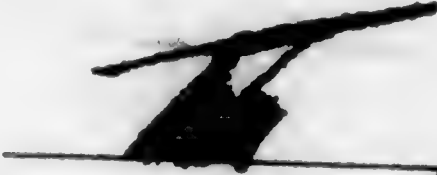
DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Laura V. Smith,  
Addie Smith and Thomas H. P. Smith Jr., for enrollment as citizens  
by blood of the Choctaw Nation.

-----

The applicants, Laura V. Smith, Addie Smith and Thomas  
H. P. Smith Jr., claim the right to enrollment as citizens by blood  
of the Choctaw Nation through their father, Thomas H. P. Smith.  
The right of the applicants' father, Thomas H. P.  
Smith, to citizenship in the Choctaw Nation having been adversely  
determined by a decree of the Choctaw and Chickasaw Citizenship Court  
on October 20, 1904, in case number 107 upon the South McAlester  
docket of said court, it is hereby ordered that the application of  
Laura V. Smith, Addie Smith and Thomas H. P. Smith Jr., for enroll-  
ment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

  
Chairman.

Muskogee, Indian Territory,  
NOV 12 1904

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7-3942

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.


In the matter of the application of Arthur R. Smith and  
Ella Eunice Smith for enrollment as citizens by blood of the Choctaw  
Nation.

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The applicants, Arthur R. Smith and Ella Eunice Smith,  
claim the right to enrollment as citizens by blood of the Choctaw  
Nation through their father, William R. Smith (or W. R. Smith or  
Wm. R. Smith).

The right of the applicants' father, William R. Smith (or  
W. R. Smith or Wm. R. Smith) to enrollment as a citizen by blood of  
the Choctaw Nation having been adversely determined by a decree of  
the Choctaw-Chickasaw Citizenship Court on October 20, 1904, in case  
No. 107 upon the South McAlester docket of said Court, it is hereby  
ordered that the applications of Arthur R. Smith and Ella Eunice  
Smith, for enrollment as citizens by blood of the Choctaw Nation, be  
dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

  
\_\_\_\_\_  
Chairman.

Muskogee, Indian Territory,

NOV 12 1904

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7-3936.

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

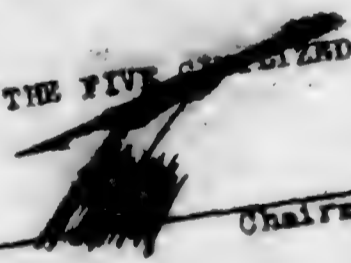
In the matter of the application of Ottoma Smith, Olive (Olive S.) Smith, and Charles Gordon Smith for enrollment as citizens by blood of the Choctaw Nation.

-----o-----

The applicants, Ottoma Smith, Olive (Olive S.) Smith, and Charles Gordon Smith, claim the right to enrollment as citizens by blood of the Choctaw Nation through their father, Charles P. Smith, (or Chas. P. Smith).

The right of the applicants' father, Charles P. Smith (or Chas. P. Smith), to enrollment as a citizen by blood of the Choctaw Nation having been adversely determined by a decree of the Choctaw Chickasaw Citizenship Court of October 20, 1904, in case No. 107 upon the South McAlester Docket of said court, it is hereby ordered that the applications of Ottoma Smith, Olive (Olive S.) Smith and Charles Gordon Smith, for enrollment as citizens by blood of the Choctaw Nation, be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

  
Chairman.

Muskogee, Indian Territory.

NOV 12 1904

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7-R-408.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

--oOo--

In the matter of the applications of William H. Smith, Mary S. Smith and Lottie L. Smith for enrollment as citizens by blood of the Choctaw Nation.

--oOo--

The applicants William H. Smith, Mary S. Smith and Lottie L. Smith claim the right to enrollment as citizens by blood of the Choctaw Nation through their father William H. Smith (or W. H. Smith or Wm. R. Smith).

The right of the applicants' father William H. Smith (or W. H. Smith or Wm. R. Smith) to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court on October 20, 1904, in case number 107 on the South McAlester docket of said court, it is hereby ordered that the applications of William H. Smith, Mary S. Smith and Lottie L. Smith for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.



Chairman.

Muskogee, Indian Territory,

NOV 23 1904

(COPY-DeB)

Before the Honorable, the Secretary of the Interior

In re application of Thomas H. P. Smith, et al.

Now comes the following named applicants, by their attorney William W. Wright, of Washington, D. C., Thomas H. P. Smith, in behalf of himself and Martha J. Smith, his wife, Mary M. Smith, Annie Smith, Laura V. Smith, Addie Smith, and Thomas H. P. Smith, Jr., his children; Daniel A. Smith, for himself; Charles P. Smith for himself and M. Ellie Smith, his wife, and Donoban W. Smith Ottoma Smith, Olive S. Smith and Charles G. Smith, his children; William R. Smith for himself and Mary E. Smith, his wife, and William H. Smith, Mary S. Smith, Lottie L. Smith, Arthur R. Smith, Ella E. Smith, and Muriel M. Smith, his children; Mary A. Loving for herself; Gray W. Phillips for himself and Solenna A. Phillips his wife, and Andrew D. Phillips, Jessie W. Phillips, Sarah Ann Phillips, John A. Phillips, Gray T. Phillips, Grover C. Phillips, Martha E. Phillips and Etta Phillips, his children and Marcus L. Hackman, for himself, whose post office address is Matoy, I. T., and respectfully show:

Your petitioner and the other applicants have been bona fide residents of the Indian Territory and particularly the Choctaw Nation since on or about the year 1872. Some time during the year 1896, application was made to the Commission to the Five Civilized Tribes for the enrollment of the above named applicants, but what decision was rendered by said Commission as to all of said applicants, your petitioner is unable to state at this time, but, upon information and belief, says that those whose names appeared in said application were duly admitted as citizens of the Choctaw Nation. Thereafter, an appeal was taken to a U. S. Court in Indian Territory, under the provisions of an act of Congress, known as the Act of June 10, 1896, and at a legal session of said court,

your petitioner was duly enrolled together with all other applicants mentioned in said decree and that no appeal was taken from said judgment, as might have been done under the provisions of said act.

After the creation of the Citizenship Court, under the act approved July 1, 1902, certain proceedings were held by said Court whereby the judgment of the United States Court was vacated and held for naught and since <sup>then</sup> your petitioner has been unable to assert his rights under said U. S. Court judgment and both he and the other applicants have been otherwise deprived of the exercise and enjoyment of citizenship rights in said Choctaw Nation.

During the residence of your petitioner and the other said applicants, they have always been recognized as members of said Choctaw tribe and have enjoyed and exercised the rights and privileges as citizens thereof. Many of said applicants have enjoyed voting privileges in said Nation, and were permitted to take out permits and enjoy all property rights until said Citizenship Court assumed to annul their said rights under said U. S. Court judgment. Your petitioner further shows that the families of said applicants have been especially recognized by the tribal authorities of the Choctaw Nation. Your petitioner has held public office in the Choctaw Nation as will appear from an examination of the tribal records of Blue County, all of which your petitioner and the above named applicants will be able to show when the opportunity is presented.

Your petitioner further shows that he and others of said applicants appear by name upon the rolls and records of the Choctaw Nation, existing prior to June 10, 1896, and that others of said applicants are born of parents since their names were so placed upon the rolls. Petitioner is unable to say just what rolls or records said names appear upon, and asks that the matter may be

examined into by the Commissioner to the Five Civilized Tribes and a report made in regard thereto for the purpose of making it possible for your petitioner and the other applicants to properly present their case.

Your petitioner shows that all of the records affecting the citizenship status of petitioner are in the archives of the Office of the Hon. Commissioner to the Five Civilized Tribes, who, through his office, is thoroughly acquainted with all of the facts in regard thereto. Owing to the great expense for traveling and other expenses, your petitioner does not feel that he can afford to make an examination of said records in person, and further shows that, according to certain pending legislation, otherwise known as the Curtis Bill, which will probably become a law, your petitioner will not have time to conduct a personal investigation of said records and otherwise prepare application for the consideration of the claim within the time provided for in said prospective legislation and in accordance with the present rule of practice, now in force before said Commissioner.

Your petitioner and the other said applicants also claim citizenship status by reason of the judgment of said U. S. Court and also because they are of Choctaw Indian Blood, their ancestors having immigrated from the State of Mississippi after the treaty of 1830, and they are related to the well-known Pickens family, through an ancestor by the name of Gabriel Pickens, a brother of James Pickens, who claimed rights under Article 14 of said Treaty of 1830.

Your petitioner further shows that the law, known as the Act of June 10, 1896, has been passed upon by the Supreme Court of the United States and held constitutional and that said judgment admitting your petitioner and the other applicants therein to citi-

zenship was a final judgment in regard to the rights of your petitioner and a complete res adjudicata, and as to such rights, said Citizenship Court was without jurisdiction.

For the purpose of more complete information, your petitioner says that his case before the Citizenship Court, in which he is interested is entitled "Mary A. Loving or Gray W. Phillips", and it is believed that a reference to said records will disclose all the necessary facts herein alleged and also all other facts which petitioner might have alleged, had it been possible to have said records before him.

Petitioner shows, upon information and belief, that all of the above named applicants have heretofore made application for enrollment within the statutory time, but the records of said Commissioner will show the facts and it is necessary to have a report from said Commissioner in regard thereto.

Your petitioner further shows that it is only possible to obtain complete relief by an appeal to the Hon. Secretary of the Interior and leave should be granted to amend this petition and introduce further testimony by affidavit or otherwise, upon reasonable terms and conditions.

Petitioner further shows, upon information and belief, that there is now pending certain litigation before the United States Courts, involving the rights of rejected Court claimant citizens and said litigation will probably reach the Supreme Court of the United States for final adjudication. A final judgment in said pending litigation would materially affect the rights of your petitioner and he desires that a final disposition of this petition may be held subject to the progress of said pending litigation.

Wherefore, the premises considered, your petitioner prays as follows:



P R A Y E R S .

1. That the Commissioner to the Five Civilized Tribes may be required to cause a careful examination of the records in his possession to be made and report the facts bearing upon the status of your petitioner as a citizen of the Choctaw Nation.

2. After such report is received, that your petitioner of his attorney may be advised thereof and that leave may be granted for the purpose of filing any additional evidence in support of this petition, or for amending the same.

3. That this petition be considered upon its merits and the persons named therein and all other persons entitled to citizenship by reason of said Court judgment be ordered enrolled, according to their claim.

4. And for such other and further relief as may be deemed proper for the complete protection of the rights of your petitioner.

(Signed) W. W. Wright.  
Attorney for Petitioner.

A F F I D A V I T .

City of Washington )  
District of Washing- ) SS.  
ton. )

William W. Wright, being first duly sworn, upon oath, deposes and says: He is the attorney for the parties named in the foregoing petition and that the contents thereof are true to the best of his knowledge and belief, and said petition is filed in perfect good faith because, in the opinion of your affiant, it appears that said claimants have a just and meritorious claim.

A true copy of said petition was, on the 21 day of February 1906 served on the Choctaw and Chickasaw Nations, by mailing said copy to Messrs. Mansfield, McMurray & Cornish, by registered mail, directed to South McAlester, I. T., as more fully appears from the official receipt of the postmaster hereto attached.

William W. Wright.

Subscribed and sworn to before me this 21<sup>st</sup> day of February, 1906.

S. A. Terry,

Notary Public.

(SEAL)

(Registry receipt attached here.)

BEFORE THE HONORABLE, THE SECRETARY OF THE INTERIOR.

In re Petition of Thomas H. P. Smith, et al., Rejected Court Claimant Citizens.  
P E T I T I O N .  
AFFIDAVIT OF SERVICE. William W. Wright, Attorney for petitioners,  
Coeocoran Building, Washington, D. C.

Department of the Interior, February 26, 1906, Respectfully referred to the Commissioner to the Five Civilized Tribes for report and recommendation. Thos. Ryan, First Assistant Secretary. L.R.S. Department of the Interior RECEIVED FEB 21 1906 No. 2089, Indian Territory Division. COMMISSION TO FIVE TRIBES. MAR- 1, 1906.

C- 134  
 7-3743  
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 7-3945  
 7-R- 408  
 7-R- 433  
 M.C.R.-1539.

DEPARTMENT OF THE INTERIOR,  
 COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

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In the matter of the application for the enrollment of  
 Thomas H. P. Smith, et al., as citizens of the Choctaw Nation.

DECISION.

It appears from the record herein and from the records in the possession of the Commissioner to the Five Civilized Tribes that application was made to the Commission to the Five Civilized Tribes on August 22, 1899, at Caddo, Indian Territory, by Thomas H. P. Smith, for the enrollment of himself and his minor children, Mary M. Smith, Annie Smith and Laura V. Smith, as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Martha J. Smith, as a citizen by intermarriage of the Choctaw Nation; that on June 7, 1900, written application was filed for the enrollment of Addie Smith, and on September 24, 1902, written application was filed for the enrollment of Thomas H. P. Smith, Jr., minor children of Thomas H. P. Smith and Martha J. Smith, as citizens by blood of the Choctaw Nation; that on August 24, 1899, application was made to the Commission to the Five Civilized Tribes, at Caddo, Indian Territory, by Daniel A. Smith, for the enrollment of himself as a citizen by blood of the Choctaw Nation; that on August 25, 1899, application was made to the Commission to the Five Civilized Tribes at Caddo, Indian Territory, by Charles P. Smith, for the enrollment of himself and his minor child, Ottoma Smith, as citizens by blood of the Choctaw Nation; that on June 7, 1900, written application was filed for the enrollment of Olive Smith, and on September 11, 1902, written application was filed for the enrollment of Charles Gordon Smith, minor children of Charles P. Smith and M. Ellie Smith, as citizens by blood of the Choctaw Nation; that application was made to the Commission to the Five Civilized Tribes at Caddo, Indian Territory, August 25, 1899, by Thomas H. P. Smith, for the enrollment of Mary A. Loving as a citizen by blood of the Choctaw Nation; that application was made to the Commission to the Five Civilized Tribes at Caddo, Indian Territory, on August 25, 1899, by William R. Smith, for the enrollment of himself and his minor children, William H. Smith, Mary S. Smith, Lottie L. Smith and Arthur R. Smith, as citizens by blood of the Choctaw Nation; that on September 25, 1902, written application was filed for the enrollment of Ella Eunice Smith, minor child of William R. Smith and Mary Ellie Smith, as a citizen by blood of the Choctaw Nation; that on February 16, 1900, application was made to the Commission to the Five Civilized Tribes by Gray W. Phillips, for the enrollment of

himself and his children, Andrew B. Phillips, Jesse W. Phillips, Sarah Annie Phillips, John Allen Phillips, Gray T. Phillips, Grover Cleveland Phillips, and Martha Elizabeth Phillips, as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Salemnia Augusta Phillips, as a citizen by intermarriage of said nation.

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that on September 9, 1896, application was made to the Commission to the Five Civilized Tribes for the admission of Gray W. Phillips (as G. W. Phillips), Mary A. Loving (as Mary Ann Loving, formerly Smith), Thomas H. P. Smith (as T. H. P. Smith), Daniel A. Smith (as Daniel Smith), Charles P. Smith (as Chas. Smith), and William R. Smith (as William Smith), as citizens by blood of the Choctaw Nation under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321); and that on December 2, 1896, said application was rejected by the Commission.

From said decision of the Commission an appeal was taken to the United States Court for the Central District of the Indian Territory, there being mentioned in said petition for appeal the following named petitioners whose names were not in the original application: Andrew D. Phillips, Jesse W. Phillips, John E. Phillips, Sarah A. Phillips, Gray T. Phillips, Grover C. Phillips, Martha E. Phillips and Marcus L. Hickman.

Said United States Court referred this cause to a Special Master for report, which report was filed on September 11, 1897, finding in addition to other matters, the following facts not theretofore appearing from the affidavits filed with the Commission, or in the petition for appeal, namely: "That said T. H. P. Smith married and is now living with his wife, and his two children, the names of his wife and children are Martha Jane Smith, wife, Mary Mattie Smith and Annie Smith, children."

On September 11, 1897, said court rendered a decision adjudging and decreeing that judgment be entered for the Choctaw Nation as to G. P. Phillips, G. W. Phillips, Andrew D. Phillips, Jessie W. Phillips, John E. Phillips, Sara A. Phillips, Gray T. Phillips, Grover C. Phillips, Martha E. Phillips and Marcus L. Hickman. In this decision said court further adjudged and decreed that the plaintiffs, Mary A. Loving, T. H. P. Smith, William R. Smith, Chas. P. Smith, Daniel A. Smith, Ella Smith, Mary Mattie Smith and Annie Smith, be admitted to citizenship in the Choctaw Nation, as citizens by blood of said Nation, and that Martha Jane Smith be admitted as an intermarried citizen of the Choctaw Nation. On June 19, 1899, said court entered of record a judgment "nunc pro tunc", reforming the judgment of September 11, 1897, by adding the name of Mattie F. Smith to the list of persons admitted by said judgment.

From the decision of the United States Court appeal was taken to the Supreme Court of the United States in behalf of the petitioners against whom judgment was rendered, which court, on October 24, 1898, affirmed the judgment below.

The judgment of the United States Court was subsequently vacated, set aside and held for naught by a decree of the Choctaw-Chickasaw Citizenship Court on December 17, 1902, in the test case of "Choctaw and Chickasaw Nations or Tribes vs. J. T. Riddle, et al."

This case was subsequently certified to the Circuit Court of Appeals for the Ninth Circuit, created under the provisions of the Act of Congress approved July 1, 1902 (35 Stat., 642), for a trial de novo, and on October 23, 1904, in the case of "Gray v. Phillips, et al., the 'Charles and Elizabeth' (Charles-Elizabeth Steamship)" (450 U.S. 102), the Supreme Court rendered a judgment adverse, overruling its previous judgment and decree that the petition of the plaintiffs, Gray v. Phillips, et al., was sustained, and the petition of the defendants, Charles and Elizabeth, was dismissed, and as to the costs, Charles and Elizabeth were ordered to pay the same. On appeal, the Supreme Court rendered a judgment sustaining the petition of the plaintiffs, Gray v. Phillips, et al., and overruling the judgment and decree of the Circuit Court of Appeals.

On October 23, 1904, in the case entitled "Gray v. Phillips, et al., the 'Charles and Elizabeth' (Charles-Elizabeth Steamship)" (450 U.S. 102), the Supreme Court rendered a judgment sustaining the petition of the plaintiffs, Gray v. Phillips, et al., and overruling the judgment and decree of the Circuit Court of Appeals. On appeal, the Supreme Court rendered a judgment sustaining the petition of the plaintiffs, Gray v. Phillips, et al., and overruling the judgment and decree of the Circuit Court of Appeals.

On January 2, 1905, the Supreme Court rendered a judgment sustaining the petition of the plaintiffs, Gray v. Phillips, et al., and overruling the judgment and decree of the Circuit Court of Appeals. On appeal, the Supreme Court rendered a judgment sustaining the petition of the plaintiffs, Gray v. Phillips, et al., and overruling the judgment and decree of the Circuit Court of Appeals.

On December 23, 1904, the Supreme Court rendered a judgment sustaining the petition of the plaintiffs, Gray v. Phillips, et al., and overruling the judgment and decree of the Circuit Court of Appeals. On appeal, the Supreme Court rendered a judgment sustaining the petition of the plaintiffs, Gray v. Phillips, et al., and overruling the judgment and decree of the Circuit Court of Appeals.

On December 23, 1904, the Supreme Court rendered a judgment sustaining the petition of the plaintiffs, Gray v. Phillips, et al., and overruling the judgment and decree of the Circuit Court of Appeals. On appeal, the Supreme Court rendered a judgment sustaining the petition of the plaintiffs, Gray v. Phillips, et al., and overruling the judgment and decree of the Circuit Court of Appeals.

On February 26, 1906, there was referred to the Commissioner to the Five Civilized Tribes by the Assistant Secretary of the Interior, a petition signed by V. V. Wright, attorney for the petitioners, which appears to have been received by the Department on February 21, 1906, praying for the enrollment of the following persons as citizens of the Choctaw Nation: Thomas W. P. Smith, Martha J. Smith, Mary V. Smith, Annie Smith, Laura V. Smith, Addie Smith, Thomas W. P. Smith, Jr., Daniel A. Smith, Charles P. Smith, W. Willie Smith, Jacobus V. Smith, Ottem Smith, Olive C. Smith, Charles C. Smith, William A. Smith, Mary E. Smith, William T. Smith, Mary C. Smith, Mattie L. Smith, Arthur E. Smith, Ella E. Smith, Maribel V. Smith, Mary A. Loving, Tray V. Phillips, Selena A. Phillips, Leora V. Phillips, Jessie V. Phillips, Sarah Ann Phillips, John A. Phillips, Tray V. Phillips, Grever C. Phillips, Martha E. Phillips, Etta Phillips, and Marcus T. Stearns. Said petitioners, except W. Willie Smith, Jacobus V. Smith, Mary E. Smith, Maribel V. Smith, Etta Phillips and Marcus T. Stearns, are identical with the persons for whose enrollment as citizens of the Choctaw Nation application was made under the provisions of the Act of Congress approved June 3, 1898, 30 Stat., 517.

This office has no record of any application ever having been made for the enrollment of the petitioners, Jacobus V. Smith, Maribel V. Smith, Etta Phillips, W. Willie Smith and Mary E. Smith, as citizens of the Choctaw Nation since the filing of the petition hereto.

It is alleged in said petition that the petitioners have been born free residents of the Indian Territory, and particularly the Choctaw Nation, since about the year 1870, that they have ever been recognized as members of said Choctaw tribe, and have enjoyed and exercised the rights and privileges as citizens thereof; that the principal petitioner and others appear by name upon the rolls of the Choctaw Nation established prior to June 15, 1898, and that other of said petitioners are sons of parents whose names were placed upon the rolls.

The records in the possession of the Commissioner of the Five Civilized Tribes that any of the petitioners have ever been enrolled as citizens of the Choctaw Nation by any duly authorized authority. Their names do not appear upon any of the rolls of the Choctaw Nation in the possession of the Commissioner of the Five Civilized Tribes.

It is also alleged that in or about the year 1898, the principal petitioner and others were enrolled as citizens of the Choctaw Nation, the rolls of the Choctaw Nation being then in the possession of the Commissioner of the Five Civilized Tribes, and that the applications for the enrollment of Thomas W. P. Smith, Jr., Daniel A. Smith, Charles P. Smith, W. Willie Smith, Jacobus V. Smith, Ottem Smith, Olive C. Smith, Charles C. Smith, William A. Smith, Mary E. Smith, William T. Smith, Mary C. Smith, Mattie L. Smith, Arthur E. Smith, Ella E. Smith, Maribel V. Smith, Mary A. Loving, Tray V. Phillips, Selena A. Phillips, Leora V. Phillips, Jessie V. Phillips, Sarah Ann Phillips, John A. Phillips, Tray V. Phillips, Grever C. Phillips, Martha E. Phillips, Etta Phillips, and Marcus T. Stearns, were filed with the Commissioner of the Five Civilized Tribes on or about the date aforesaid, and that the enrollment of said persons as citizens of the Choctaw Nation was completed under the provisions of the Act of Congress approved June 3, 1898, 30 Stat., 517.

5.

I am further of the opinion that the application for the enrollment of Martha J. Smith as a citizen by intermarriage of the Choctaw Nation, and the petition herein in so far as same applies to said applicant, should be denied under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), and it is so ordered.

I am further of the opinion that the petition herein in so far as same applies to the petitioners, Laura V. Smith, Addie Smith, Thomas W. P. Smith, Jr., Arthur R. Smith, Ella E. Smith, Ottoma Smith, Olive R. Smith, Charles G. Smith, William W. Smith, Vary S. Smith and Lottie L. Smith, whose applications for enrollment as citizens by blood of the Choctaw Nation have heretofore been dismissed by the Commission to the Five Civilized Tribes, should be dismissed, and it is so ordered.

I am further of the opinion that the petition herein, in so far as same applies to the petitioners V. Ellie Smith and Vary E. Smith, for whose enrollment as citizens by intermarriage of the Choctaw Nation no application was made prior to December 1, 1905, should be dismissed, and it is so ordered.

I am further of the opinion that the petition herein, in so far as same applies to the petitioners, Bonoban W. Smith, Variel V. Smith and Etta Phillips, should be considered as an application for the enrollment of said petitioners as citizens of the Choctaw Nation under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 157); that said application should be denied, and it is so ordered.

Commissioner.

Waskagee, Indian Territory.

666. 1077

copy.

Muskogee, Indian Territory, February 16, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith record of proceedings in the matter of the enrollment of Thomas H. P. Smith, et al., as citizens of the Choctaw Nation, including the decision of the Commissioner to the Five Civilized Tribes, dated February 16, 1907, denying the application and petition for the enrollment of Thomas H. P. Smith, Mary M. Smith, Annie Smith, William R. Smith, Charles P. Smith, Daniel A. Smith, Mary A. Leving, Gray W. Phillips, Andrew B. Phillips, Jesse W. Phillips, Sarah Annie Phillips, John Allen Phillips, Gray T. Phillips, Grover C. Phillips and Martha E. Phillips as citizens by blood, for the enrollment of Salemmia Augusta Phillips, Marcus L. Hickman and Martha J. Smith as citizens by intermarriage, dismissing the petition for the enrollment of Laura V. Smith, Addie Smith, Thomas H. P. Smith, Jr., Arthur R. Smith, Ella E. Smith, Ottoma Smith, Olive B. Smith, Charles G. Smith, William E. Smith, Mary S. Smith and Lottie L. Smith as citizens by blood, dismissing the petition for the enrollment of M. Ellie Smith and Mary E. Smith as citizens by intermarriage and denying the application for the enrollment of Denebas W. Smith, Muriel M. Smith and Etta Phillips as citizens of the Choctaw Nation.



Secretary #1.

The applicants, their attorneys, and the attorneys for the Choctaw and Chickasaw Nations will be notified of this decision at once and furnished copies thereof by registered mail.

Respectfully,

SIGNED *James Bixby*

Commissioner.

2 Incl. C-134

Through the  
Commissioner of Indian Affairs.

C-134

COPY

Muskogee, Indian Territory, February 19, 1907.

Thomas H. P. Smith,  
Matoy, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 16, 1907, denying the application and petition for your enrollment and for the enrollment of Mary M. Smith and Annie Smith as citizens by blood, for the enrollment of Martha J. Smith as a citizen by intermarriage and dismissing the petition for the enrollment of Laura V. Smith, Addie Smith and Thomas H. P. Smith, Jr. as citizens by blood, of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

WENED *James Dickey*

Commissioner.

Registered.  
Incl. C-134.

C-134

COPY  
Muskogee, Indian Territory, February 19, 1907.

Mary A. Loving,  
Caddo, Indian Territory.

Dear Madam:-

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 16, 1907, denying the application and petition for your enrollment as a citizen by blood of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED *Tame Bixby*

Commissioner.

Registered.  
Incl. C-134

C-134

COPY

Muskogee, Indian Territory, February 19, 1907.

William R. Smith,  
Roberta, Indian Territory,

Dear Sir:-

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 16, 1907, denying the application and petition for your enrollment as a citizen by blood, dismissing the petition for the enrollment of William H. Smith, Mary S. Smith, Lottie L. Smith, Arthur R. Smith and Ella B. Smith as citizens by blood, for the enrollment of Mary E. Smith as a citizen by intermarriage and denying the application for the enrollment of Mariel K. Smith as a citizen of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED *Jame Bixby*

Commissioner.

Registered.  
Incl. C-134

C-134

COPY

Muskogee, Indian Territory, February 19, 1907.

Charles P. Smith,

Wade, Indian Territory.

Dear Sir:-

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 16, 1907, denying the application and petition for your enrollment as a citizen by blood, dismissing the petition for the enrollment of Ottoma Smith, Olive S. Smith and Charles G. Smith as citizens by blood, for the enrollment of M. Ellis Smith as a citizen by inter-marriage and denying the application for the enrollment of Donoban W. Smith as a citizen of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED *Jame Bixby*

Commissioner.

Registered.  
Incl. C-134

C-134

Muskogee, Indian Territory, February 19, 1907.

Marcus L. Hickman,  
Caddo, Indian Territory.

Dear Sir:-

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 16, 1907, denying the application and petition for your enrollment as a citizen by intermarriage of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED *Tame Dixey*

Commissioner.

Registered.  
Incl. C-134

C-134

COPY

Muskogee, Indian Territory, February 19, 1907.

Gray W. Phillips,  
Caddo, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 16, 1907, denying the application and petition for your enrollment and for the enrollment of Andrew B. Phillips, Jesse W. Phillips, Sarah Annie Phillips, John Allen Phillips, Gray T. Phillips, Grover C. Phillips and Martha E. Phillips as citizens by blood of the Choctaw Nation, for the enrollment of Salamina Augusta Phillips as a citizen by intermarriage of the Choctaw Nation, and denying the application for the enrollment of Etta Phillips as a citizen of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED

*Tame Bixby*

Commissioner.

Registered.  
Incl. C-134.

C-134

Muskogee, Indian Territory, February 19, 1907.

Daniel A. Smith,  
Caddo, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 16, 1907, denying the application and petition for your enrollment as a citizen by blood of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED *Tamc Bixby*

Commissioner.

Registered.  
Incl. C-134.



C-134

COPY

Muskegee, Indian Territory, February 19, 1907.

W. W. Wright,  
Washington Loan & Trust Building,  
Washington, D. C.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 16, 1907, denying the application and petition for the enrollment of Thomas H. P. Smith, Mary M. Smith, Annie Smith, William R. Smith, Charles P. Smith, Daniel A. Smith, Mary A. Loving, Gray W. Phillips, Andrew B. Phillips, Jesse W. Phillips, Sarah Annie Phillips, John Allen Phillips, Gray T. Phillips, Grover C. Phillips and Martha E. Phillips as citizens by blood, for the enrollment of Salemmia Augusta Phillips, Marcus L. Hickman and Martha J. Smith as citizens by intermarriage, dismissing the petition for the enrollment of Laura V. Smith, Addie Smith, Thomas H. P. Smith, Jr., Arthur R. Smith, Ella E. Smith, Ottoma Smith, Olive S. Smith, Charles G. Smith, William H. Smith, Mary S. Smith and Lottie L. Smith as citizens by blood, dismissing the petition for the enrollment of M. Ellie Smith and Mary E. Smith as citizens by intermarriage and denying the application for the enrollment of

W.W. W.

Donoban W. Smith, Muriel M. Smith and Etta Phillips as citizens of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED: *Tame Dixby*

Commissioner.

Registered,  
Incl. C-134

C-134

COPY

Muskogee, Indian Territory, February 19, 1907.

J. L. Rappoles,  
Attorney-at-law,  
Caddo, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 16, 1907, denying the application and petition for the enrollment of Thomas H. P. Smith, Mary M. Smith, Annie Smith, William R. Smith, Charles P. Smith, Daniel A. Smith, Mary A. Loving, Gray W. Phillips, Andrew B. Phillips, Jesse W. Phillips, Sarah Annie Phillips, John Allen Phillips, Gray T. Phillips, Grover C. Phillips and Martha E. Phillips as citizens by blood, for the enrollment of Saleanna Augusta Phillips, Marcus L. Hickman and Martha J. Smith as citizens by intermarriage, dismissing the petition for the enrollment of Laura V. Smith, Addie Smith, Thomas H. P. Smith, Jr., Arthur R. Smith, Ella E. Smith, Ottoma Smith, Olive S. Smith, Charles G. Smith, William H. Smith, Mary S. Smith and Lottie L. Smith as citizens by blood, dismissing the petition for the enrollment of M. Ellie Smith and Mary E. Smith as citizens by intermarriage and denying the application for the enrollment of Donoban W. Smith, Muriel M. Smith and Etta Phillips as citizens of the Choctaw Nation.

#2.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED *James Bixby*

Commissioner.

Registered.  
Incl. C-134.

C-134

COPY

Muskegee, Indian Territory, February 19, 1907.

G. W. Walters,  
Attorney-at-law,  
San Baba, Texas.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 16, 1907, denying the application and petition for the enrollment of Thomas H. P. Smith, Mary M. Smith, Annie Smith, William R. Smith, Charles P. Smith, Daniel A. Smith, Mary A. Leving, Gray W. Phillips, Andrew B. Phillips, Jesse W. Phillips, Sarah Annie Phillips, John Allen Phillips, Gray T. Phillips, Grover C. Phillips and Martha E. Phillips, as citizens by blood, for the enrollment of Salemmia Augusta Phillips, Marcus L. Hickman and Martha J. Smith as citizens by intermarriage, dismissing the petition for the enrollment of Laura V. Smith, Addie Smith, Thomas H. P. Smith, Jr., Arthur R. Smith, Ella E. Smith, Ottoma Smith, Olive S. Smith, Charles G. Smith, William H. Smith, Mary S. Smith and Lottie L. Smith as citizens by blood, dismissing the petition for the enrollment of M. Ellie Smith and Mary E. Smith as citizens by intermarriage and denying the application for the enrollment of Denoban W. Smith, Muriel M. Smith and Etta Phillips as citizens of the Choctaw Nation.

#2.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED

*James Bixby*

Commissioner.

Registered.  
Incl. C-134.

Muskogee, Indian Territory, February 19, 1907.

Mansfield, McMurray & Cornish,  
Attorneys for the Choctaw & Chickasaw Nations,  
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 16, 1907, denying the application and petition for the enrollment of Thomas H. P. Smith, Mary M. Smith, Annie Smith, William R. Smith, Charles P. Smith, Daniel A. Smith, Mary A. Loving, Gray W. Phillips, Andrew B. Phillips, Jesse W. Phillips, Sarah Annie Phillips, John Allan Phillips, Gray T. Phillips, Grover C. Phillips and Martha E. Phillips, as citizens by blood, for the enrollment of Salemmia Augusta Phillips, Marcus L. Hickman and Martha J. Smith as citizens by intermarriage, dismissing the petition for the enrollment of Laura V. Smith, Addie Smith, Thomas H. P. Smith, Jr., Arthur R. Smith, Ella E. Smith, Ottoma Smith, Olive S. Smith, Charles G. Smith, William H. Smith, Mary S. Smith and Lottie L. Smith as citizens by blood, dismissing the petition for the enrollment of M. Ellie Smith and Mary E. Smith as citizens by intermarriage and denying the application for the enrollment of Doneban W. Smith, Muriel M. Smith and Etta Phillips as citizens of the Choctaw Nation.

#2.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED *James Bixby*

Commissioner.

Incl. C-134.



B. No. 13445.  
I.T.D. 5914, 6060, 6064, 6074, 6078-1907.  
6080, 6108, 6112, 6154, 6160-

J.P.  
S.P.

L.R.S.  
DIRECT.

DEPARTMENT OF THE INTERIOR,  
WASHINGTON.

March 2, 1907.

Commissioner to the Five Civilized Tribes,  
Muskegee, Indian Territory.

Sir:

Your decisions in the following Choctaw citizenship  
cases adverse to the applicants are hereby affirmed.

Copies of Indian Office letter submitting your reports  
and recommending that the decisions be affirmed are inclosed:

| Title of Case,                      | Date of your<br>letter of transmittal. |
|-------------------------------------|----------------------------------------|
| John C. White (Miss. Choc)          | February 12, 1907.                     |
| Mary R. Beckwith, et al. (freedmen) | February 14, 1907.                     |
| Dora Matubbe (freedman)             | February 14, 1907.                     |
| Alice Butler (freedman)             | February 16, 1907.                     |
| Mariah Sands, et al. (freedmen)     | April 21, 1906.                        |
| George McCall, et al.               | February 16, 1907.                     |
| Alice M. Smith,                     | January 14, 1907.                      |
| Alma Manning, et al. (freedmen)     | February 13, 1907.                     |
| Thomas H. P. Smith, et al.          | February 16, 1907.                     |
| Henry Nelson (freedman)             | February 16, 1907.                     |

A copy hereof and the papers in the above mentioned  
cases have been sent to the Indian Office.

Respectfully,

Jesse R. Wilson,

Assistant Secretary .

10 inc. and  
22 to Ind. Of.

A.F.No.

3-2-07.

18007-1807.

DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
WASHINGTON.

February 22, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed a report from Commissioner Hilly, dated February 15, 1907, transmitting the record relative to the applications of Thomas E. P. Smith, Thomas E. P. Smith, Jr., Mary E., Annie, Laura V., Martha J., Daniel A., Charles P., Otton, Olive, Charles S., William E., Mary S., Lettie L., Arthur E. and Ella E. Smith, Sabina A., Gray W., Andrew L., Jesse W., Sarah A., John A., Gray T., Oliver L., and Mary E. Phillips; Mary A. Irving; Nathan W., Marial E., E. Ellis and Mary E. Smith and Rosa Phillips for enrollment as citizens by blood and intermarriage of the Cherokee Nation, including the decision of the Commissioner adverse to the applicants.

This decision has been examined and found correct and is recommended for approval.

Very respectfully,

L. F. Swisher,

Acting Commissioner.

L.F.S.

L.F.

C-134

Muskogee, Indian Territory, March 23, 1907.

Thomas H. P. Smith,

Watox, Indian Territory.

Dear Sir:

You are hereby advised that on March 2, 1907, the Secretary of the Interior affirmed the decision of this office of February 19, 1907, denying the application and petition for your enrollment and for the enrollment of Martha W. Smith and Annie Smith as citizens by blood, for the enrollment of Martha J. Smith as a citizen by intermarriage, and dismissing the petition for the enrollment of Laura V. Smith, Addie Smith and Thomas H. P. Smith, Jr., as citizens by blood, of the Choctaw Nation.

Respectfully,

Commissioner.

C-134

Muskogee, Indian Territory, March 23, 1907.

Mary A. Levine,

Caddo, Indian Territory.

Dear Madam:

You are hereby advised that on March 2, 1907, the Secretary of the Interior affirmed the decision of this office of February 19<sup>th</sup>, 1907, denying the application and petition for your enrollment as a citizen by blood of the Choctaw Nation.

Respectfully,

Commissioner.

C-2, 54

Muskogee, Indian Territory, March 23, 1907.

William R. Smith,  
Roberta, Indian Territory.

Dear Sir:

You are hereby advised that on March 19, 1907, the Secretary of the Interior affirmed the decision of this office of February 16, 1907, denying the application and petition for your enrollment as a citizen by blood, dismissing the petition for the enrollment of William H. Smith, Mary S. Smith, Lottie L. Smith, Arthur R. Smith and Ella E. Smith as citizens by blood, for the enrollment of Mary E. Smith as a citizen by intermarriage and denying the application for the enrollment of Muriel N. Smith as a citizen, of the Choctaw Nation.

Respectfully,

Commissioner.

C-134

Waskoge, Indian Territory, March 25, 1907.

Charles P. Smith,

Wade, Indian Territory.

Dear Sir:

You are hereby advised that on March 2, 1907, the Secretary of the Interior affirmed the decision of this office of February 16, 1907, denying the application and petition for your enrollment as a citizen by blood, dismissing the petition for the enrollment of Ottoma Smith, Olive S. Smith and Charles G. Smith as citizens by blood, for the enrollment of M. Willie Smith as a citizen by intermarriage and denying the application for the enrollment of Donoban W. Smith as a citizen, of the Choctaw Nation.

Respectfully

Commissioner.

Muskogee, Indian Territory, March 23, 1907.

Marcus L. Hickman,

Caddo, Indian Territory.

Dear Sir:

You are hereby advised that on March 7, 1907, the Secretary of the Interior advised the decision of this office of February 16, 1907, denying the application and petition for your enrollment as a citizen by intermarriage with the Choctaw Nation.

Respectfully,

Commissioner.

C-174

Waxahatchee, Indian Territory, March 23, 1907.

Deniel A. Smith,  
Caddo, Indian Territory.

Dear Sir:

You are hereby advised that on March 2, 1907, the Secretary of the Interior affirmed the decision of this office of February 16, 1907, denying the application and petition for your enrollment as a citizen by blood of the Choctaw Nation.

Respectfully,

Commissioner.



Muskogee, Indian Territory, March 23, 1907.

Gray T. Phillips,

Caddo, Indian Territory.

Dear Sir:

You are hereby advised that on March 2, 1907, the Secretary of the Interior affirmed the decision of his office of February 16, 1907, denying the application and petition for your enrollment and for the enrollment of Andrew B. Phillips, Jesse W. Phillips, Sarah Annie Phillips, John Allen Phillips, Gray T. Phillips, Grover C Phillips and Martha E. Phillips as citizens by blood of the Choctaw Nation, for the enrollment of Salemmia Augusta Phillips as a citizen by intermarriage, and denying the application for the enrollment of Etta Phillips as a citizen, of said nation.

Respectfully,

Commissioner.

Muskogee, Indian Territory, March 25, 1907.

J. T. Rappelle,

Attorney at Law,

Caddo, Indian Territory.

Dear Sir:

You are hereby advised that on March 2, 1907, the Secretary of the Interior affirmed the decision of this office of February 16, 1907, denying the application and petition for the enrollment of Thomas H. P. Smith, et al., as citizens of the Choctaw Nation.

Respectfully,

Commissioner.

C-134

Muskogee, Indian Territory, March 15, 1907.

G. W. Walters,  
Attorney at Law,  
San Baba, Texas.

Dear Sir:

You are hereby advised that on March 15, 1907, the Secretary of the Interior affirmed the decision of this office of February 26, 1907, denying the application and petition for the enrollment of Thomas H. P. Smith, et al., as citizens of the Choctaw Nation.

Respectfully,

Commissioner.

Muskogee, Indian Territory, March 23, 1907.

W. W. Wright,

Washington Loan & Trust Bldg.,

Washington, D. C.

Dear Sir:

You are hereby advised that on March 2, 1907, the Secretary of the Interior affirmed the decision of this office of February 15, 1907, denying the application and petition for the enrollment of Thomas H. P. Smith, Mary A. Smith, Annie Smith, William R. Smith, Charles P. Smith, Daniel A. Smith, Mary A. Loving, Gray W. Phillips, Andrew B. Phillips, Jesse W. Phillips, Sarah Annie Phillips, John Allen Phillips, Gray T. Phillips, Grover C. Phillips and Martha N. Phillips as citizens by blood, for the enrollment of Salemmia Augusta Phillips, Marcus L. Hickman and Martha J. Smith as citizens by intermarriage, dismissing the petition for the enrollment of Laura V. Smith, Addie Smith, Thomas H. P. Smith, Jr., Arthur R. Smith, Ella E. Smith, Ottoma Smith, Olive S. Smith, Charles G. Smith, William H. Smith, Mary S. Smith, and Lottie L. Smith as citizens by blood, dismissing the petition for the enrollment of M. Ellie Smith and Mary E. Smith as citizens by intermarriage and

V. V. W. #2.

denying the application for the enrollment of Demoban W. Smith  
Meriel N. Smith and Etta Phillips as citizens, of the Choctaw Na-  
tion.

Respectfully,

Commissioner.

Muskogee, Indian Territory, March 23, 1907.

Mansfield, McMurray & Cornish,  
Attorneys for Choctaw and Chickasaw Nations,  
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on March 2, 1907, the Secretary of the Interior affirmed the decision of this office of February 16, 1907, denying the application and petition for the enrollment of Thomas H. P. Smith, et al., as citizens of the Choctaw Nation.

Respectfully,

Commissioner.

Muskogee, Indian Territory, February 4, 1901.

Grigaby & Grigaby,

Center, Indian Territory.

Gentlemen:

The Commission is in receipt of your letter of the 26th ultimo in which you desire to be informed if Mrs. M. J. Smith and her five children are listed for enrollment.

Replying to your letter you are informed that the records of the Commission show that Thomas H. P. Smith, 36 years of age, of Gaddo, Indian Territory, his wife, Martha J. Smith and their children Mary M., Annie, Laura V. and Addie Smith, are listed for enrollment as citizens of the Choctaw Nation, Thomas H. P. Smith his wife and two children, Mary M. and Annie Smith, having been admitted to such citizenship by judgment of the United States Court for the Central District of the Indian Territory, rendered at South McAlester, Indian Territory, September 11th 1897 in court case No. 71. Laura V. and Addie Smith were listed for enrollment upon presentation of proper evidence of their births.

yours truly,

Acting Chairman.

Choctaw 3743

Muskogee, Indian Territory, September 3, 1902.

J. W. Fuddlestone,  
Wade, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter without date in which you desire to be informed if Charley, Tom and Dan Smith are enrolled on the Choctaw rolls.

In reply to your letter you are advised that it appears from the records of this office that on August 25, 1899, Charles P. Smith, 30 years of age, of Caddo, Indian Territory, was listed for enrollment by this Commission as a citizen of the Choctaw Nation, having been admitted to such citizenship by a judgment of the United States Court for the Central District of the Indian Territory, rendered at South McAlester, Indian Territory, September 11, 1897.

On August 22, 1899, Thomas R. P. Smith, 36 years of age, of Caddo, Indian Territory, was listed for enrollment by this Commission as a citizen of the Choctaw Nation, having been admitted to such citizenship by a judgment of the United States Court for the Central District of the Indian Territory, rendered at South McAlester, Indian Territory, September 11, 1897, in Choctaw citizenship case No. 71.



J W H S

On August 24 , 1899, Daniel A. Smith, 29 years of age, of Caddo, Indian Territory, was also listed for enrollment by the Commission as a citizen of the Choctaw Nation in pursuance of the judgment of the United States Court for the Central District of the Indian Territory above referred to.

None of these persons appear upon the tribal rolls of the Choctaw Nation in the possession of this Commission.

Yours truly,

Acting Chairman.

7-3743.

Muskogee, Indian Territory, September 24, 1902.

Thomas H.P. Smith,

Watooy, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Thomas H.P. Smith, Jr., infant son of Thomas H.P. and Martha J. Smith, born July 25, 1902; and the same being in proper form has been duly filed with the records of the Commission, and the child listed for enrollment as a citizen of the Choctaw Nation.

Respectfully,

Acting Chairman.



COMMISSIONER  
THOMAS M. BROWN,  
SHERMAN B. BROWN,  
C. B. BROWN,  
W. C. BROWN,  
Secretary

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES

FORM NO. 100-100-100

9-3743

RECEIVED JULY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, November 12, 1904.

Grigby and Grigby,

Attorneys at Law,

Center, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated November 12, 1904, dismissing the application for the enrollment of Laura V. Smith, Addie Smith and Thomas H.P. Smith Jr., as citizens by blood of the Cherokee Nation.

Respectfully,

Chairman.

Registered.

Encl. 9-3743.

Choc 3744 Alice Folsom

3744

MEMORANDA.

(Date) August 2 1899.

Name \_\_\_\_\_

Choctaw ? \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ No. \_\_\_\_\_

Chickasaw ? \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_

Citizen by blood ? \_\_\_\_\_ Mother's citizenship \_\_\_\_\_

Intermarried citizen ? \_\_\_\_\_

Married under what law ? \_\_\_\_\_

License filed this day, \_\_\_\_\_

33

Wife's name, Alice Folsom

Choctaw ? \_\_\_\_\_ County Blue Year 96 No. 4346

Chickasaw ? \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page 166

Citizen by blood ? \_\_\_\_\_ Mother's citizenship \_\_\_\_\_

Intermarried citizen ? \_\_\_\_\_

Married under what law ? \_\_\_\_\_

License filed this day \_\_\_\_\_

Names of children:

13 Parby Folsom County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. 4347

6 Annie \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. 4348

5 Oscar \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. 4349

1 Junior \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

# Department of the Interior,

## COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,  
 of Junia Tolson, born on the 19 day of Sept, 1898.  
 Name of father: John Tolson, a citizen of the Choctaw Nation.  
 Name of mother: Alice Tolson, a citizen of the Choctaw Nation.  
 Post Office: Caddo Ind Ter

### AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
 INDIAN TERRITORY,  
Caddo District.

I, Alice Tolson, on oath, state that I am 33 years of age and a  
 citizen, by blood, of the Choctaw Nation; that I am the  
 lawful wife of John Tolson who is a citizen, by blood, of the  
Choctaw Nation; that Junia child was born to me on the 19 day  
 of Sept, 1898; that said child has been named Junia Tolson  
 and is now living.

Char. M. Whinn  
 Subscribed and sworn to before me this 27 day of August, 1899  
Chas. M. Whinn  
 Notary Public.

### AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,  
 INDIAN TERRITORY,  
Caddo District.

I, Francis Strong, a midwife, on oath, state that I  
 attended on Mrs. Alice Tolson, wife of John Tolson  
 on the 19 day of Sept, 1898; that there was born to her on said date a female child;  
 that said child is now living and is said to have been named Junia Tolson.

Francis Strong  
 Subscribed and sworn to before me this 23 day of August, 1899  
Chas. M. Whinn  
 Notary Public.

Choc 3745 meluina Fletcher

Choc 3745



Choctaw 3743  
Choctaw 3785

Muskogee, Indian Territory, June 8, 1905.

Joslin Lewis,

Caney, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of May 25, asking if the child of yourself and Sallie Mitchell, Choctaw Roll Number 10684, born March 2, 1905, can now be enrolled.

In reply to your letter you are advised that it does not appear from our records that application has been made to this Commission, under the act of Congress approved March 3, 1905, for the enrollment of a child of yourself and Sallie Mitchell, but as you do not give the name of this child, it is impracticable to give you any definite information on this subject.

You are further advised that the time within which the Commission could receive applications for the enrollment of infant children of Choctaw and Chickasaw citizens, under the act of March 3, 1905, above referred to, expired May 2, 1905, and if no application was made for the enrollment of this child prior to that date the Commission is now without authority to receive or consider the same.

Respectfully,

COMMISSIONERS  
HENRY L. DAWES,  
TAMM BIXBY,  
ARCHIBALD S. MCKENNON,  
THOMAS B. NEEDLES  
ALLISON J. AYLESWORTH,  
64 SECRETARY

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, March 16, 1900.

Melvina Fletcher,  
Caddo, Indian Territory,

Dear Madam:

Can you furnish the Commission with an information as to Julious Lewis, a resident of Blue County, whose name appears on the 1896 Choctaw roll as seventy eight years old, and who has never applied to the Dawes Commission for citizenship? There is inclosed you herewith an envelope for the return of this letter after the questions have been answered and your name signed thereto.

Yours truly,

Acting Chairman.

Please answer the following questions on the blanks left opposite, and sign your name.

1. Is he living or dead? \_\_\_\_\_
2. If living, where is he? \_\_\_\_\_
3. If you do not know this man, can you give us the name of some one who would be likely to know? \_\_\_\_\_

Env.

MEMORANDA.

(Date) Aug 22 1899.

Name .....

Choctaw? County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day,

Wife's name, Melvina Fletcher

Choctaw? y. County Blue Year 96 No. 4323

Chickasaw? County Year Page 105

Citizen by blood? y. Mother's citizenship Choctaw

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

|    |   |                 |             |         |          |          |
|----|---|-----------------|-------------|---------|----------|----------|
| 20 | X | Jacob L. L...   | County Blue | Year    | Page     | No.      |
| 17 |   | Peter           | County      | Year 96 | Page 215 | No. 7240 |
| 11 |   | Sophia Fletcher | County      | Year    | Page 105 | No. 4324 |
|    |   |                 | County      | Year    | Page     | No.      |
|    |   |                 | County      | Year    | Page     | No.      |
|    |   |                 | County      | Year    | Page     | No.      |
|    |   |                 | County      | Year    | Page     | No.      |
|    |   |                 | County      | Year    | Page     | No.      |
|    |   |                 | County      | Year    | Page     | No.      |
|    |   |                 | County      | Year    | Page     | No.      |

Stamp: H-6-03

3745

Choc 3746 Agnes Johnson

3

3746

MEMORANDA.

(Date) Aug 22 1899.

Name .....

Choctaw ? County Year No.

Chickasaw ? County Year Page

Citizen by blood ? Mother's citizenship

Intermarried citizen ?

Married under what law ?

License filed this day,

21

✓ Wife's name, *Agnes Johnson*

Choctaw ? *119* County Year No.

Chickasaw ? County Year Page

Citizen by blood ? *116* Mother's citizenship *C. C.*

Intermarried citizen ?

Married under what law ?

License filed this day

Names of children:

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

*100 p 73 # 770 9 3 13 line Co*

*no name Brown*

36470

Choc 3747 Michael Halpin  
Margaret Halpin

3747

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

---

The record in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of -

MICHAEL HALPIN, - - Choctaw-3747

---

Department of the Interior.  
Commission to the Five Civilized Tribes.  
Atoka, Indian Territory, November 17th, 1902.

Choctaw 3747  
Intermarried.

In the matter of the application of Michael Halpin for enrollment as an intermarried citizen of the Choctaw Nation.

Michael Halpin, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Michael Halpin.  
Q How old are you? A Forty four.  
Q What is your post office address? A Caddo, Indian Territory.  
Q How long have you been a resident of the Choctaw Nation? A About thirty years.  
Q Have you lived here continuously for the past thirty years?  
A Yes sir.  
Q Never made your home anywhere else during that time? A No sir.  
Q Do you claim intermarried rights in the Choctaw Nation? A Yes sir.  
Q What is the name of your Choctaw wife through whom you claim your rights? A Margaret Lane.  
Q When were you married to Margaret Lane? A About seven years ago - April 27, 1895.  
Q Since your marriage to Margaret Lane have you lived with her continuously as her husband up to the present time? A Yes sir.  
Q There has been no separation, abandonment or divorce? A No sir.  
Q Are you at present living together as bona fide residents of the Choctaw Nation? A Yes sir.  
Q Are you the identical Michael Halpin who in 1896 made application to the Dawes Commission for admission to citizenship in the Choctaw Nation? A Yes sir.  
Q Did you apply as an intermarried citizen? A Yes sir.  
Q What was done with your application at that time? A It was granted.  
Q Was your case appealed to the United States Court? A No sir.

-----c00-----

Harry C Risteen, being first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 17th day of November, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

*Harry C Risteen*

Subscribed and sworn to before me this 5 day of January 1903.

*Charles W. Sawyer*

Notary Public.



(Dated)  
7 - 3747

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of  
Michael Halpin as a citizen by intermarriage of the Choctaw Nation.

DECISION.

It appears from the census card record in this case that Michael Halpin appeared before the Commission at Caddo, Indian Territory, August 22, 1899, and made personal application for enrollment as a citizen by intermarriage of the Choctaw Nation. Further proceedings were had in the matter of this application at Atoka, Indian Territory, November 17, 1902.


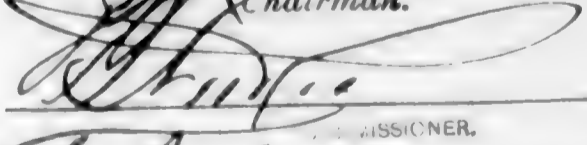
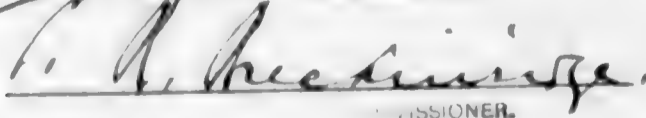

It further appears from the records of the Commission that on September 7, 1896, in a case entitled "Michael Halpin vs. Choctaw Nation", (1896 Choctaw Citizenship Docket, Case No. 406), the applicant herein made original application to this Commission under the provisions of the act of Congress approved June 10, 1896 (29 Stats., 321), for admission to citizenship in the Choctaw Nation, claiming his right thereto by virtue of his marriage with Margaret Halpin (nee Lane), a recognized and enrolled citizen by blood of the Choctaw Nation, and on December 2, 1896, the said Michael Halpin was by this Commission admitted to citizenship in the Choctaw Nation as a citizen by intermarriage, from which decision of the Commission no appeal was taken.

It further appears from the evidence in this case that the applicant herein was a resident in good faith of Indian Territory on June 28, 1898, and that his status as an intermarried citizen has remained unchanged from the date of his said admission in 1896 up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Michael Halpin should be enrolled as a citizen by intermarriage of the Choctaw Nation in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stats., 495) and July 1, 1902 (32 Stats., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Muskogee, Indian Territory,

  
Chairman.  
  
COMMISSIONER.  
  
COMMISSIONER.  
  
COMMISSIONER.

COPY.

Choctaw-3747

Muskogee, Indian Territory, July 20, 1903.

Michael Halpin,  
Caddo, Indian Territory.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission, rendered July 20, 1903, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully, (SIGNED)

*T. S. ...*  
Commissioner in Charge.

Registered.

Enc. HQ. 91/20

OOPY.

Choctaw-3747

Muskogee, Indian Territory, July 20, 1903.

Mansfield, McMurray & Cornish,  
Attorneys for the Choctaw and Chickasaw Nations,  
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission, rendered July 20, 1903, granting the application of Michael Halpin, for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

*E. J. Woodson*  
Commissioner in Charge.

Registered.

No. HG. 92/20

MEMORANDA.

(Date) Aug 22 1899.

41 Name Michael Lee Lee  
 Choctaw? y County \_\_\_\_\_ Year \_\_\_\_\_ No. \_\_\_\_\_  
 Chickasaw? \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_  
 Citizen by blood? \_\_\_\_\_ Mother's citizenship US  
 Intermarried citizen? y  
 Married under what law? \_\_\_\_\_  
 License filed this day, \_\_\_\_\_

23 Wife's name, Margaret Lee  
 Choctaw? y County Blair Year 18 No. 223  
 Chickasaw? \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page 13  
 Citizen by blood? y Mother's citizenship US  
 Intermarried citizen? \_\_\_\_\_  
 Married under what law? \_\_\_\_\_  
 License filed this day \_\_\_\_\_

Names of children:  
 3 John Lee County Blair Year 16 Page 10 No. 224  
 \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_  
 \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_  
 \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_  
 \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_  
 \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_  
 \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_  
 \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_  
 \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_  
 \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

7447

Choc 3748 John HUNT

3748

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for enrollment as a  
citizen by intermarriage of the Choctaw Nation of-

JOHN HUNT

7-3748.

Department of the Interior.  
Commission to the Five Civilized Tribes.  
Antlers, I. T., December 3rd, 1902.

Choctaw 3748  
Intermarried

-----oOo-----

In the matter of the application of John Hunt for enrollment as an intermarried citizen of the Choctaw Nation.

John Hunt being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A John Hunt.  
Q How old are you? A Fifty-eight.  
Q What is your post office address? A Crowder, Jackson county.  
Q How long have you been a resident of the Choctaw Nation?  
A Ever since '81 or '80.  
Q Have you lived here continuously since that time? A Ever since.  
Q Do you claim intermarried rights in the Choctaw Nation? A Yes  
sir.  
Q What is the name of your Choctaw wife through whom you claim  
these rights? A Minnie Henson.  
Q Was she a recognized and enrolled citizen of the Choctaw Nation?  
A Yes sir.  
Q Were her rights to enrollment ever disputed? A Not that I  
ever knew of.  
Q When were you married to Minnie Henson? A In '87 or '88, I  
think it was '87.  
Q Where was this marriage ceremony performed? A About three or  
four miles of Goodland.  
Q At that time were both you and your wife bona fide residents of  
the Choctaw Nation? A Yes sir.  
Q Were you married in accordance with the Choctaw tribal law?  
A Yes sir.  
Q Did you obtain a marriage license? A Yes sir.  
Q From whom did you get that license? A George Oakes.  
Q Was he an official of the Nation? A Said to be a district  
clerk.  
Q How much did you pay for that license? A \$25.  
Q Who performed the marriage ceremony? A Daniel Miller, a full  
blood Indian I think he was.  
Q A minister of the gospel? A Yes sir.  
Q Were you ever married prior to your marriage to Minnie Henson?  
A No sir.  
Q Was she ever married prior to her marriage to you?  
A Yes sir, I think so.  
Q How many times? A I don't know; once was all I ever - - well,  
I am satisfied that was all.  
Q Was this former husband dead at the time of your marriage to her?  
A No sir, he was living.

John Hunt-----2

- Q They had been separated? A Yes sir.
- Q Had they been divorced? A I reckon so.
- Q Do you know where that divorce was granted? A I suppose in the district court at the forks of Boggy.
- Q You don't know that? A No sir, but I don't suppose the clerks would issue a license unless they had.
- Q How long did you live with this woman? A Two years.
- Q At the end of that time did she die? A No sir, we separated.
- Q Were you divorced? A After I left her?
- Q Yes? A No sir, never was divorced.
- Q How long did she live? A I think about five years after we separated.
- Q You were never divorced during that time? A No sir.
- Q What was the cause of this separation? A I couldn't tell you, she left home when I was gone; I went to Paris as a U. S. witness at court and I left her at home and when I come back she was gone.
- Q Can't you account for her leaving you? A No sir, only I learned that she was persuaded off - - through other people, I don't know anything about it.
- Q Did you always furnish her with an adequate and sufficient support? A Yes sir.
- Q Never had any quarrel or hard words? A No sir, I left her friendly.
- Q Did you ever see her after that? A Yes sir.
- Q Did you ever try to have her come back to you? A No sir.
- Q Never made any advances to her? A No sir.
- Q Was she living with another man after she separated from you?
- A Yes sir, she was living with another man.
- Q Was she ever married to him? A I don't know; I heard that she was.
- Q Do you know whether she ever obtained a divorce from you?
- A No sir, I do not.
- Q After your separation from her did you remarry? A Yes sir.
- Q When did you marry your second wife? A This last June past a year ago--7th of last June a year ago.
- Q What is her name? A Lou Taylor.
- Q Was she a white woman? A Yes sir.
- Q Where were you married to her? A In Paris, Texas.
- Q Under the laws of the state of Texas? A Yes sir.
- Q How long did you live with her? A Living with her yet. She is my present wife.
- Q Are you at present an actual and bona fide resident of the Choctaw Nation? A Have been ever since I first married; got my own property here and recognized as a citizen by the tribal laws.
- Q Did you ever make your home in the state of Texas since that time?
- A No sir.
- Q Were you an applicant before this Commission in 1896 for admission to citizenship in the Choctaw Nation? A I don't know whether I did in 1896 - - six years ago I did at Caddo.
- Q Did you then apply as an intermarried citizen? A Yes sir.
- Q What action was then taken by the Commission on your case?
- A I showed them my papers and they took my name down.



John Hunt-----3

Q Was your case granted or refused? A It has been granted.  
Q Was your case ever appealed to the United States Court?  
A Not that I know of.

-----

Albert G. McMillan being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 3rd day of December, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

*Albert G. McMillan*

Subscribed and sworn to before me this 20 day of January, 1903.

*Charles H. Sawyer*

Notary Public.

*Max*

In all things these Presents  
shall have effect  
Know ye that I in pursuance  
of an Application of John Hunt  
a Citizen of the United States  
for License to marry Miss Minnie  
Hynson a Citizen of the Choctaw  
Nation the same being in due  
form and satisfying the  
requirements of the laws of  
said Nation in regard to  
inter-marriage with non-citizens  
and by virtue of the authority  
vested in me to hereby Issue  
This License for the above named  
parties to be joined together in  
matrimony

Witness my hand and seal  
this 28<sup>th</sup> December 1857

J. H. Carter

Agent Choctaw

3<sup>rd</sup> Dist. Choctaw

(Certificate of Naturalization)

This is to certify that I in  
accordance with the above authority  
have united Mr John Hunt and  
Minnie Hynson the parties mentioned in  
the above license this the 11<sup>th</sup> December 1857  
Rev. J. H. Carter Miller

Recorded December 16<sup>th</sup> 1887

G. W. Carter

Circuit Clerk

3<sup>rd</sup> Dist

Choctaw Nation

I do hereby certify that this  
is a true copy of the original  
marriage license of Mr. John Hunt  
now on record in the Circuit Clerk  
office of the 3<sup>rd</sup> judicial Dist  
Choctaw Nation.

Given under my hand  
and seal of office this the  
30<sup>th</sup> Day of September 1896

P. C. Harris

Circuit Clerk

3<sup>rd</sup> Dist

Choctaw Nation.


BEFORE THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of John Hunt as a citizen by intermarriage of the Choctaw Nation, Choctaw Field No. 3748.

-----

We hereby request, on behalf of the Choctaw and Chickasaw Nations, that final decision in this case be postponed until final decision by the Choctaw and Chickasaw Citizenship Court in the case of B. F. Thompson vs. Choctaw and Chickasaw Nations, No. 38 on the South McAlester Docket, in which the said court will decide the question of the validity of that portion of the intermarriage laws of the Choctaw Nation providing for the preference of citizenship of white persons who separate from their Indian spouses, which question is involved in the case to which this communication refers.

This request is filed under authority granted by the Honorable Secretary of the Interior in his communication to the Commission to the Five Civilized Tribes upon the subject, dated November 13, 1903.

  
Attorneys for the Choctaw & Chickasaw Nations.

January 25, 1904.

W.F.

560

7-2748.

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of  
John Hunt as a citizen by intermarriage of the Choctaw Nation.

--: D E C I S I O N :--

It appears from the record herein that on December 11, 1887, the applicant, John Hunt, was married in accordance with the laws, customs and usages of the Choctaw Nation to Minnie Hunt (formerly Hynson), deceased, a recognized and enrolled citizen by blood of the Choctaw Nation, who is identified upon the 1885 Choctaw Census Roll, Kiamitia County, number 679, enrolled thereon as a citizen by blood of said nation.

It further appears from the records of the Commission that on September 7, 1896, in the case entitled "John Hunt vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, case number 192), the applicant made original application to this Commission, under the provisions of the act of Congress approved June 10, 1896 (29 Stat., 321), for admission to citizenship in the Choctaw Nation, claiming his right thereto by virtue of his marriage with the said Minnie Hunt and on December 2, 1896, the said John Hunt was by this Commission admitted to citizenship in the Choctaw Nation as a citizen by intermarriage, from which decision of the Commission no appeal was taken.

Upon an examination of the tribal rolls in the possession of the Commission the applicant is identified upon the 1896 Choctaw Census Roll, Jackson County, number 14644, enrolled thereon as a citizen by intermarriage of said nation.

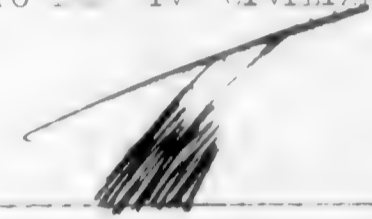
It further appears from the record herein that the applicant has been a resident in good faith of the Choctaw Nation from the date of his said admission by the Commission in 1896 up to and including September 25, 1902; and that on June 7, 1901, he was lawfully married to Lou Taylor, a non-citizen white woman.

It is the opinion of this Commission that, following the decision of the Commission in the case of Thornton D. Pearce, vs. Choctaw Nation, John Hunt should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1896 (30 Stat., 495), and

2.

July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

  
-----  
Chairman.

  
-----  
Commissioner.

  
-----  
Commissioner.

Muskogee, Indian Territory,

JUL 19 1904  
-----

Choctaw 3748

COPY!

Muskogee, Indian Territory, July 19, 1904.

John Hunt,  
Crowder, Indian Territory,

Dear Sir:-

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered July 19, 1904, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from the date hereof within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

*T. E. Needles.*  
Commissioner in Charge.

Registered.

Incl. 7- 3748.

COPY!

Muskogee, Indian Territory, July 19, 1904.

Hunter & Armstrong,

Boswell, Indian Territory,

Gentlemen:

You are hereby notified that the Commission to the Five Civilized Tribes, on July 19, 1904, rendered its decision granting the application of John Hunt for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from the date hereof within which to file protest against the action of the Commission in enrolling said applicant as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, his name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

*T. B. Needles.*

Commissioner in Charge.

Registered.



COPY.

Muskogee, Indian Territory, July 19, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 19, 1904, granting the application of John Hunt for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from the date hereof within which to file protest against the action of the Commission in enrolling said applicant as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, his name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

*T. B. Needles.*

Commissioner in Charge.

Registered.  
Incl. 7 -- 3748.

Choctaw 3748

Muskogee, Indian Territory, July 22, 1904.

Armstrong & Hunter,  
Attorneys at Law,  
Boswell, Indian Territory,

Gentlemen:

Receipt is hereby acknowledged of your letter of July 18, asking the status of the application of John Hunt for enrollment as an intermarried citizen of the Choctaw Nation; also asking what disposition was made of his application to the Commission in 1896.

In reply to your letter you are advised that it appears from our records that John Hunt was admitted as an intermarried citizen of the Choctaw Nation by this Commission in 1896 under the provisions of the act of Congress approved June 10, 1896.

It further appears that on July 19, 1904, the Commission rendered its decision granting the application of John Hunt for enrollment as an intermarried citizen of the Choctaw Nation. The attorneys for the Choctaw and Chickasaw Nations have been notified of this decision and granted fifteen days within which to file protest. If no protest is filed within that time the name of John Hunt will be placed upon the next schedule of intermarried citizens of the Choctaw Nation prepared for forwarding to the Secretary of the Interior.

Respectfully,

7-3748

Muskogee, Indian Territory, February 9, 1904.

John Hunt,

Crowder, Indian Territory.

Dear Sir:

You are hereby advised that under direction of the Secretary of the Interior of November 18, 1903, and upon a protest filed with the Commission by the attorneys for the Choctaw and Chickasaw Nations dated January 23, 1904, no further action will be taken relative to your enrollment as a citizen by intermarriage of the Choctaw Nation until the Commission is further instructed by the Secretary of the Interior.

Respectfully,

Commissioner in Charge.

7-3748

Muskogee, Indian Territory, June 14, 1906.

Apple & Franklin,  
Attorneys at Law,  
Muskogee, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of June 11, 1906, inclosing marriage license and certificate between John Hunt and Mrs. Lou Taylor and the same have been filed in the matter of the enrollment of their child John Lee Hunt.

Respectfully,

Commissioner.

MEMORANDA.

(Date) 11/15/1899.

48 ✓ Name *J. L. ...*

Choctaw ? *Yes* County Year No.

Chickasaw ? *No* County Year Page

Citizen by blood ? Mother's citizenship

Intermarried citizen ? *Yes*

Married under what law ?

License filed this day,

Wife's name,

Choctaw ? County Year No.

Chickasaw ? County Year Page

Citizen by blood ? Mother's citizenship

Intermarried citizen ?

Married under what law ?

License filed this day

Names of children:

|       | County | Year | Page | No. |
|-------|--------|------|------|-----|
| ..... | County | Year | Page | No. |
| ..... | County | Year | Page | No. |
| ..... | County | Year | Page | No. |
| ..... | County | Year | Page | No. |
| ..... | County | Year | Page | No. |
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13748

choc 3749 John Frazier

3749

**MEMORANDA.**

(Date)

Name

Choctaw ?

County

Year

No.

Chickasaw ?

County

Year

Page

Citizen by blood ?

Mother's citizenship

Intermarried citizen ?

Married under what law ?

License filed this day,

Wife's name,

Choctaw ?

County

Year

No.

Chickasaw ?

County

Year

Page

Citizen by blood ?

Mother's citizenship

Intermarried citizen ?

Married under what law ?

License filed this day

Names of children:

8

*[Handwritten name]*

County

Year

Page

No.

6

*[Handwritten name]*

County

Year

Page

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1

*[Handwritten name]*

County

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No.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,  
*Lucina Frazier*, born on the *22* day of *Sept*, *1888*.  
 Name of Father: *John Frazier*, a citizen of the *Choctaw* Nation.  
 Name of mother: *Mary Frazier*, a citizen of the *Choctaw* Nation.  
 Post Office *Birmingham St*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA

County of *Choctaw*

*Mary Frazier*

I, *Mary Frazier*, do hereby state that I am *30* years of age and a  
 citizen of the *Choctaw* Nation; that I am the  
 mother of *John Frazier*, who is a citizen of the *Choctaw*  
*Choctaw* Nation, and that said child was born to me on the *22* day  
*Sept* *1888* and said child has been named *Lucina Frazier*.  
 and is now living

*Mary Frazier*

Subscribed and sworn to before me this *31* day of *August*, *1888*  
*W. H. [Signature]*  
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MIDWIFE

UNITED STATES OF AMERICA

County of *Choctaw*

I, *W. H. [Signature]*, do hereby state that I  
 attended the *Mary Frazier* and *John Frazier*  
 on the *22* day of *Sept* *1888* and that said child was born to  
 said mother and said child has been named *Lucina Frazier*.  
 and is now living

*W. H. [Signature]*

Subscribed and sworn to before me this *31* day of *August*, *1888*  
*W. H. [Signature]*  
 Notary Public.



*IN RE*

Application for Enrollment of

INFANT CHILD

*Phelena Frazier*

as a citizen of

*Choctaw*

Nation

Approved,

APR 1 1901

190

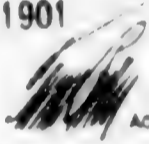


Commissioner.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

**FILED**

APR 1 1901



ACTING CHAIRMAN

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,  
of Phelena Frazier (Here insert name of child), born on the 3rd day of February, 1901  
Name of Father: John Frazier, a citizen of the Choctaw Nation.  
Name of Mother: Mary Frazier, a citizen of the Choctaw Nation.  
Post-office, Bennington Ind Ter

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
General District.

I, Mary Frazier, on oath state that I am 31  
years of age and a citizen, by blood, of the Choctaw Nation;  
that I am the lawful wife of John Frazier, who is a citizen, by  
blood, of the Choctaw Nation, that a female child was  
born to me on the 3rd day of February, 1901; that said child has been  
named Phelena Frazier, and is now living.

WITNESSES TO MARK

(Must be Two Witnesses)

Mary Frazier

Subscribed and sworn to before me this 27th day of March, 1901.

Thomas W. Maxwell  
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
General District.

I, Mrs. Mervy Dwight, a midwife, on oath state that I  
attended on Mrs. Mary Frazier, wife of John Frazier,  
on the 3rd day of February, 1901; that there was born to her on  
said date a female child; that said child is now living and is said to have been  
named Phelena Frazier.

WITNESSES TO MARK

(Must be Two Witnesses)

Mrs. Mervy Dwight  
Jennie Wilkett  
Sallie Battise

Subscribed and sworn to before me this 27th day of March, 1901.

Thos. W. Maxwell  
NOTARY PUBLIC.

7-3749

32

INDEXED

IN RE  
THE DEATH OF  
Phalena Frazier  
a citizen of the  
Choctaw Nation.

Approved DEC 6 - 1902 190

Commissioner

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

DEC 6 1902

ACTING CHAIRMAN.

CHOCTAW.  
CHOCTAW.

#3749.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Phalena Frazier  
(Here insert name of deceased.)  
a citizen of the Choctaw Nation, who formerly resided at or near  
Bennington, Ind. Ter., and died on the 20 day of  
August, 1902  
(Here insert name of postoffice.)

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA, }  
INDIAN TERRITORY, } none present  
Central District. }

I, Levi Waichebbee, on oath state that I am 56  
years of age and a citizen, by blood, of the \_\_\_\_\_ Nation;  
that my post office address is Jackson Co, Mayhew, Ind. Ter.; that I am  
no kin of Phalena Frazier,  
(State relationship as the father, an uncle, a cousin, etc.) (Here insert name of deceased.)  
who was a citizen, by blood, of the Choctaw Nation;  
and that said Phalena Frazier died on the 20 day of  
August, 1902. Levi Waichebbee

WITNESSES TO MARK:

(Must be Two Witnesses) }

Subscribed and sworn to before me this 3 day of December, 1902  
H. C. Risteen  
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA, }  
INDIAN TERRITORY, }  
Central District. }

I, Robert Belvin, on oath state that I am 27  
years of age, and a citizen, by blood, of the Choctaw Nation;  
that my post office address is Jackson, Ind. Ter.;  
that I was personally acquainted with Phalena Frazier,  
(Here insert name of deceased.)  
who was a citizen, by blood, of the Choctaw Nation;  
and that said Phalena Frazier died on the 20 day of  
August, 1902. Robert Belvin

WITNESSES TO MARK

(Must be Two Witnesses) }

Subscribed and sworn to before me this 3 day of December, 1902  
H. C. Risteen  
Notary Public.

Muskogee, Indian Territory, April 2nd, 1901.

Mr. John Frazier,  
Bennington, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Phelena Frazier, the infant daughter of John and Mary Frazier, born February 3, 1901, and the same being in proper form has been filed with the records of this Commission, and the child listed for enrollment as a citizen of the Choctaw Nation.

Respectfully,

Acting Chairman.

9-3006.  
3749

7-3749

Muskogee, Indian Territory, December 26, 1902.

Charles E. McPherron,  
Attorney at Law,  
Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 12th instant, in which you ask whether John Frasier and his children are listed for enrollment.

In reply to your letter you are advised that it appears from our records that John Frasier and his wife, Mary, and their minor children, Virgie, Ben, Emma and Phelena have been listed for enrollment as citizens by blood of the Choctaw Nation, the first four named having been identified from the 1896 census roll, Choctaw Nation, being numbers four thousand two hundred and ninety one to four thousand two hundred and ninety-four, inclusive thereon, respectively.

Respectfully,

Acting Chairman.

7-3749

Muskogee, Indian Territory, December 2, 1903.

John Frazier,  
Boswell, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the affidavits of Mary Frazier and Ellen Wachubbee relative to the birth of your infant daughter, Ella Frazier, February 1, 1903, which it is presumed have been forwarded to this office as an application for enrollment of the above named child as a citizen by blood of the Choctaw Nation.

You are informed that under the provisions of the Act of Congress approved July 1, 1902, (32 Stats., 641), the Commission is now without authority to receive or consider the original application for enrollment of any person whomsoever as a citizen of the Choctaw or Chickasaw Nation.

Respectfully,

Chairman.

Choc 3750 Robinson D Anderson

3750



Choctaw 3750  
Choctaw 3832

Muskogee, Indian Territory, March 22, 1902.

Frank Anderson,

Blue, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 16th instant in which you desire to be informed if you, your father and brother and also if Elsie Baker, have been listed for enrollment as citizens of the Choctaw Nation.

Replying to your inquiry you are advised that on August 22, 1899, at Caddo, Indian Territory, Robinson D. Anderson, 40 years of age, with his three minor children, Frank, Gilbert and Nancy Anderson, were duly listed for enrollment as citizens of the Choctaw Nation, having been identified by the Commission from the 1896 census roll of the citizens of the Choctaw Nation as residents of Blue County.

You are further advised that on August 23, 1899, at Caddo, Indian Territory, Johnson Baker, 54 years of age, with his wife, Lettie Baker, 68 years of age and Elsie Baker, his daughter, 19 years of age, were duly listed for enrollment by this Commission as citizens of the Choctaw Nation, having been identified

P A 2

by the Commission from the 1896 census roll of the citizens of the  
Choctaw Nation as residents of Blue County.

Yours truly,

Commissioner in Charge.

Choctaw 3750

Muskogee, Indian Territory, June 21, 1902.

Frank Anderson,

Blue, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Tandy Lee Anbrson the infant daughter of Frank and Elsie Anderson, born May 18, 1902, and the same is returned to you herewith for further information regarding the mother of this child.

It is stated in the affidavit of the mother that her name is Elsie Anderson, that she is 21 years of age and a citizen by blood of the Choctaw Nation. If this is correct you are requested to state her full name, the time and place application was made to the Commission for her enrollment, the names of other members of her family for whom application was made at the same time and any other information you may have that will enable us to identify her upon our records as listed for enrollment as a citizen of the Choctaw Nation. If she has been married to you since the time she was so listed, you are requested to forward either the original or certified copy of your marriage license and certificate as authority for the changing of her name upon our records from her maiden name to her present married name.

F A B

Upon receipt of the information requested above and the return of the application, the matter will receive further consideration.

Yours truly,

Commissioner in Charge.

Enc Y-100

7-3780

Muskogee, Indian Territory, March 17, 1905.

Frank Anderson,  
Blue, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of March 8, 1905, addressed to the United States Indian Agent which has been by him referred to this Commission for consideration and appropriate action. Therein you state that you have a child Perry Anderson for whom you made application January 16, to the enrollment Commission at Durant.

In reply to your letter you are informed that it does not appear from our records that application has been made to this Commission for the enrollment of your child Perry Anderson and for your convenience there is inclosed herewith a blank application for the enrollment of an infant child together with circular giving full information relative thereto.

Respectfully,

Chairman.

B. C.

Circular.

7-3750

Muskogee, Indian Territory, December 7, 1906.

Gilbert Anderson,

Blue, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the affidavits of Josephine Anderson and Martha Nelson to the birth of Cleveland C. Anderson, child of Gilbert and Josephine Anderson, August 2, 1906.

You are advised that under the Act of Congress approved April 26, 1906, only those children of citizens of the Choctaw or Chickasaw Nation who were living March 4, 1906, are entitled to enrollment. You will therefore see that there is no authority for the enrollment of children born subsequent to that date.

Respectfully,

Acting Commissioner.

7-3750

Muskogee, Indian Territory, May 15, 1907.

Gilbert Anderson,

Blue, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 9, 1907, asking if you can have your eight month old child enrolled.

In reply to your letter you are advised that the Act of Congress approved April 26, 1906, provided only for the enrollment of minor children of citizens of the Choctaw and Chickasaw Nations, who were living March 4, 1906, and the time within which applications could be received for the enrollment of minor children of citizens of the Choctaw and Chickasaw Nations under the Act of Congress approved April 26, 1906, expired July 25, 1906, and in this connection your attention is invited to the following provision of the Act of Congress approved April 26, 1906:

"That after the approval of this Act no person shall be enrolled as a citizen or freedman of the Choctaw, Chickasaw, Cherokee, Creek, or Seminole tribes of Indians in the Indian Territory, except as herein otherwise provided, unless application for enrollment was made prior to December first, nineteen hundred and five, and the records in charge of the Commissioner to the Five Civilized Tribes shall be conclusive evidence as to the fact of such application."

"That the rolls of the tribes affected by this Act shall be fully completed on or before the fourth day of March, nineteen hundred and seven, and the Secretary of the

G. A. #2.

Interior shall have no jurisdiction to approve the enrollment of any person after said date."

Respectfully,

Acting Commissioner.



**MEMORANDA.**

(Date) Aug 22 1899.

✓ Name Anderson D .....

Choctaw? Yes County Blue Year 96 No. 31

Chickasaw? County Year Page

Citizen by blood? Yes Mother's citizenship Yes

Intermarried citizen? .....

Married under what law? .....

License filed this day, .....

Wife's name, .....

Choctaw? County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen? .....

Married under what law? .....

License filed this day .....

Names of children:

|    |                       |                    |                |                |                |
|----|-----------------------|--------------------|----------------|----------------|----------------|
| 18 | <u>Frank Anderson</u> | County <u>Blue</u> | Year <u>96</u> | Page <u>10</u> | No. <u>397</u> |
| 14 | <u>Gilbert</u>        | County             | Year           | Page           | No. <u>398</u> |
|    |                       | County             | Year           | Page           | No.            |
|    |                       | County             | Year           | Page           | No.            |
|    |                       | County             | Year           | Page           | No.            |
|    |                       | County             | Year           | Page           | No.            |
|    |                       | County             | Year           | Page           | No.            |
|    |                       | County             | Year           | Page           | No.            |
|    |                       | County             | Year           | Page           | No.            |
|    |                       | County             | Year           | Page           | No.            |

Anderson Choctaw  
1896 to 1902 to land with father  
#1 alone

13450

Choc 3751

James D. Harrison

3751

7-4174.

Muskogee, Indian Territory, December 18, 1902.

Charles E. McPherran,

Attorney at Law,

Okado, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 12th inst., in which you ask if Joshua Leflore, his wife Littye Leflore, and their child Sarah Leflore are listed for enrollment as Choctaw Indians.

You state that birth affidavits for Sarah Leflore were forwarded to the Commission some time ago.

In reply, you are advised that the information contained in your letter is not sufficient to enable the Commission to identify Sarah Leflore and Littye Leflore as citizens of the Choctaw Nation.

If Littye Leflore is a citizen by blood of the Choctaw Nation, you are requested to state her full maiden name, the time and place application was made for her enrollment, the names of the other members of her family for whom application was made at the same time, and any other information you may have which will enable the Commission to identify her as being duly listed for enrollment.

0 1 2 3 4

when the matter will receive further consideration.

Also state the names of the parents of James Taylor,  
as there are several persons of this name who have been listed for  
enrollment.

Respectfully,

James Taylor

7-3751  
7-4174

Huskogee, Indian Territory, September 13, 1904.

Mr. Strong & Hunter,

Hoswell, Indian Territory.

Gentlemen:-

Receipt is hereby acknowledged of your letter of the 6th  
inst., requesting to be advised if any application has ever been  
made for the enrollment of Sara Bell, daughter of Joshua and  
Elizabeth, as a citizen by blood of the Choctaw Nation, stating  
that the father and mother are full bloods and they represented to  
you that application was made through a Notary Public at Hoswell,  
Indian Territory, to the Court on September 1, 1902.

As we are informed we do not appear from our records that  
any application has ever been received by this Commission for the  
enrollment of Sara Bell, daughter of Joshua and Elizabeth.

Very truly,  
Chairman.

Choctaw 3751

Muskogee, Indian Territory, March 30, 1905.

L. D. Horton,

Attorney at Law,

Boswell, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of March 25, inclosing affidavits of Little LeFlore and Bessie Wilson to the birth of Sarah LeFlore and Sam LeFlore, children of Joshua and Little LeFlore, August 3, 1902 and December 4, 1903, and the same have been filed with our records as applications for enrollment of said children.

Respectfully,

Chairman.

IN RE  
Application for Enrollment of  
INFANT CHILD

*Sarah Le Florz*

as a citizen of

*Choctaw*

Nation.

Approved MAY 16 1905 190

~~[Signature]~~

Commissioner.

*Born Aug. 3, 1902.*

RECORDED TO H. FILED

MAY 16 1905

~~[Signature]~~

CLERK AW.

373-1

MAR 27 1905

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the *Choctaw* Nation,  
of *Sarah Le Flone* (Here insert name of child.) , born on the *3* day of *August*, 1902  
Name of Father: *Joshua Le Flone* a citizen of the *Choctaw* Nation.  
Name of Mother: *Litie Le Flone* a citizen of the *Choctaw* Nation.  
Postoffice *Boswell, I. T.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, }  
*Central Judicial* DISTRICT. }

I, *Litie Le Flone* , on oath state that I am *about 24*  
years of age and a citizen by *blood* of the *Choctaw* Nation;  
that I am the lawful wife of *Joshua Le Flone* , who is a citizen, by  
*blood* of the *Choctaw* Nation, that a *female* child was  
(Male or Female.)  
born to me on *3* day of *August*, 1902; that said child has been named  
*Sarah* , and was living March 4, 1905.

WITNESSES TO MARK:

(Must be Two Witnesses) }  
*V. Brown*  
*L. D. Horton*

*Litie Le Flone*  
mark

Subscribed and sworn to before me this *25* day of *Mich.*, 1905.  
*L. D. Horton*  
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, }  
*Central District* DISTRICT. }

I, *Bessie Wilson* , a *midwife* , on oath state that I  
attended on Mrs. *Litie Le Flone* , wife of *Joshua Le Flone*  
on the *3* day of *August*, 1902; that there was born to her on said date *female*  
(Male or Female.)  
child; that said child was living March 4, 1905, and is said to have been named - *Sarah*

WITNESSES TO MARK:

(Must be Two Witnesses) }  
*V. Brown*  
*L. D. Horton*

*Bessie Wilson*  
mark

Subscribed and sworn to before me this *25* day of *Mich.*, 1905.  
*L. D. Horton*  
Notary Public.



MEMORANDA.

(Date)

1899.

63 Name

Choctaw? County Year No.
Chickasaw? County Year Page
Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day,

Wife's name,

Choctaw? County Year No.
Chickasaw? County Year Page
Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

13X Lela ... County Year Page No.
... County Year Page No.
... County Year Page No.
... County Year Page No.
... County Year Page No.
... County Year Page No.
... County Year Page No.
... County Year Page No.
... County Year Page No.
... County Year Page No.
... County Year Page No.
... County Year Page No.

521131

Choc 3752 David Hoparkentubbi

3752

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,  
of *Mesley Hopakintale* born on the *1st* day of *February*, 1899  
Name of father: *David Hopakintale* citizen of the *Choctaw* Nation.  
Name of mother: *Isibel Hopakintale* a citizen of the *Choctaw* Nation.  
Post Office: *Jacobson I. T.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
*Central* District.

I, *Isibel Hopakintale*, do hereby swear, on oath, state that I am *21* years of age and a  
citizen, by *Blood*, of the *Choctaw* Nation; that I am the  
lawful wife of *David Hopakintale* a citizen, by *Blood*, of the  
*Choctaw* Nation; that a *male* child was born to me on the *1st*  
day of *February*, 1899; that said child has been named *Mesley Hopakintale*  
and is now living.

*Isibel Hopakintale*  
Subscribed and sworn to before me this *14th* day of *September*, 1899  
*A. M. Atterway*  
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
District.

I, \_\_\_\_\_, a \_\_\_\_\_, on oath, state that I  
attended on Mrs. \_\_\_\_\_, wife of \_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_, 1899; that there was born to her on said date a \_\_\_\_\_ child;  
that said child is now living and is said to have been named \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 1899.

Notary Public.

MEMORANDA.

0000

(Date)

Aug 2

1899.

Name

Choctaw?

County

Year

No.

Page

Chickasaw?

County

Year

Citizen by blood?

Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day,

Wife's name,

Choctaw?

County

Year

No.

Page

Chickasaw?

County

Year

Citizen by blood?

Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

12 *Caroline*

County

Year

Page

No.

6 *Mary*

County

Year

Page

No.

County

Year

Page

No.

County

Year

Page

No.

County

Year

Page

No.

County

Year

Page

No.

County

Year

Page

No.

County

Year

Page

No.

County

Year

Page

No.

County

Year

Page

No.

31152

*See 174. - Gabe Parker, Superintendent of Academy  
in 7-1354*

United States of America, )  
Indian Territory, ) ss.  
\_\_\_\_\_ District )  
-----

A P P I D A V I T :

Gabe H. Parker being first duly sworn, deposes and says:  
That he is the Superintendent of Armstrong Academy, located at Academy, Indian Territory. That from the records of said Academy now under the control of affiant, it appears that one Wilson Gardner was a pupil at said Academy during the year 1899; that from said records it appears that the name of the father of said Wilson Gardner was \_\_\_\_\_ and that the name of his mother was \_\_\_\_\_; that said Wilson Gardner was brought to said Academy by \_\_\_\_\_, and from the records above referred to it appears that prior to his entering said Academy he had made his home with \_\_\_\_\_ of said Wilson Gardner.

Subscribed and sworn to before me this \_\_\_\_\_ day  
of June, 1905.

Muskogee, Indian Territory, September 26, 1901.

Mr. Richard Crowder,  
Goodland, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 20th instant, in reply to our letter of recent date relative to the child Isman Ioman, now attending the school of the Catholic Sisters at Antlers, Indian Territory.

It is stated in your letter that the name of his father is David Hoparkintubby and that his mother's name was Siny Hoparkintubby, but that she died prior to registration. You state that the correct name of the child in question is Eastman Hoparkintubby.

You are informed that your prompt attention to our letter of inquiry and the interest which you have taken in this matter is duly appreciated by this office.

Yours truly,

Acting Chairman.

7-3752

Muskogee, Indian Territory, September 26, 1901.

Sister M. Eugenie,  
St. Agnes Academy,  
Antlers, Indian Territory.

Dear Madam:

Under date of April 18, 1901, this office addressed a letter of inquiry to you relative to an Indian child attending the school in your charge, to which you replied on the 18th of the same month giving this office such information as you had relative to the child. Since that time this matter has been subjected to a careful investigation and you are informed that this office is of the opinion that the child's correct name is Eastman Hoparkentubbi, son of David Hoparkentubbi.

A letter was recently addressed to Richard Crowder who resides near Bennington and Goodland, Indian Territory, giving him all of the information then in the possession of the Commission concerning this child, to which, on September 20, 1901, he replied stating that he knew the father and mother of the child; that the child's name was Eastman Hoparkintubby, and that he was listed for enrollment with his father and mother at Caddo, Indian Territory.

The information received from Mr. Crowder is believed by this office to be reliable and you are informed that the records of this

M. H. --2.

office fully warrants the belief of the Commission that the child's name is Eastman Hopenkentiubbi. If, however, you have received any further information relative to the child since our former correspondence and will kindly forward the same to this office, your action in the matter will be duly appreciated.

Very respectfully,

Acting Chairman.

7-3752



Muskogee, Indian Territory, October 11, 1901.

Rev. W. B. Gibson,  
Nelson, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of September  
30, 1901, giving information relative to David Barlum.

You have the thanks of the Commission for your prompt  
attention to this matter.

Yours truly,

Acting Chairman

7-5752

Muskogee, Indian Territory, October 11, 1901.

Isbell Hopikintubbee,

Jackson, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 3rd instant, enclosing the application for enrollment as a citizen of the Choctaw Nation of Lizzy Hopikintubbee, the infant daughter of David and Isbell Hopikintubbee, born November 4, 1900, and the same is returned to you herewith.

You state that there was no physician present at the birth of this child but that your husband was present. You are requested to have him make affidavit to the birth of the child, Lizzie Hopikintubbee.

Upon return of the application with the affidavit of the father of the child in proper form, the matter will be given proper consideration.

Yours truly,

Acting Chairman.

7-3752

Enc Y-8

COMMISSIONERS  
HENRY L. DAWES.  
TAMS DIXBY.  
THOMAS B. NEEDLES.  
C. R. BRECKINRIDGE.

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

7-3752

ALLISON L. AYERSWORTH  
SECRETARY

Muskogee, Indian Territory, November 24, 1902.

Isabell Hopikintubbee,  
Jackson, Indian Territory.

Dear Madam:

On October 11, 1901, the Commission returned to you the application for the enrollment as a citizen of the Choctaw Nation, of your daughter Lizzy, born November 4, 1900, with the request that you have your husband, who was present at the birth of this child, make affidavit to that fact.

The records of the Commission do not show that this application was ever returned by you, and if this child is still living and you desire to have her enrolled as a citizen of the Choctaw Nation you should immediately fill out and return the enclosed blank application, taking care that your husband makes his affidavit to the birth of the child, as you stated there was no physician present.

Respectfully,

  
Commissioner in Charge.

B.C.

Muskogee, Indian Territory, November 24, 1902.

Isabell Hopikintubbee,

Jackson, Indian Territory.

Dear Madam:

On October 11, 1901, the Commission returned to you the application for the enrollment as a citizen of the Choctaw Nation, of your daughter Lizzy, born November 4, 1900, with the request that you have your husband, who was present at the birth of this child, make affidavit to that fact.

The records of the Commission do not show that this application was ever returned by you, and if this child is still living and you desire to have her enrolled as a citizen of the Choctaw Nation you should immediately fill out and return the enclosed blank application, taking care that your husband makes his affidavit to the birth of the child, as you stated there was no physician present.

Respectfully,

Commissioner in Charge.

B.C.

Muskogee, Indian Territory, December 12, 1902.

David Hoparkentubbi,

Bennington, Indian Territory.

Dear Sir:

Information has been received at this office of the death of your wife, Isabelle Hoparkentubbi, a citizen by blood of the Choctaw Nation; and you are advised that proof of her death should be furnished the Commission, for which purpose there is herewith enclosed a blank form, which you are requested to have correctly executed and return at your earliest convenience in the enclosed envelope.

You will note there is an affidavit for a relative and an acquaintance. In having same executed, be careful to see that all blanks are properly filled, all names written in full, and in event either of the persons whose names are to be affixed to the affidavits are unable to write, and their signatures are by mark, that such signatures are attested by two disinterested parties, witnesses thereto.

The notary public before whom the affidavits are acknowledged must affix his notarial jurat and seal to each separate affidavit.

Respectfully,

Env.  
D.C.

Acting Chairman.

Muskogee, Indian Territory, January 30, 1903.

Isabella Hoparkentubbi,

Bennington, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your affidavit and that of Sisley Homer relative to the death of your husband, David Hoparkentubbi, a citizen by blood of the Choctaw Nation, which occurred May 14, 1902; and the same being in proper form have been duly filed with the records of the Commission as evidence of death of the above named person.

Receipt is also acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Maggie Hoparkentubbi, infant daughter of David and Isabella Hoparkentubbi, born November 15, 1902.

Your attention is invited to the following provision in section 34 of the act of Congress approved July 1, 1902, which was ratified by the Choctaw and Chickasaw Nations September 25, 1902:

\*During the ninety days first following the date of the final ratification of this agreement, the Commission to the Five Civilized Tribes may receive applications for enrollment only of persons whose names are on the tribal rolls, but who have not heretofore been enrolled by said Commission, commonly

I H 2

known as "delinquents," and such intermarried white persons as may have married recognized citizens of the Choctaw and Chickasaw Nations in accordance with the tribal laws, customs and usages on or before the date of the passage of this Act by Congress, and such infant children as may have been born to recognized and enrolled citizens on or before the date of the final ratification of this agreement; but the application of no person whomsoever for enrollment shall be received after the expiration of the said ninety days."

Under the above legislation, the Commission is now without authority to enroll this child.

Respectfully,

Acting Chairman.

Washington, Indian Territory, May 24, 1902.

Vern Jones,  
Birmingham, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 12th instant, requesting to be advised what steps are necessary to be taken to procure the enrollment of Maggie Heparmentubbi, as a citizen of the Choctaw Nation. It is also stated in your letter, that you find that her mother, Isabella Heparmentubbi, is not enrolled and you request that information be furnished you relative to the matter.

You are advised, that it appears from our records, that Maggie Heparmentubbi, infant daughter of David and Isabella Heparmentubbi, was born December 15, 1900; that the certificates relative to her birth were received at this office January 24, 1902. Her attention is further invited to section 26 of the Act of Congress approved July 1, 1902 (32 Stat., 411), which was entitled to the citizens of the Choctaw and Chickasaw Nations, September 24, 1902, which is as follows:

"The grant of all persons living on the date of the final ratification of this agreement, entitled to be enrolled as provided in section 27 hereof and in place upon the rolls of the said Nation, and to all persons born thereafter to a citizen of said Nation, or to any intermarried daughter to a citizen of said Nation, to acquire to acquire or to participate in the citizenship of the Nation, property of the Nation of said Nation."



Form 1000-2

Under the above legislation the Commission is without authority to enroll infant children born subsequent to September 22, 1952.

Relative to the enrollment of Isabelle Sparbentzki, wife of Daniel Sparbentzki, you are informed that under the authority vested by the Act of Congress approved July 1, 1952 (38 Stat., 941), the Commission on March 22, 1952, enrolled her as a citizen by blood of the Russian Nation, and her name, with numerous others, was upon that date forwarded to the Secretary of the Interior for his approval.

Respectfully,

Salvatore

Choctaw-3752

Muskogee, Indian Territory, January 22, 1904.

Eugene Weston,

Attorney at Law,

Antlers, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 15, 1904, in which you state that V. W. Locke, Jr., of that place is a duly authorized guardian of an Indian boy, Kasman Hoparkintubba and in this capacity as guardian he applied to the Choctaw Land Office to file on this boy's land and was told by the Clerk in Charge that he could not file unless he knew the names of the boy's father and mother, and knew that they were his father and mother.

You further state that this Mr. Locke could not say and has no means of finding out as this boy has been at the Catholic school there for the last six years, and he could not find any one who ever knew his father or mother.

You ask that this matter be investigated and you be informed if the boy will lose his rights on a mere technicality and state that Mr. Locke has taken hold of this matter and expended his own money and time for humanity's sake and because the boy has neither money nor friends to help him.

In reply to your letter you are informed that it appears

E E 2

from our records that Eastman Hoparkentubbi, son of David Hoparkentubbi, and Siney Hoparkentubbi, deceased, has been enrolled by this Commission as a citizen by blood of the Choctaw Nation and his enrollment as such has been approved by the Secretary of Interior, February 4, 1903.

It appears from our records that David Hoparkentubbi, the father of Eastman Hoparkentubbi, who is now about fifteen or sixteen years old, is still living and that his last known postoffice address was Bennington, Indian Territory, and it would seem that selection on behalf of Eastman Hoparkentubbi should be made by him.

In this connection your attention is invited to section 8 of the rules and regulations governing the selection of allotments and the designation of homesteads in the Choctaw and Chickasaw Nations, copy of which is enclosed you herewith.

Respectfully,

Commissioner in Charge.

Rules for allotment.

Choctaw 3752

Muskogee, Indian Territory, April 28, 1904.

Commissioner in Charge,

Choctaw Land Office,

Atoka, Indian Territory,

Dear Sir:

There is inclosed you herewith, general office letter 12541-1904, Wm. H. Ketcham, Washington, D.C. relative to an allotment to Eastman Heparhintubbi, Choctaw roll card field number 3752 approved roll of citizens by blood of the Choctaw Nation, 10593, for investigation and report. You are requested to make this matter special, and advise what proceedings were had at your office at the time of Mr. Locke's application to select an allotment for this child.

Respectfully,

Chairman.

AB 13-28

7-3616  
7-3752

Muskegee, Indian Territory, July 21, 1904.

Isabelle Hoparkentubbi,  
Bennington, Indian Territory.

Dear Madam :-

Receipt is hereby acknowledged of your letter of the 15th inst., requesting to be advised whether you have a right to select allotments for the following named deceased persons: Eastman McGee, your father; Isaac McGee, your uncle; Sampson McGee, son of Isaac McGee; and your husband, David Hoparkentubbi.

You are informed it appears from affidavits on file in this office that Isaac McGee died December 27, 1901; that Sampson McGee died December 13, 1901; and that David Hoparkentubbi died May 14, 1902. You are further advised that the Act of Congress approved July 1, 1902, which was ratified by the citizens of the Choctaw and Chickasaw Nations, September 25, 1902, among other things provides:

"That no allotment of land or other tribal property shall be made to any person, or to the heirs of any person whose name is on the said rolls, and who died prior to the date of the final ratification of this agreement."

There is enclosed you herewith blanks for proof of death of Eastman McGee, together with an envelope for return of the same when properly executed. Upon receipt of the same you will be further advised in the matter.

Respectfully,

Env. D.C.

Commissioner in Charge.

7-5752

Muskogee, Indian Territory, June 12, 1905.

Victor M. Locke, Jr.,  
Antlers, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 7, 1905, asking with whom Eastman Hopenkentubby was enrolled, his age and his relationship; you state that you are his guardian and desire this information in order to establish his claim as one of the heirs of Ellis Hayes now deceased.

In reply to your letter you are advised that it appears from our records that Eastman Hopenkentubbi was enrolled with his father and mother David and Isabelle Hopenkentubbi and that his age at the time application was made for his enrollment in August 23, 1899, was given as twelve years.

Respectfully,

Chairman.

7-3752

Muskogee, Indian Territory, June 14, 1905.

Victor M. Locke, Jr.,  
Antlers, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 7, 1905, asking with whom Eastman Hoparkentubby was enrolled, his age and his relationship; you state that you are his guardian and desire this information in order to establish his claim as one of the heirs of Ellis Hayes now deceased.

In reply to your letter you are advised that it appears from our records that Eastman Hoparkintubi was enrolled with his father and mother David and Isabelle Hoparkintubi and that his age at the time application was made for his enrollment in August 23, 1899 was given as twelve years.

Respectfully,

Chairman.

COPY

Muskogee, Oklahoma, January 16, 1908.

Subject:

Enrollment and allotment of Wesley Hoparkentubbi, a Choctaw.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith the record in the matter of the date of the death of Wesley Hoparkentubbi, whose name appears opposite No. 10594 upon a schedule constituting a part of the final roll of citizens by blood of the Choctaw Nation, approved by the Secretary of the Interior February 4, 1903.

A copy of the decision of the Commissioner to the Five Civilized Tribes of November 6, 1907, holding that the said Wesley Hoparkentubbi died prior to September 25, 1902, the date of the ratification of the Choctaw-Chickasaw agreement approved July 1, 1902 (32 Stats., 841), was, on November 7, 1907, forwarded by registered mail to David C. Rybarger, Maxwell, Indian Territory, the administrator of



the estate of Wesley Hoparkentubbi, deceased, and he was notified that he would be allowed to introduce testimony and show cause before the Commissioner Saturday, December 7, 1907, at nine o'clock, A. M., why recommendation should not be made to the Secretary of the Interior for the cancellation of the allotment selections made in the name of the said Wesley Hoparkentubbi for the reason that the latter died prior to September 23, 1902, the date of the ratification of the Choctaw-Chickasaw agreement approved July 1, 1902.

This case was called for hearing at this office on December 7, 1907, at nine o'clock, A. M., at which time appearance was entered by Alvin F. Pyeatt, attorney for the administrator of the estate of Wesley Hoparkentubbi, deceased, who filed the ex-parte affidavits of the following persons, which had been procured by him: Isabelle Jones, Asa J. Homer, John Baker, Berona Julius, Osborne Blanche and David Homer.

Request was also made at that time by said attorney for permission to file within fifteen days therefrom a brief in the matter of the cancellation of the allotment of Wesley Hoparkentubbi, deceased, which request was granted

and on December 23, 1907, there was filed the brief of David C. Hyberger, administrator of the estate of Wesley Hoparkentubbi, deceased, Isabelle Jones, the mother and heir, and John W. Gibson, owner of the allotment.

The entire record in this case is now submitted for the consideration of the Department, and it is believed that it is shown by a preponderance of competent evidence that Wesley Hoparkentubbi did, as a matter of fact, die prior to September 25, 1902, the date of the ratification of the Choctaw-Chickasaw agreement approved July 1, 1902 (32 Stats., 641).

I have the honor to recommend that upon the copies of the final roll of citizens by blood of the Choctaw Nation in the possession of the Department and Indian Office there be placed opposite the name of Wesley Hoparkentubbi, as it appears thereon at No. 10594, the notation:

"Died prior to September 25, 1902;  
not entitled to land or money."

and also upon the original letter and copies thereof transmitting the schedule containing the name of Wesley Hoparkentubbi for Departmental action.

I have the honor to also recommend that this office be authorized to make like notation upon the copies of the

final roll and letter of transmittal in its possession, and that the allotment selected in the name of Wesley Hoparkentubbi, deceased, be cancelled, set aside and held for naught.

I also have the honor to transmit herewith, for consideration and action thereon by the Department in connection with this case, Choctaw-Chickasaw Homestead Patent No. 19378 and Choctaw-Chickasaw Allotment Patent No. 18192, issued in the name of Wesley Hoparkentubbi, Choctaw Roll by Blood No. 10594, which patents have been duly executed by the Chief Executives of the Choctaw and Chickasaw Nations, approved by the Secretary of the Interior and recorded October 27, 1906 and November 5, 1906, respectively, in this office.

Respectfully,

Commissioner.

WPC(VR 46)

Through the  
Commissioner of  
Indian Affairs.

GAV

DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
WASHINGTON. February 29, 1908.

I. T. 3941-1908

File 053

Subject:  
Enrollment and  
allotment of  
Wesley Hoparkentubbi.

Commissioner to the Five Civilized Tribes,  
Muskogee, Oklahoma.

Sir:

Referring to your letter of January 16, 1908, transmitting the record in the matter of the date of the death of Wesley Hoparkentubbi, you are advised that on February 13, 1908, the Department authorized you to make proper notation on the records in your possession showing that this allottee died prior to September 25, 1902, and was not entitled to land or money. Similar notation has been made on the records of this Office.

Homestead deed No. 19387 and allotment deed No. 18192 have been this day transmitted to the Department of Justice with request that they be sent to the United States Attorney for the Eastern District of Oklahoma for the purpose of bringing suit to have them cancelled and set aside.

Copy of Office letter showing Departmental action is enclosed.

Very respectfully,

(Signed) C. F. Larrabee,  
Acting Commissioner.

IWE-EH

DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
WASHINGTON.

I. T. 3941-1908.

February 12, 1908

File 053

Subject  
Enrollment and allot-  
ment of Wesley  
Hoparkentubbi.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to transmit a communication from the Commissioner to the Five Civilized Tribes, dated January 16, 1908, transmitting the record in the matter of the date of the death of Wesley Hoparkentubbi, whose name appears opposite No. 10594 on a schedule constituting a part of the final roll of citizens by blood of the Choctaw Nation, approved by the Department February 4, 1903, and the decision of Commissioner Wright, dated November 6, 1907, holding that Wesley Hoparkentubbi died prior to September 25, 1902, the date of the ratification of the Choctaw and Chickasaw agreement approved July 1, 1902 (32 Stats., L., 641). These are also enclosed homestead patent No. 19378 and allotment patent No. 18192, which patents were duly executed by the Chief Executives of the Choctaw and Chickasaw Nations, approved by the Department, and recorded in the office of the Commissioner to the Five Civilized Tribes on October 27, 1906, and November 5, 1906, respectively.

A copy of Commissioner Wright's decision was forwarded by registered mail to David C. Hybarger, of Maxwell, Oklahoma, the administrator of the deceased, and he was notified that he would be allowed to introduce testimony and show cause before Commissioner Wright on December 7, 1907, why recommendation should not be made to the Department for the cancellation of the allotment selections made in the name of Wesley Hoparkentubbi, for the reason that he died prior to September 25, 1902.

On the date mentioned the case was called for hearing, and Alvin F. Pyeatt, as attorney for the administrator of the estate of the deceased, appeared and filed ex-parte affidavits of Isabelle Jones, Asa J. Homer, John Baker, Serena Julius, Osborne Blanche and David Homer. The attorney at the same time requested permission to file within fifteen days a brief in the matter of the cancellation of the allotment of the deceased, which was granted, and brief was filed on December 22, 1907.

The affidavits filed by the attorney were made by the same parties who appeared as witnesses before the field party near Bennington, Indian Territory, on December 21, 1906, and are to the effect that their oral testimony given at that time was not true. The inference to be drawn is that these affidavits were signed without the parties knowing their contents. The affidavit of Asa J. Homer concludes with the assertion that, "If they have got any testimony from me I don't know when they got it, for I have never testified before any one". This was signed and sworn to before J. W. Lloyd on the 4th day of December, 1907, while

the record shows that the testimony of Asa J. Homer was taken five miles southwest of Bennington, Indian Territory, on December 21, 1906, he being sworn by Lacey P. Bobe, a notary public, He testified through Jacob Homer, the official interpreter, <sup>positively</sup> saying that Wesley Hoparkentubbi died in 1901 at the age of about two years. While he was unable to fix the month of the year in which Wesley Hoparkentubbi died, he was positive that his death occurred before that of his father, David Hoparkentubbi, and the records of the Commission to the Five Civilized Tribes show that the father died on May 14, 1902.

The affidavit of John Baker, sworn to before J. W. Lloyd on December 4, 1907, says that he "did not attempt to tell the representative of the Dawes Commission anything about when Wesley died", whereas the transcript of the testimony shows that he was examined two and one-half miles south of Bennington, on December 21, 1906, through Jacob Homer, the official interpreter, and that he fixed the time of the death of Wesley Hoparkentubbi as being before that of David Hoparkentubbi, and that David Hoparkentubbi died before the end of the term of 1901-02 at Armstrong Academy, where the witness was a student, and that when he returned home in June he then learned that David Hoparkentubbi had died about a month prior to that time. This is in accordance with the records of the Commission to the Five Civilized Tribes, which show that David Hoparkentubbi died on May 14, 1902.

The Office is satisfied from the record that the testimony taken by the field party clearly shows that Wesley Hoparkentubbi died prior to September 25, 1902, and therefore concurs in the recommendation of the Commissioner to the Five Civilized Tribes that there be placed opposite his name at No. 10594, this notation:

Died prior to September 25, 1902;  
not entitled to land or money,

and that Commissioner Wright be authorized to place the same notation on the copies of the roll in his possession.

Section 5 of the Act of April 26, 1906 (34 Stats. L., 137), which provides for the recording of deeds and patents in the office of the Commissioner to the Five Civilized Tribes, says:

....and all deeds or patents to allottees and other conveyances affecting lands of any of said tribes shall be recorded in the office of the Commissioner to the Five Civilized Tribes, and when so recorded shall convey legal title.....

Since the patents in this case have been recorded in the office of the Commissioner to the Five Civilized Tribes, title has vested in the allottee: It is therefore recommended that these deeds be referred to the Department of Justice with request that it transmit them to the United States Attorney for the Eastern District of Oklahoma for the purpose of having them cancelled and set aside.

EWB-EH

February 13, 1908.

Approved:

Jesse E. Wilson,  
Assistant Secretary.

Very respectfully,

(Signed) C. F. Larrabee,  
Acting Commissioner.



Muskegee, Oklahoma, March 6, 1908.

Chief Clerk,  
Choctaw Land Office,  
Atoka, Oklahoma.

Sir:

There is enclosed you herewith one copy of Indian Office letter of February 29, 1908 (I.T. 3941-1908), accompanied by one copy of the report and recommendation of the Acting Commissioner of Indian Affairs of February 12, 1908, approved by the Department February 13, 1908, relative to the death of Wesley Hoparkentubbi, whose name appears opposite No. 10594 upon a schedule constituting a part of the final roll of citizens by blood of the Choctaw Nation approved by the Secretary of the Interior February 4, 1903.

In conformity with the authority therein contained you are directed to place upon the copy of the final roll in your possession, opposite the name of the said Wesley Hoparkentubbi, the following notation:

"Died prior to September 25, 1902;  
not entitled to land or money".

Choc. L.O. #2.

You are also directed to place a like notation upon the copy of the letter transmitting the schedule containing the name of the said Wesley Hoparkentubbi for Departmental action and also upon the roll card containing said name.

Respectfully,

WPC(LGG 6-2)

Acting Commissioner.

Muskogee, Oklahoma, March 6, 1908.

Chief Clerk,  
Chickasaw Land Office,  
Ardmore, Oklahoma.

Sir:

There is enclosed you herewith one copy of Indian Office letter of February 29, 1908 (I.T. 3941-1908), accompanied by one copy of the report and recommendation of the Acting Commissioner of Indian Affairs of February 12, 1908, approved by the Department February 13, 1908, relative to the death of Wesley Hoparkentubbi, whose name appears opposite No. 10594 upon a schedule constituting a part of the final roll of citizens by blood of the Choctaw Nation approved by the Secretary of the Interior February 4, 1903.

In conformity with the authority therein contained you are directed to place upon the copy of the final roll in your possession, opposite the name of the said Wesley Hoparkentubbi, the following notation:

"Died prior to September 25, 1902;  
not entitled to land or money".

You are also directed to place a like notation upon the copy of the letter transmitting the schedule containing

Chick. L.O. #2.

the name of the said Wesley Hoparkentubbi for Departmental action and also upon the roll card containing said name.

You are further authorized and directed to cancel and set aside the allotment selection made in the name of Wesley Hoparkentubbi at the Chickasaw Land Office on October 28, 1903, of the total appraised value of \$2000.00

Respectfully,

WPC (LOG 6-3)

Acting Commissioner.

Muskogee, Oklahoma, March 6, 1908.

Chief Clerk,  
Choctaw-Chickasaw Division,  
General Office.

Sir:

I enclose you herewith two copies of Indian Office letter of February 20, 1908 (I.T. 3941-1908), accompanied by copies of the report and recommendation of the Acting Commissioner of Indian Affairs of February 12, 1908, approved by the Department February 13, 1908, relative to the death of Wesley Hoparkentahbi, whose name appears opposite No. 10594 upon a schedule constituting a part of the final roll of citizens by blood of the Choctaw Nation approved by the Secretary of the Interior February 4, 1908.

In conformity with the authority therein contained you are directed to place upon the copy of the final roll in your possession, opposite the name of the said Wesley Hoparkentahbi, the following notation:

"Died prior to September 25, 1902;  
not entitled to land or money."

Choc-Chick Div. #2.

You are also directed to place a like notation upon the copy of the letter transmitting the schedule containing the name of the said Wesley Hoparkentubbi for Departmental action and also upon the roll card containing said name.

Respectfully,

WPC(LOG 6-1)

Acting Commissioner.

Choc 3753 Cicily Houston

3753

# MEMORANDA.

(Date) ..... 1899.

Name .....

Choctaw ? ..... County ..... Year ..... No. ....

Chickasaw ? ..... County ..... Year ..... Page .....

Citizen by blood ? ..... Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day, .....

10" y Wife's name, *Cecily* .....

Choctaw ? ..... County ..... Year ..... No. ....

Chickasaw ? ..... County ..... Year ..... Page .....

Citizen by blood ? ..... Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day .....

Names of children:

| ..... | County | Year | Page | No. |
|-------|--------|------|------|-----|
| ..... | County | Year | Page | No. |
| ..... | County | Year | Page | No. |
| ..... | County | Year | Page | No. |
| ..... | County | Year | Page | No. |
| ..... | County | Year | Page | No. |
| ..... | County | Year | Page | No. |
| ..... | County | Year | Page | No. |
| ..... | County | Year | Page | No. |
| ..... | County | Year | Page | No. |

31153



Choc 3754 Joseph S. Durant

3754

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,  
of Mary Durant, born on the 17 day of July, 1899.  
Name of father: Joseph S. Durant, a citizen of the Choctaw Nation.  
Name of mother: Susan Durant, a citizen of the Choctaw Nation.  
Post Office: Bennington 25

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Central District. }

I, Susan Durant, on oath, state that I am 28 years of age and a  
citizen, by Blood, of the Choctaw Nation; that I am the  
lawful wife of Joseph S. Durant who is a citizen, by Blood, of the  
Choctaw Nation; that a female child was born to me on the 17 day  
of July, 1899; that said child has been named Mary Durant  
and is now living.

Susan Durant

Subscribed and sworn to before me this 29 day of August, 1899.

W. N. Ataway

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Central District. }

I, Lily Durant, a midwife, on oath, state that I  
attended on Mrs. Susan Durant, wife of Joseph S. Durant  
on the 17 day of July, 1899; that there was born to her on said date a female child;  
that said child is now living and is said to have been named Mary Durant.

Lily Durant

Subscribed and sworn to before me this 29 day of August, 1899.

W. N. Ataway

Notary Public.

# MEMORANDA.

(Date) 1899

38

Name James B. ...

Choctaw? ... County ... Year ... No. ...

Chickasaw? ... County ... Year ... Page ...

Citizen by blood? ... Mother's citizenship ...

Intermarried citizen? ...

Married under what law? ...

License filed this day, ...

Wife's name, ...

Choctaw? ... County ... Year ... No. ...

Chickasaw? ... County ... Year ... Page ...

Citizen by blood? ... Mother's citizenship ...

Intermarried citizen? ...

Married under what law? ...

License filed this day ...

**Names of children:**

|    |                 |        |      |      |                |
|----|-----------------|--------|------|------|----------------|
| 10 | <u>...</u>      | County | Year | Page | No.            |
| 11 | <u>...</u>      | County | Year | Page | No.            |
| 9  | <u>Yattie</u>   | County | Year | Page | No. <u>...</u> |
| 7  | <u>x ...</u>    | County | Year | Page | No. <u>...</u> |
| 12 | <u>Christin</u> | County | Year | Page | No. <u>...</u> |
| 5  | <u>B</u>        | County | Year | Page | No. <u>...</u> |
| 20 | <u>...</u>      | County | Year | Page | No. <u>...</u> |
|    | <u>...</u>      | County | Year | Page | No. <u>...</u> |
|    | <u>...</u>      | County | Year | Page | No. <u>...</u> |
|    | <u>...</u>      | County | Year | Page | No. <u>...</u> |

131154

7-3754  
9- 62

Muskogee, Indian Territory, September 22, 1902.

Joe Durant,

Scipco, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 13th inst., acknowledging receipt of a communication from this office in reference to a child, and it is stated in your letter that you know nothing of the child referred to therein.

You are advised that it is believed that the letter referred to in your communication was intended for Judias Durant.

You are therefore requested to return the same in the enclosed envelope which requires no postage. You are further requested to state the post office address of Judias Durant, if you know the same.

Respectfully,

Acting Chairman.

Env.

Muskogee, Indian Territory, October 8, 1903.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to invite Departmental attention to a slight error in Schedule number 11 of the partial roll of citizens by blood of the Choctaw Nation, numbers 9998 to 10979 transmitted with the Commission's letter of January 9, 1903. Number 10603 in said letter appears as B. Durant, identified from the 1896 census roll of the Choctaw Nation, Jackson County. In the Schedule opposite the name of B. Durant, the number appears as 10603, whereas, in regular sequence it should be 10603.

It has been considered that this error was not of sufficient importance to warrant the withholding of the issuance of a citizenship certificate to B. Durant for the purpose of allowing him to select an allotment in the Choctaw-Chickasaw country, and a change has already been made upon the Schedules in the possession of the Commission and the name of B. Durant, now appears opposite the number 10603. This information is furnished the Department in order that the Schedules in the possession of the Secretary of the Interior and the Indian Office may be corrected to correspond therewith.

Respectfully,

Chairman.

Through the  
Commissioner of Indian Affairs.

COPY.

EAF

DEPARTMENT OF THE INTERIOR,  
WASHINGTON, October 31, 1903.

D.C. 30883.  
ITD. 7688-1903  
L.R.S.

Commission to the  
Five Civilized Tribes,  
Muskogee, I. I.

Gentlemen:

October 8, 1903, you reported that the number opposite the name of B. Durant, found in schedule No. 11 of citizens by blood of the Choctaw Nation, was 10503, whereas, in regular sequence it should be 10603, and that the copies of said schedule in your possession have been corrected so that the number opposite said name is now 10603.

In accordance with your suggestion, concurred in by the Commissioner of Indian Affairs, the copy of the schedule in this office has been corrected in like manner, and the Commissioner has been directed to make correction upon the copy in his office. A copy of the Commissioner's letter of October 22 is inclosed.

Respectfully,

Thos. Ryan,  
Acting Secretary.

1 inclosure.

COPY.

DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,

WASHINGTON, Oct. 28, 1903.

Land.  
66729.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed herewith a report from the Commission to the Five Civilized Tribes, dated October 8, 1903, in which the Commission says that the number on the approved Partial Roll of citizens of the Choctaw Nation opposite the name B. Durant, should be 10603, instead of 10503. The Commission says the proper correction has been made in the Partial Roll in its possession. It is recommended that the Commission's action be approved, that the Partial Roll on file with the Department be corrected, and that the office be authorized to correct its Partial Roll in this particular.

Very respectfully,

W. A. Jones,  
Commissioner.

G.A.W.-L.C.

Muskogee, Indian Territory, November 17, 1903.

Commissioner in Charge,  
Chickasaw Land Office,  
Tishomingo, Indian Territory.

Dear Sir:

There is enclosed you herewith copy of Departmental Letter of October 31, 1903 ( I.T.D. 7588-1903), advising the Commission that the number which appears opposite the name of B. Durant in schedule number eleven of the citizens by blood of the Choctaw Nation, which appears thereon as number 10503, whereas in regular sequence it should be number 10603, has been accordingly corrected.

Respectfully,

Chairman.

Enc. F. H.--64 1/2



Muskogee, Indian Territory, November 17, 1903.

Commissioner in Charge,  
Choctaw Land Office,  
Atoka, Indian Territory.

Dear Sir:

There is enclosed you herewith copy of Departmental Letter of October 31, 1903 ( I.T.D. 7588-1903), advising the Commission that the number which appears opposite the name of B. Durant in schedule number eleven of the citizens by blood of the Choctaw Nation, which appears thereon as number 10503, whereas in regular sequence it should be number 10603, has been accordingly corrected.

Respectfully,

Chairman.

Enc. F. H.--64

Muskogee, Indian Territory, January 19, 1905.

Isaac Hampton,

Beannington, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the affidavits of Martha and Ellen Hampton to the birth of Mitchell Hampton, son of Martha and Isaac Hampton October 13, 1904. It is stated in the affidavit of the mother that she is a citizen by blood of the Choctaw Nation, and if this is true, you are requested to state when, where and under what name application was made for her enrollment, the names of her parents, and any other information which will enable the Commission to identify her upon its records. The matter will then receive further consideration.

Respectfully,

Chairman.

7--3754.

Muskogee, Indian Territory, May 5, 1905.

Perry Crowder,  
Bennington, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the affidavits of Rena Durant and E. S. Patterson to the birth of Sam Crowder, son of Perry and Rena Durant Crowder, April 18, 1905.

You are advised that the Commission is authorized by the Act of Congress approved March 3, 1905, to receive applications for the enrollment of children born to enrolled citizens by blood of the Choctaw and Chickasaw Nations, born between September 25, 1902 and March 4, 1905, and living on the latter date.

You will therefore see that the Commission is without authority to enroll children born subsequent to March 4, 1905.

Respectfully,

Commissioner in Charge.

Choc 3755 Lila Durant

3755

MEMORANDA.

(Date) \_\_\_\_\_ 1899.

Name .....

Choctaw ? ..... County ..... Year ..... No. ....

Chickasaw ? ..... County ..... Year ..... Page .....

Citizen by blood ? ..... Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day, .....

Wife's name, *Lila L...*

Choctaw ? ..... County *Choctaw* ..... Year ..... No. *3469*

Chickasaw ? ..... County ..... Year ..... Page *83*

Citizen by blood ? ..... Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day .....

Names of children:

|             |        |      |      |     |
|-------------|--------|------|------|-----|
| <i>Lila</i> | County | Year | Page | No. |
| .....       | County | Year | Page | No. |
| .....       | County | Year | Page | No. |
| .....       | County | Year | Page | No. |
| .....       | County | Year | Page | No. |
| .....       | County | Year | Page | No. |
| .....       | County | Year | Page | No. |
| .....       | County | Year | Page | No. |
| .....       | County | Year | Page | No. |
| .....       | County | Year | Page | No. |

3155

7-3755 ✓

IN RE  
THE DEATH OF

*Nancy Grant*  
a citizen of the

Approved: *[Signature]* 1901

(Commissioner)

#3755

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Nancy Durant  
a citizen of the Choctaw Nation, who formerly resided at or near  
Bennington, Ind. Ter., and died on the 20 day of  
February, 1900.

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,

Central District.

I, Joe S. Durant, do hereby state that I am 40  
years of age and a citizen, by blood, of the  
that my present address is Bennington, Ind. Ter.; that I am  
Brother of Nancy Durant  
who was a citizen, by blood, of the Choctaw  
and that she Nancy Durant died on the 20 day of  
February, 1900

Joe S. Durant  
Witness my hand and seal at the place above written this 20th day of February, 1900.

AFFIDAVIT OF NECESSITY

UNITED STATES OF AMERICA,

Central District.

I, Daniel Goodwood, do hereby state that I am 45  
years of age and a citizen, by blood, of the Choctaw  
that my present address is Bennington, Ind. Ter.;  
that I was personally acquainted with Nancy Durant  
who was a citizen, by blood, of the Choctaw  
and that she Nancy Durant died on the 20 day of  
February, 1900

Daniel Goodwood  
Witness my hand and seal at the place above written this 20th day of February, 1900.

Daniel Goodwood  
Witness my hand and seal at the place above written this 20th day of February, 1900.

7-3755

INDEXED ✓

IN RE  
THE DEATH OF

*Lila Durant*

a citizen of the

*Choctaw* Nation.

Approved *Nov 28 1902* 190

*[Signature]*

ACTING

CHOCTAW #3755



DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Lila Durant  
(Here insert name of deceased)

a citizen of the Choctaw Nation, who formerly resided at or near  
Bennington, Ind. Ter., and died on the 11 day of  
May, 1902.

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Central District.

I, Joe S Durant, on oath state that I am 40  
years of age and a citizen, by Blood, of the \_\_\_\_\_ Nation;  
that my post office address is Bennington, Ind. Ter.; that I am  
Son of Lila,  
(State relationship as the father, an uncle, a cousin, etc.) (Here insert name of deceased)  
who was a citizen, by Blood, of the Choctaw Nation;  
and that said Lila Durant died on the 11 day of  
May, 1902.

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 20<sup>th</sup> day of Nov., 1902.  
A. W. Linebaugh  
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Central District.

I, Daniel Smallwood, on oath state that I am 45  
years of age, and a citizen, by Blood, of the Choctaw Nation;  
that my post office address is Bennington, Ind. Ter.;  
that I was personally acquainted with Lila Durant,  
(Here insert name of deceased)  
who was a citizen, by Blood, of the Choctaw Nation;  
and that said Lila Durant died on the 20 day of  
February, 1902.

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 20 day of Nov., 1902.  
A. W. Linebaugh  
Notary Public.

Choc 3756 Sophia Durant

3756

7-3756

Muskogee, Indian Territory, October 8, 1903.

Commissioner in Charge,  
Choctaw Land Office,  
Atoka, Indian Territory.

Dear Sir:

Enclosed herewith you will find the affidavits of Sophia and Rena Durant relative to the death of Rachel Crowder, a citizen by blood of the Choctaw Nation, which occurred February 5, 1901. If these affidavits were acknowledged before a notary public in your office, you are requested to have him sign each separate affidavit and return to this office at your earliest convenience.

Respectfully,

Chairman.

B no. MT. 199

7-3756

Muskegee, Indian Territory, February 8, 1907.

William Ligon,

Honey Grove, Texas.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 31, 1907, giving information relative to your wife and asking this office to pass upon your claim at once.

In reply to your letter you are advised that it does not appear from the records of this office that application has been made for your enrollment as an intermarried citizen of the Choctaw or Chickasaw Nation, and no person who married a citizen of the Choctaw or Chickasaw Nation under the Act of Congress approved July 1, 1902,

7-3756

Muskogee, Indian Territory, February 9, 1907.

William Ligon,

Honey Grove, Texas.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 31, 1907, giving information relative to your wife and asking this office to pass upon your claim at once.

In reply to your letter you are advised that it does not appear from the records of this office that application has been made for your enrollment as an intermarried citizen of the Choctaw or Chickasaw Nation, and under the Act of Congress approved July 1, 1902, no person who married a citizen of the Choctaw or Chickasaw Nation subsequent to September 26, 1902, the date of the ratification of said act, is entitled to enrollment and allotment as intermarried citizens of said nations.

Respectfully,

Commissioner.

MEMORANDA.

(Date) Aug 22 1899.

Name .....

Choctaw ? ..... County ..... Year ..... No. ....

Chickasaw ? ..... County ..... Year ..... Page .....

Citizen by blood ? ..... Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day, .....

Wife's name, Sophia Durant .....

Choctaw ? ..... County Jackson Year ..... No. 347

Chickasaw ? ..... County ..... Year ..... Page 83

Citizen by blood ? ..... Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day .....

Names of children:

14 2 John County Jackson Year ..... Page ..... No. 2837

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

13156

Choc 3757 Edward E. Pitchlynn

3757

MEMORANDA.

(Date) April 3 1899.

31

✓ Name Edward J. Pittman

Choctaw? Yes County LeFlore Year 1898 No. 100

Chickasaw? \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page 70

Citizen by blood? Yes Mother's citizenship \_\_\_\_\_

Intermarried citizen? \_\_\_\_\_

Married under what law? \_\_\_\_\_

License filed this day, \_\_\_\_\_

Wife's name, \_\_\_\_\_

Choctaw? \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ No. \_\_\_\_\_

Chickasaw? \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_

Citizen by blood? \_\_\_\_\_ Mother's citizenship \_\_\_\_\_

Intermarried citizen? \_\_\_\_\_

Married under what law? \_\_\_\_\_

License filed this day \_\_\_\_\_

Names of children:

| County | Year  | Page  | No.   |
|--------|-------|-------|-------|
| _____  | _____ | _____ | _____ |
| _____  | _____ | _____ | _____ |
| _____  | _____ | _____ | _____ |
| _____  | _____ | _____ | _____ |
| _____  | _____ | _____ | _____ |
| _____  | _____ | _____ | _____ |
| _____  | _____ | _____ | _____ |
| _____  | _____ | _____ | _____ |
| _____  | _____ | _____ | _____ |
| _____  | _____ | _____ | _____ |
| _____  | _____ | _____ | _____ |

✓ Edward J. Pittman  
as to his testimony



Commission to the Five Civilized Tribes,  
Caddo, Indian Territory.

In the enrollment of Edward E. Pitchlyan as a Choctaw;  
being sworn and examined by Com'r McKennon he testifies:

Q What is your name? A Edward E. Pitchlyan.

Q How old are you? A Thirty-nine.

Q Have you been living here all the while? A No sir, not all  
the while; my grandfather taken me to Washington after the death  
of my own father; I was six years of age then.

Q How long did you remain there? A Until his death, that has  
been fifteen years I guess.

Q Did you then return to the Territory? A Yes sir. In and  
around the Territory.

Q Where did you come to? A I came to the Choctaw Nation.

Q How long did you stay in the Choctaw Nation? A I have  
been here ever since.

Q You haven't been living out of the Territory since? A Oh  
yes I was in Washington.

Q How long did you stay here when you came after his death?

A I staid here about two years constantly.

Q Lived here in the Territory? A Yes sir.

Q You said in and about the Territory? A At my cousins six  
miles from here, and I was going around the country, running around  
visiting.

Q Then you went away, where did you go to? A To Washington to  
my grandmother.

Q How long did you stay there then? A Up, until four years  
ago.

Q Where did you go to then? A ~~XXXXXXXXXXXXXXXXXXXX~~

~~XXXXXXXXXXXX~~ A I came back to the Territory.

Q How long did you stay here then? A I have been here ever  
since.

Edward E. Pitchlynn #2)

Q You came here four years ago? A Between three and four years, I came about September 1895.

Q Are you certain it was 1895? A I am pretty certain it was.

Q And you have been here ever since? A Yes sir.

Q You haven't been anywhere else? A No sir.

Examined by Choctaw Attorney Shackelford:

Q When did you say you came back here last? A Between 1894 and 1895 I think it was.

Q You have been living in the Territory ever since? A Yessir.

Q Where? A With my cousin, Molly Folsom and Minnie Semple.

Q You haven't been out since? A No sir.

----

of the Interior,  
Commissioner of the General Land Office  
I hereby certify that the foregoing is a true and correct copy as  
steno-graphic notes of the testimony of Edward E. Pitchlynn in this  
transcript of the trial and correct translation of  
my stenographic notes.

*W. D. Green*

Muskogee, Indian Territory, July 24, 1901.

Mr. Ed E. Pitchlynn,  
Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 17th instant, in which you state that you have recently been married to Susie Lane Maytubby, and you request to be advised what steps are necessary for you to take to have her name changed upon the records of the Commission from that of her maiden name to that of her married name.

You are informed that upon receipt of either your original marriage license and certificate or a certified copy thereof, the matter of changing the name of your wife upon the records will receive proper consideration.

Yours truly,

7-3757  
9-1842

Commissioner in Charge.

Choctaw 3787

Muskogee, Indian Territory, July 30, 1902.

Edward K. Pitchlynn,

Care Homer & Kiting

Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of letter of July 26, 1902, from the office of Homer & Kiting, Attorneys at Law, Caddo, Indian Territory, but unsigned.

Therein it is requested that the number "of my citizenship claim and that of my wife, Susie Lane Pitchlynn be furnished."

We presume that this communication was prepared by you as it appears from our records that you are the husband of Sudie Pitchlynn, a citizen by blood of the Chickasaw nation, and that you are also listed for enrollment by this Commission as a citizen of the Choctaw Nation.

If you will advise us for what purpose you desire this information, the matter will receive further consideration.

Yours truly,

Acting Chairman.

Choctaw 3757  
Chickasaw 1242

Muskogee, Indian Territory, December 5, 1902.

Homer S. Elting,

Attorneys at Law,

Caddo, Indian Territory,

Gentlemen:

Receipt is hereby acknowledged of your letter of November 24, asking if it will be necessary for Edward E. Pitchlynn and his wife, Gustie Lane Pitchlynn to appear before the Commission again, as there have been no deaths in the family.

In reply to your letter you are advised that it appears from our records that Edward E. Pitchlynn has been listed for enrollment as a citizen by blood of the Choctaw Nation, and his wife, ~~Su-~~die Pitchlynn and their infant child, Sophia M. Pitchlynn, have been ~~listed for enrollment as citizens by blood of the Chickasaw Nation.~~

You are advised however, that it would be well for Edward E. Pitchlynn to appear before the Commission at one of its appointments in the Choctaw Nation most convenient to his place of residence for the purpose of checking up the names of his family on the rolls as now being prepared for submission to the Secretary of the Interior.

Respectfully,

Acting Chairman.

Choctaw 3757.

Muskogee, Indian Territory, March 28, 1903.

Edward S. Fitchlynn,  
Caddo, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of March 25, in which you state that you find you have inclosed more land than that to which you will be entitled, and ask what you should do in the premises.

In reply to your letter your attention is invited to sections nineteen, twenty and twenty one of the act of Congress of July 1, 1902, which was ratified by the Choctaw and Chickasaw Nations on September 25, 1902, a copy of which is herewith inclosed you.

Respectfully,

Chairman.

Choctaw-Chickasaw  
agreement.

9-1242  
7-3757

Muskogee, Indian Territory, May 15, 1906.

Edward Everett Pitchlynn,  
Caddo, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of May 10, 1906, transmitting the affidavits of Sudie Pitchlynn and W. R. Bowman M. D., to the birth of Everett Lee Pitchlynn, son of Edward Everett and Sudie Pitchlynn, September 4, 1905, and the same have been filed with the records of this office as an application for the enrollment of said child.

It appears from the affidavits that you are a citizen by blood of the Choctaw Nation and your wife, Sudie Pitchlynn is a citizen by blood of the Chickasaw Nation.

Your attention is called to the provision of the act of Congress approved June 28, 1898, as follows:

"The several tribes may, by agreement determine the right of person who for any reason may claim citizenship in two or more tribes, and to allotment of lands and distribution of moneys belonging to each tribe; but if no such agreement be made, then such claimant shall be entitled to such rights in one tribe only, and may elect in which tribe he will take such right; but if he fail or refuse to make such selection in due time, he shall be enrolled in the tribe with whom he has resided, and there be given such allotment and distributions, and not elsewhere."

It will therefore be necessary for you and your wife, Sudie Pitchlynn, to appear before a Notary Public or other officer auth-

REP #2

orized to administer oaths and prepare affidavits electing in  
which nation you desire to have your child enrolled, forwarding  
the same, when properly executed, to this office.

Respectfully,

Acting Commissioner.



Choc 3758 Susan Lauchner

Fannie m. Lauchner

3758

## Department of the Interior,

## COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,  
 of Fidelia E Lauchus born on the 21 day of Nov., 1898.  
 Name of father: Grant Lauchus, a citizen of the \_\_\_\_\_ Nation.  
 Name of mother: Susie Lauchus <sup>(Beams)</sup> a citizen of the Choctaw Nation.  
 Post Office: Big Cabin I.T.

## AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
 INDIAN TERRITORY,  
Northern District.

I, Susie Lauchus, on oath, state that I am 28 years of age and a  
 citizen, by blood, of the Choctaw Nation; that I am the  
 lawful wife of Grant Lauchus who is a citizen, by adoption, of the  
Choctaw Nation; that a female child was born to me on the 21 day  
 of Nov., 1898; that said child has been named Fidelia E Lauchus  
 and is now living.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 1898

Susie Lauchus

Notary Public.

## AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,  
 INDIAN TERRITORY,  
Northern District.

I, W. A. Day M.D., a Physician, on oath, state that I  
 attended on Mrs. Susie Lauchus, wife of Grant Lauchus,  
 on the 21 day of Nov., 1898; that there was born to her on said date a female child;  
 that said child is now living and is said to have been named Fidelia E. Lauchus.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 1898

W. A. Day M.D.

J. E. Butler

Notary Public.

7-3758

ON RE  
THE DEATH OF

*Judson ...*  
a citizen of the

*State of ...*

Approved

*[Signature]*

DEPARTMENT OF THE INTERIOR  
COMMISSION TO THE FIVE CIVILIZED TRIBES  
**FILED**

*[Signature]*

3758

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Susan Lauchman  
(Here insert name of deceased.)

a citizen of the Choctaw Nation, who formerly resided at or near

Box Chits, Ind. Ter., and died on the 14 day of

May, 1901.

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Southern District.

I, Grant Lauchman, on oath state that I am 34

years of age and a citizen, by marriage of the Choctaw Nation;

that my post office address is Cliff, Ind. Ter.; that I am

husband of Susan Lauchman,  
(state relationship as the father, an uncle, a cousin, etc.) (Here insert name of deceased.)

who was a citizen, by blood, of the Choctaw Nation;

and that said Susan Lauchman died on the 14 day of

May, 1901.

WITNESSES TO MAKE

Grant Lauchman

(Must be Two Witnesses)

Subscribed and sworn to before me this 6 day of November 1902

C. S. Stephens  
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Southern District.

I, W. J. Odell, on oath state that I am 48

years of age, and a citizen, by marriage of the Choctaw Nation;

that my post office address is Cliff, Ind. Ter.;

that I was personally acquainted with Susan Lauchman,  
(Here insert name of deceased.)

who was a citizen, by blood, of the Choctaw Nation;

and that said Susan Lauchman died on the 14 day of

May, 1901.

WITNESSES TO MAKE

W. J. Odell

Subscribed and sworn to before me this 6 day of November 1902

C. S. Stephens  
Notary Public.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,  
 of *Fannie M. Laucher*, born on the *1* day of *Dec*, 1896.  
 Name of father: *Grant Laucher*, a citizen of the *U. S.* Nation.  
 Name of mother: *Susie Laucher* <sup>(ne *Reynolds*)</sup>, a citizen of the *Choctaw* Nation.  
 Post Office: *Big Cabin, I. T.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }  
 INDIAN TERRITORY, }  
*North* District. }

I, *Susie Laucher*, on oath, state that I am *78* years of age and a  
 citizen, by *blood*, of the *Choctaw* Nation; that I am the  
 lawful wife of *Grant Laucher* who is a citizen, by *adoption*, of the  
*Choctaw* Nation; that a *female* child was born to me on the *1st* day  
 of *Dec*, 1896; that said child has been named *Fannie M. Laucher*,  
 and is now living.

*Susie Laucher*  
 Subscribed and sworn to before me this *11* day of *Sept*, 1899.  
*J. E. Butler*  
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }  
 INDIAN TERRITORY, }  
*North* District. }

I, *Mattie Jennings*, a *physician*, on oath, state that I  
 attended on Mrs. *Susie Laucher*, wife of *Grant Laucher*  
 on the *1* day of *Dec*, 1896; that there was born to her on said date a *female* child;  
 that said child is now living and is said to have been named *Fannie M. Laucher*.

*Mrs. Mattie Jennings*  
 Subscribed and sworn to before me this *11* day of *Sept*, 1899.  
*J. E. Butler*  
 Notary Public.

MEMORANDA.

(Date) August 5 1899.

Name .....

Choctaw? County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen? .....

Married under what law? .....

License filed this day, .....

29 ✓

Wife's name, *Anna ...*

Choctaw? County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship *Cherokee*

Intermarried citizen? .....

Married under what law? .....

License filed this day .....

Names of children:

3

*Johnnie M. ...* County Year Page No.

1

*William ...* County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

*Handwritten notes and signatures at the bottom of the page.*

*Handwritten number 23*

Choctaw 3758

Muskogee, Indian Territory, November 17, 1902.

D. N. Faulk,

Cliff, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 11th instant, in which you desire to be advised if Grant Lauchner has been enrolled as an intermarried Choctaw.

In reply to your letter you are advised that it does not appear from our records that any person by the name of Grant Lauchner has been enrolled by this Commission as an intermarried citizen of the Choctaw Nation or that application has ever been made for such enrollment. It does appear, however, that Susan Lauchner and her children Fannie M. and Fidelia E. Lauchner are listed for enrollment as citizens by blood of the Choctaw Nation and Grant Lauchner appears upon our records as the non citizen husband of Susan Lauchner and father of her children.

Respectfully,

Acting Chairman.

Choc 3759 Margaret Roberson

3759



MEMORANDA.

(Date) Aug 2 - 1899.

Name .....

Choctaw ? ..... County ..... Year ..... No. ....

Chickasaw ? ..... County ..... Year ..... Page .....

Citizen by blood ? ..... Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day, .....

65 Wife's name, Margaret Robinson

Choctaw ? yes County Blaine Year 45 No. 1977

Chickasaw ? ..... County ..... Year ..... Page 281

Citizen by blood ? yes Mother's citizenship Chickasaw

Intermarried citizen ? .....

Married under what law ? .....

License filed this day .....

Names of children:

5-x Ruth Robinson County ..... Year ..... Page ..... No. ....

..... County 1 Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

..... County ..... Year ..... Page ..... No. ....

4 Orphaned to his mother's parents  
see the book on the subject

Commissioner to the Five Civilized Tribes,  
Caddo, Indian Territory.

In the enrollment of Ruthie Roberson as a Choctaw; Margaret  
Roberson being sworn and examined by Com'r McFadden testifies:

- Q What is your name? A Margaret Roberson.  
Q How old are you? A Sixty-five.  
Q Did you know Eliza Caldwell? A Yes sir. She was my niece.  
Q Is she the mother of this child Ruthie? A Yes sir.  
Q You have adopted her and given her your name and she is called  
now Ruthie Roberson? A Yes sir.  
Q The mother is dead? A Yes sir.  
Q Ruthie is a white man's child? A Yes sir.  
Q Was Eliza Caldwell married to him? A Yes sir.

---

The Interior,  
Five Civilized Tribes  
I hereby certify that such as  
is herein set forth is a true and correct translation of  
the foregoing testimony.  
W. J. Green

Choc 3760 Joe Hampton ✓

3760

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,  
of *Michael Hampton*, born on the *4* day of *January*, 1898.  
Name of father: *Joe Hampton*, a citizen of the *Choctaw* Nation.  
Name of mother: *Ellen Hampton* citizen of the *Choctaw* Nation.  
Post Office: *Remington, T.F.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
*Central* District.

I, *Ellen Hampton*, on oath, state that I am *40* years of age and a  
citizen, by *Blood*, of the *Choctaw* Nation; that I am the  
lawful wife of *Joe Hampton* who is a citizen, by *Blood*, of the  
*Choctaw* Nation; that a *male* child was born to me on the *4* day  
of *Jan*, 1898; that said child has been named *Michael Hampton*,  
and is now living.

Subscribed and sworn to before me this *31* day of *August*, 1899.

*Ellen Hampton*  
*Mother*

*W. H. Ataway*  
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
*Central* District.

I, *Mary Frazier*, a *midwife*, on oath, state that I  
attended on Mrs. *Ellen Hampton*, wife of *Joe Hampton*  
on the *4* day of *Jan*, 1898; that there was born to her on said date a *male* child;  
that said child is now living and is said to have been named *Michael Hampton*.

Subscribed and sworn to before me this *31* day of *August*, 1898.

*Mary Frazier*

*W. H. Ataway*  
Notary Public.

~~7-3860~~

IN RE

Application for Enrollment of  
INFANT CHILD.

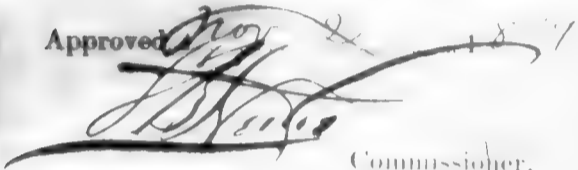
Michael Hampton

As a citizen of the

Shoshone

Nation.

Approved

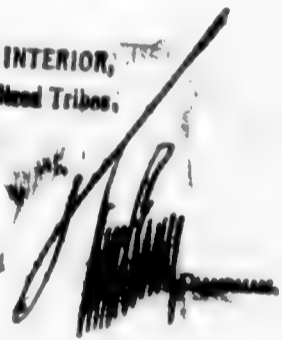


Commissioner.

DEPARTMENT OF THE INTERIOR,  
Commission to the Five Civilized Tribes.

**FILED**

JUN - 2 1905



3760

**MEMORANDA.**

(Date) April 23 1899.

Name John Stump  
 Choctaw? Yes County Quitman Year 4 No. 3816  
 Chickasaw? County Year Page 142  
 Citizen by blood? Yes Mother's citizenship Yes  
 Intermarried citizen?  
 Married under what law?

License filed this day,  
 Wife's name, Ellen Stump  
 Choctaw? Yes County Year 1 No. 5711  
 Chickasaw? County Year Page  
 Citizen by blood? Yes Mother's citizenship Yes  
 Intermarried citizen?

Married under what law?  
 License filed this day

**Names of children:**

- |    |                |        |      |      |                 |
|----|----------------|--------|------|------|-----------------|
| 31 | <u>Ligea</u>   | County | Year | Page | No. <u>5817</u> |
| 20 | <u>Thomas</u>  | County | Year | Page | No. <u>5819</u> |
| 18 | <u>John</u>    | County | Year | Page | No. <u>5820</u> |
| 13 | <u>Susan</u>   | County | Year | Page | No. <u>5821</u> |
| 7  | <u>Bennie</u>  | County | Year | Page | No. <u>5822</u> |
| 4  | <u>Alice</u>   | County | Year | Page | No. <u>5823</u> |
| 1  | <u>William</u> | County | Year | Page | No. ....        |
|    |                | County | Year | Page | No. ....        |
|    |                | County | Year | Page | No. ....        |
|    |                | County | Year | Page | No. ....        |

3760

7-3760.

Muskogee, Indian Territory, March 4, 1903.

Joe Hampton,

Bennington, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your affidavit and that of Phillip Johnson relative to the death of your minor child, Thomas Hampton, a citizen by blood of the Choctaw Nation, which occurred December 4, 1900; and also relative to the death of your daughter, Susan Hampton, a citizen by blood of the Choctaw Nation, which occurred January 7, 1901.

Respectfully,

Chairman.

Muskogee, Indian Territory. April 23, 1903.

Joe Hampton,

Care C.C. McClard,

Bennington, Indian Territory.

Dear Sir:

There was received at this office March 3, 1903, your affidavit and that of Phillip Johnson relative to the death of your minor son, Thomas Hampton, which occurred December 4, 1900; and also to the death of your minor daughter, Susan Hampton, January 7, 1901.

You are advised that proof of the death of these children should be submitted upon separate blanks; two blanks for that purpose being enclosed you herewith.

If either of the persons whose names are to be affixed to the affidavits are unable to write and their signatures are by mark, such signatures must be witnessed by two disinterested parties who are able to write their own names.

The notary public before whom the affidavits are acknowledged must affix his notarial jurat and seal to each separate affidavit.



J H 2

Please give this matter prompt attention, returning  
proofs of death when properly executed in the enclosed envelope.

Respectfully,

Env.

Chairman.

Enc B I 27-184.

7-1847  
7-1648  
7-8760

Muskogee, Indian Territory, February 4, 1903.

J. D. Hampton,

Grant, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 27, 1903, enclosing a description of the land which Anthony Bohman, Frances Bohman, and J. D. Hampton desire to select in allotment.

In reply to your letter you are advised that the Commission has at this time no means of recording the selections of citizens of the Choctaw and Chickasaw Nations. Letters of this character will receive its consideration upon the establishment of land offices in the Choctaw and Chickasaw Nations, at which time the citizens of these two tribes may appear at the land office for the Nation in which their land is located and file formal application for their allotments.

No definite date has been fixed for the establishment of the land offices, but it is probable that the same will be opened the first of April.

Respectfully,

Acting Chairman.

7-3760  
7-3614

Muskogee, Indian Territory, July 18, 1903.

Commissioner in Charge,  
Choctaw Land Office,  
Atoka, Indian Territory.

Dear Sir:

Enclosed you will find affidavits relative to the death of Lyles Williams, Susan and Thomas Hampton, citizens by blood of the Choctaw Nation.

Kindly have the Notary Public, before whom the affidavits were acknowledged, sign the same and return to this office with as little delay as possible.

Respectfully,

Commissioner in Charge.

Enc. MT. 54

Choc 3761 <sup>1</sup> Dora Fandree

3761

\_\_\_\_\_

DEPT

Application to Commission of

SECRET CELL

*John ...*

*...*

Approved

AD:

*[Signature]*

DEPARTMENT  
COMMISSION TO

SECRET CELL

*[Signature]*

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation.  
of Thomas Roswell Fandree, born on the 24 day of February, 1902  
Name of Father: C. J. Fandree, a citizen of the Choctaw Nation.  
Name of Mother: Dora Fandree, a citizen of the Choctaw Nation.  
Caddo, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA.

District.

I, Dora Fandree, do hereby state that I am 38  
years of age and a citizen, by blood, of the Choctaw Nation;  
that I am the lawful wife of C. J. Fandree, who is a citizen, by  
blood, of the Choctaw Nation; that a male child was  
born to me on the 24 day of February, 1902, that said child has been  
named Thomas Roswell Fandree and is now being

Dora Fandree

9<sup>th</sup> of April

Attest: Thomas

AFFIDAVIT OF ATTENDING PHYSICIAN OR SURGEON.

UNITED STATES OF AMERICA.

District.

I, Dr. Estrean, do hereby state that I  
attended the Dora Fandree as C. J. Fandree  
on the 24 day of February, 1902, that said child was born  
and was named Thomas Roswell Fandree.

Attest: Dr. Estrean

Attest: [Signature]

MEMORANDA.

(Date) June 23 1899.

Name .....

Choctaw ? ..... County ..... Year ..... No. ....

Chickasaw ? ..... County ..... Year ..... Page .....

Citizen by blood ? ..... Mother's citizenship: .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day, .....

35 Wife's name, Donia Sandree

Choctaw ? ..... County Franklin Year 1898 No. 4344

Chickasaw ? ..... County ..... Year ..... Page 100

Citizen by blood ? ..... Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day .....

Names of children:

|           |              |        |      |      |                 |
|-----------|--------------|--------|------|------|-----------------|
| <u>13</u> | <u>Donia</u> | County | Year | Page | No. <u>5762</u> |
|           | <u>John</u>  | County | Year | Page | No. <u>5863</u> |
|           |              | County | Year | Page | No. ....        |
|           |              | County | Year | Page | No. ....        |
|           |              | County | Year | Page | No. ....        |
|           |              | County | Year | Page | No. ....        |
|           |              | County | Year | Page | No. ....        |
|           |              | County | Year | Page | No. ....        |
|           |              | County | Year | Page | No. ....        |
|           |              | County | Year | Page | No. ....        |

171101

7-3761

Muskogee, Indian Territory, April 11, 1902.

C. J. Fandree,  
Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Thomas Roosevelt Fandree, infant son of C. J. and Dora Fandree, born February 24, 1902, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Commissioner in Charge.



7-3761

Muskogee, Indian Territory, April 11, 1902.

C. J. Faudree,  
Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Thomas Roosevelt Faudree, infant son of C. J. and Dora Faudree, born February 24, 1902, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

Choc 3762 malina Freeny

3762

MEMORANDA.

(Date) Oct 9 1893 1899.

Name .....

Choctaw? County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day,

65 ✓ Wife's name, Melinda L. Freeman

Choctaw? County W. Va. Year 93 No. 4376

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

29 L. Fayette Freeman County Year 93 Page 104 No. 4312

23x Thermon Freeman County Year Page No. 6313

30 Ida M. Freeman County Year Page 105 No. 4327

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

51102

Choc 3763

Loring Robinson

Raymond Robinson

3763

MEMORANDA.

(Date) 10 13 1899.

31 ✓ Name ...  
Choctaw? ... County ... Year ... No. ...  
Chickasaw? ... County ... Year ... Page ...  
Citizen by blood? ... Mother's citizenship ...  
Intermarried citizen? ...  
Married under what law? ...  
License filed this day, ...

4 ✓ Wife's name, ...  
Choctaw? ... County ... Year ... No. ...  
Chickasaw? ... County ... Year ... Page ...  
Citizen by blood? ... Mother's citizenship ...  
Intermarried citizen? ...  
Married under what law? ...  
License filed this day ...

Names of children:

9 ✓ ... County ... Year ... Page ... No. ...  
6 ✓ ... County ... Year ... Page ... No. ...  
9 ✓ ... County ... Year ... Page ... No. ...  
... County ... Year ... Page ... No. ...  
... County ... Year ... Page ... No. ...  
... County ... Year ... Page ... No. ...  
... County ... Year ... Page ... No. ...  
... County ... Year ... Page ... No. ...

21163

9-1277  
9-1221  
9-1226

Muskogee, Indian Territory, August 8, 1908.

Peter Maytubby,

Osado, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 6th inst., relative to the enrollment of certain persons named therein.

You are advised that our records show that Rhoda Wachabbe, 55 years of age, of Goodland, Indian Territory, was listed for enrollment as a citizen by blood of the Chickasaw Nation by this Commission November 25, 1898.

Our records also show that Raymond and Ballie Robinson, age respectively 9 and 6 years, minor children of Loring Robinson and Minerva Robinson deceased, were listed by this Commission for enrollment as citizens of the Choctaw Nation August 23, 1899, and transferred to the Chickasaw roll August 26, 1899.

It further appears from our records that George W. Colbert, 61 years of age, of Antlers, Indian Territory, his wife and four minor children were listed by this Commission for enrollment as citizens of the Chickasaw Nation November 21, 1898.

P E 3

There was filed with our records May 24, 1939, the affidavits of Samuel A. Stegman and Robert L. Preece that George W. Gilbert died November 26, 1938.

Any further information you may desire relative to the above named persons, or other citizens of the Choctaw and Chickasaw Nations, will be cheerfully furnished upon written request.

Yours truly,

Acting Chairman.

Choc 3764 Allington Jones

3764



# MEMORANDA.

(Date) \_\_\_\_\_ 1899.

45

Name John P. Smith  
 Choctaw? yes County Adair Year 90 No. 12351  
 Chickasaw? \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page 115  
 Citizen by blood? yes Mother's citizenship Choctaw  
 Intermarried citizen? \_\_\_\_\_  
 Married under what law? \_\_\_\_\_  
 License filed this day, \_\_\_\_\_

39

Wife's name, Betty Jean  
 Choctaw? \_\_\_\_\_ County Adair Year 1 No. 2445  
 Chickasaw? yes County \_\_\_\_\_ Year \_\_\_\_\_ Page 175  
 Citizen by blood? yes Mother's citizenship Chickasaw  
 Intermarried citizen? \_\_\_\_\_  
 Married under what law? \_\_\_\_\_  
 License filed this day \_\_\_\_\_

Names of children:

| Names of children: | County | Year | Page | No. |
|--------------------|--------|------|------|-----|
| .....              | County | Year | Page | No. |
| .....              | County | Year | Page | No. |
| .....              | County | Year | Page | No. |
| .....              | County | Year | Page | No. |
| .....              | County | Year | Page | No. |
| .....              | County | Year | Page | No. |
| .....              | County | Year | Page | No. |
| .....              | County | Year | Page | No. |
| .....              | County | Year | Page | No. |
| .....              | County | Year | Page | No. |
| .....              | County | Year | Page | No. |

Johnnie 1921  
Walter 1914

(Copy)

7-3764.

D.C. 21745..1902.

Atoka, Indian Territory, November 17, 1902.

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

You are hereby advised that from information furnished by Peter Maytubby it has this day been ascertained that Betsy Bell on page 75 of the 1896 census roll of the Chickasaw Nation as a resident of the 3rd district of the Choctaw Nation, is the identical person as Betsy Jones on Chickasaw Card 1527, recently transferred to Choctaw card No. 5478. Your records should be made to correspond with this information and the name of Betsy Bell checked from the 1896 census roll.

You are further advised that Betsy Jones on Chickasaw card No. 1527, now on Choctaw card No. 5478, is the wife of Allington Jones on Choctaw card No. 3764. Choctaw card No. 5478 should be cancelled and Betsy Jones re-transferred to Choctaw card No. 3764 with her husband Allington Jones.

Respectfully,

(Signed) Wm. O. Beall,

Clerk in Charge, Choctaw-Chickasaw  
Enrollment Division.

7-3764

Muskogee, Indian Territory, October 24, 1903.

Betsy Jones,

Caddo, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of October 16, in which you request to have your name transferred from the Choctaw to the Chickasaw rolls.

In reply to your letter you are informed that it not appearing from the records of the Chickasaw Nation in the possession of the Commission that you have been recognized and enrolled by the Chickasaw tribal authorities as a citizen of that Nation and your name having been identified upon the tribal rolls of the Choctaw Nation in the possession of the Commission, you have been enrolled as a citizen by blood of the Choctaw Nation and such enrollment was approved by the Secretary of the Interior, February 4, 1903. It is not seen, therefore, how your request to have your name transferred from the Choctaw to the Chickasaw rolls can be granted.

Respectfully,

Commissioner in Charge.

Choc 3765 Ezekiel LeFlore

3765

MEMORANDA.

(Date) June 2 1899.

191

Name George Wilson

Choctaw? County De Kalb Year 1892 No. 8143

Chickasaw? County Year Page 203

Citizen by blood? Mother's citizenship Choc

Intermarried citizen?

Married under what law?

License filed this day,

Wife's name,

Choctaw? County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

|       |        |      |      |     |
|-------|--------|------|------|-----|
| ..... | County | Year | Page | No. |
| ..... | County | Year | Page | No. |
| ..... | County | Year | Page | No. |
| ..... | County | Year | Page | No. |
| ..... | County | Year | Page | No. |
| ..... | County | Year | Page | No. |
| ..... | County | Year | Page | No. |
| ..... | County | Year | Page | No. |
| ..... | County | Year | Page | No. |
| ..... | County | Year | Page | No. |

37163

choc 3766 willie Billy

3766

MEMORANDA.

(Date) Aug 25 1899.

34

Name *Millie Biley*

Choctaw? *yes* County *Blaine* Year *90* No. *1652*

Chickasaw? County Year Page *40*

Citizen by blood? *yes* Mother's citizenship *Whore*

Intermarried citizen?

Married under what law?

License filed this day,

37

Wife's name, *Catherine Biley*

Choctaw? *yes* County *Blaine* Year *90* No. *1653*

Chickasaw? County Year Page *40*

Citizen by blood? *yes* Mother's citizenship *Whore*

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

| County | Year  | Page  | No.   |
|--------|-------|-------|-------|
| .....  | ..... | ..... | ..... |
| .....  | ..... | ..... | ..... |
| .....  | ..... | ..... | ..... |
| .....  | ..... | ..... | ..... |
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| .....  | ..... | ..... | ..... |
| .....  | ..... | ..... | ..... |

3760

Choc 3767 Osborne Frazier

3767



MEMORANDA.

(Date) Oct 23 1899.

48 Name *Andrew J. ...*  
 Choctaw?  County *Quitman* Year *1898* No. *1*  
 Chickasaw?  County *Quitman* Year *1898* Page *1*  
 Citizen by blood?  Mother's citizenship *1898*  
 Intermarried citizen?   
 Married under what law? *1898*  
 License filed this day, *1898*

48 Wife's name, *Elizabeth J. ...*  
 Choctaw?  County *Quitman* Year *1898* No. *1*  
 Chickasaw?  County *Quitman* Year *1898* Page *1*  
 Citizen by blood?  Mother's citizenship *1898*  
 Intermarried citizen?   
 Married under what law? *1898*  
 License filed this day *1898*

Names of children:

13 *Andrew J. ...* County *Quitman* Year *1898* Page *1* No. *1*  
 County *Quitman* Year *1898* Page *1* No. *1*  
 County *Quitman* Year *1898* Page *1* No. *1*  
 County *Quitman* Year *1898* Page *1* No. *1*  
 County *Quitman* Year *1898* Page *1* No. *1*  
 County *Quitman* Year *1898* Page *1* No. *1*  
 County *Quitman* Year *1898* Page *1* No. *1*  
 County *Quitman* Year *1898* Page *1* No. *1*  
 County *Quitman* Year *1898* Page *1* No. *1*

1797

Department of the Interior  
Commission to the Five Civilized Tribes  
Tulsa Land Office  
Tulsa, I.T.  
March 6, 1904.

In the matter of the enrollment of Fimble Frazier, Cheatek card  
3852, Cheatek roll No. 10074.

Sweeney Frazier being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Sweeney Frazier.  
Q What is your age? A Somewhere about twenty or twenty-one.  
Q What is your post office address? A Tulsa.  
Q What is the name of your father? A Osbourne Frazier.  
Q What is the name of your mother? A Sophia Frazier.  
Q Was Sophia your own mother? A No, my step mother.  
Q Who was your own mother? A I am not sure that her name is.  
Q Are you married? A Yes.  
Q What is the name of your wife? A Minnie Frazier.  
Q What was ~~her~~ your wife's name before she was married?  
A Tucker.  
Q How old is your wife, Minnie? A I don't know.  
Q About how old? A About seventeen or eighteen.  
Q When were you married to Minnie? A I think about this  
month will be three years.  
Q By what were you married? A By what was Willie Brown.  
Q Is he a minister of the Gospel or Court Judge? A Court  
Judge.  
Q Is Minnie living with you now? A Yes.  
Q Have you any children? A Yes.  
Q How many? A Just the one, Harriet Frazier.  
Q How old is Harriet? A I think about four weeks to six  
years old.  
Q Do you know a Sweeney Frazier who lives at Tulsa? A No.

ROBERT FRAZIER BEING FIRST DULY SWORN TESTIFIED AS FOLLOWS:

- Q What is your name? A Robert Frazier.  
Q Are you related to this man (indicating one sitting at the  
desk)? A Yes, my brother.  
Q How old are you? A Twenty-four.  
Q What is your post office address? A Tulsa.  
Q What is this man's name? A Sweeney Frazier.  
Q Is Osbourne Frazier his father? A Yes.  
Q Is Sweeney married? A Yes.  
Q What is the name of his wife? A Minnie Frazier.  
Q Who was Minnie's father? A Hamilton Tucker.  
Q How old is Minnie? A About seventeen or eighteen.  
Q Have Minnie and Sweeney any children? A One child.  
Q What is the name of that child? A Harriet.  
Q Are Harriet and Minnie living with Sweeney now? A Yes.  
Q Were you present at their marriage? A No.  
Q How do you know he is married? A I know that Sweeney's  
father told me.  
Q Have you ever seen their marriage certificate? A Just  
glanced at it.

Q Do you know another Sweeney Frazier? A No.  
Q Do you know Bettie Frazier living at Atokaf? A No.

Helen C. Miller being first duly sworn on oath states that as stenographer for the Commission to the Five Civilized Tribes she reported the above proceedings and that same is a correct transcript of her stenographic notes.

*Helen C. Miller.*

Subscribed and sworn to before me this 8th day of March, 1904.

*J. E. Williams*  
Notary Public.

3767  
7-1723  
7-3852

Muskogee, Indian Territory, January 30, 1905.

Sweeny Frazier,

Jackson, Indian Territory.

Dear Sir:

On December 23, 1902, there was received at this office the application for enrollment as a citizen of the Choctaw Nation of Harriet Frazier, infant daughter of Sweeny and Minnie Frazier, born April 24, 1902; which was returned to you to have the date of birth of this child as given in the application corrected to correspond with the date of birth in the affidavit of the mother; and for the further reason that the affidavit for the attending physician or midwife was not executed.

Receipt is hereby acknowledged of your letter of the 14th inst., returning the application for the enrollment of your child with the dates corrected to correspond.

You state in your letter that you were the only person with your wife at the birth of said child. You are therefore requested to furnish the Commission with your affidavit as to the birth of Harriet Frazier and the fact that she is still living, blank for which purpose is herewith enclosed you.

S F 2

When the same has been properly executed and acknowledged before a notary public, who must affix his notarial jurat and seal thereto, kindly return the affidavit to this office at your earliest convenience, when the matter of the application for the enrollment of your child will receive proper consideration.

Respectfully,

Acting Chairman.

Enc P I 20-135.

7-3767

Muskogee, Indian Territory, April 13, 1904.

Commissioner in Charge,

Chectaw Land Office,

Atoka, Indian Territory.

Dear Sir:

You are hereby advised that the following notation has  
this day been placed upon original Chectaw enrollment card, number  
3767:

"No. 3 is husband of Minnie Tucker,  
Chectaw card, No. 3852."

You are therefore requested to make like notation upon  
the duplicate card in your possession.

Respectfully,

Commissioner in Charge.

7-3767

Muskogee, Indian Territory, April 13, 1904.

Commissioner in Charge,

Chickasaw Land Office,

Tishomingo, Indian Territory.

Dear Sir:

You are hereby advised that the following notation has this day been placed upon original Choctaw enrollment card, number 3767:

"No. 3 is husband of Minnie Tucker,  
Choctaw card, No. 3852."

You are therefore requested to make like notation upon the duplicate card in your possession.

Respectfully,

Commissioner in Charge.

Choc 3768 Sidney Frazier

3768



MEMORANDA.

(Date) July 23 1899.

27 Name Sidney Frazer

Choctaw? Yes County Jackson Year No. 20

Chickasaw? County Year Page 105

Citizen by blood? Yes Mother's citizenship Choc

Intermarried citizen?

Married under what law?

License filed this day,

Wife's name,

Choctaw? County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

| County | Year | Page | No. |
|--------|------|------|-----|
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
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| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |

3768

Choc 3769 Austin Dickens

3769

MEMORANDA.

(Date) Aug 23 1899.

H Name Austin Dickens  
Choctaw?  County Blue Year 96 No. 15515  
Chickasaw? County Year Page 268  
Citizen by blood?  Mother's citizenship Choctaw

Intermarried citizen?

Married under what law?

License filed this day,

Wife's name,

Choctaw? County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

90 William Dickens County Blue Year 76 Page 338 No. 15507  
County Year Page No.  
County Year Page No.  
County Year Page No.  
County Year Page No.  
County Year Page No.  
County Year Page No.  
County Year Page No.  
County Year Page No.

3709

Choc 3770 Charles S Moseley

3770

MEMORANDA.

(Date) Aug 23 1899.

23 ✓ Name Charles S. Mosely

Choctaw? yes County Blue Year 96 No. 8792

Chickasaw? County Year Page 220

Citizen by blood? yes Mother's citizenship Choctaw

Intermarried citizen?

Married under what law?

License filed this day,

Wife's name,

Choctaw? County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

| County | Year  | Page  | No.   |
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On roll Chas. Mosely

3770

Choc 3771 John N. Folsom

3771

MEMORANDA.

(Date) Aug 23 1899.

35 ✓ Name John N. Folsom

Choctaw? yes County Blue Year 96 No. 4348

Chickasaw? County Year Page 106

Citizen by blood? ye Mother's citizenship Choctaw

Intermarried citizen?

Married under what law?

License filed this day,

Wife's name,

Choctaw? County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

✓ On sale J. N. Folsom

3171

Choc 3772 Spaly King

3772



**MEMORANDA.**

(Date) Aug 23 1899.

Name .....

Choctaw ? ..... County ..... Year ..... No. ....

Chickasaw ? ..... County ..... Year ..... Page .....

Citizen by blood ? ..... Mother's citizenship .....

Intermarried citizen ? .....

Married under what law ? .....

License filed this day .....

Wife's Sealy King

Choctaw ? yes County Belt Year 96 No. 7678

Chickasaw ? ..... County ..... Year ..... Page 189

Citizen by blood ? yes Mother's citizenship Choct

Intermarried citizen ? .....

Married under what law ? .....

License filed this day .....

Names of children :

| County | Year  | Page  | No.   |
|--------|-------|-------|-------|
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37

Choc 3773 Charles A. Dana

3773

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,  
of *Bassia Dana*, born on the *11<sup>th</sup>* day of *July*, 1899  
Name of father: *Charles A Dana*, a citizen of the *Choctaw* Nation.  
Name of mother: *Eliza Dana*, a citizen of the *Choctaw* Nation.  
Post Office: *Conev, I.T.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
*Central* District.

I, *Eliza Dana*, on oath, state that I am *22* years of age and a  
citizen, by *birth*, of the *Choctaw* Nation; that I am the  
lawful wife of *Charles A Dana* who is a citizen, by *birth*, of the  
*Choctaw* Nation; that a *girl* child was born to me on the *11<sup>th</sup>* day  
of *July*, 1899; that said child has been named *Bassia*  
and is now living.

Subscribed and sworn to before me this *24<sup>th</sup>* day of *August*, 1899

*W. B. Hardy*  
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
*Central* District.

I, *Charles A Dana*, *husband and alone*, on oath, state that I  
attended on Mrs. *Charles A Dana*, wife of *myself*,  
on the *11<sup>th</sup>* day of *July*, 1899; that there was born to her on said date a *girl* child  
that said child is now living and ~~has~~ *has* been named *Bassia*  
*There was no one else present at birth hence I make*  
*this affidavit & produce the child as proof.* *W. B. Hardy*

Subscribed and sworn to before me this *24<sup>th</sup>* day of *August*, 1899

*W. B. Hardy*  
Notary Public.

7-175

INDEXED

IN RE  
THE DEATH OF

*Joseph J. ...*  
a citizen of the

*State of ...*

NOV 23

DEPARTMENT OF THE ...  
COMMUNICATIONS TO THE ...  
FIELD  
NOV 23 1917

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Bassil Dana  
(Here insert name of deceased.)

a citizen of the Choctaw Nation, who formerly resided at or near  
Conroy, Ind. Ter., and died on the 5 day of  
October, 1900.

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY.  
Central District.

I, Charles A. Dana, on oath state that I am 30  
years of age and a citizen, by Hood, of the Choctaw Nation;  
that my post office address is Conroy, Ind. Ter.; that I am  
father of Bassil Dana  
who was a citizen, by Hood, of the Choctaw Nation;  
and that said Bassil Dana died on the 5 day of  
October, 1900.

Subscribed to and sworn to before me this

22nd day of Nov. 1900  
H. K. Kisten  
Notary Public

AFFIDAVIT OF ACQUAINTANCE

UNITED STATES OF AMERICA,  
INDIAN TERRITORY.  
District

I, \_\_\_\_\_, on oath state that I am \_\_\_\_\_  
of the \_\_\_\_\_ Nation;  
that I am personally acquainted with \_\_\_\_\_  
of the \_\_\_\_\_ Nation;  
and that said \_\_\_\_\_ died on the \_\_\_\_\_ day of \_\_\_\_\_

Subscribed to and sworn to before me this

Notary Public

INDEXED

CHOCTAW.

20

*IN RE*

Application for Enrollment of  
INFANT CHILD

Massey Dana  
as a citizen of

Choctaw Nation.

Approved OCT 2 1902 190

*[Signature]*  
Commissioner.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
**FILED**  
OCT 2 1902

*[Signature]*  
ACTING CHAIRMAN.

3773

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,  
of Massey Dana, born on the 8<sup>th</sup> day of August, 1902  
(Here insert name of child)  
Name of Father: C. A. Dana, a citizen of the Choctaw Nation.  
Name of Mother: Eliza Dona, a citizen of the Choctaw Nation.  
Post-office Soggy Depot, IT

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
District.

I, Eliza Dona, on oath state that I am 26  
years of age and a citizen, by blood, of the Choctaw Nation;  
that I am the lawful wife of C. A. Dana, who is a citizen, by  
blood, of the Choctaw Nation; that a female child was  
born to me on 8<sup>th</sup> day of August, 1902, that said child has been  
named Massey Dana, and is now living.

WITNESSES TO MARK:  
(Must be Two Witnesses.)  
Sammy Byington  
C. A. Dona

Eliza Dona  
her  
mark

Subscribed and sworn to before me this 18<sup>th</sup> day of Sept 1902  
[Signature]  
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
District.

I, Heman V. Nichols, a doctor, on oath state that I  
attended on Mrs. Eliza Dona, wife of C. A. Dona  
on the 8<sup>th</sup> day of August, 1902, that there was born to her on  
said date a female child; that said child is now living and is said to have been  
named Massey Dana

WITNESSES TO MARK:  
(Must be Two Witnesses.)

Heman V. Nichols

Subscribed and sworn to before me this 27<sup>th</sup> day of Sept 1902  
[Signature]  
NOTARY PUBLIC

Copy.

In the county and Probate Court of Pickens County,  
Chickasaw Nation, Indian Territory.

In the matter of the guardianship of Massey Daney, age one  
year, Hannah Fletcher, age 9 years, Wilburn Daney, age 16 years,  
and Rosa Daney, age 13 years, minors.

By virtue of the authority vested in me by the constitution  
and laws of the Chickasaw Nation, I, as County and Probate  
Judge of Pickens County, Chickasaw Nation, hereby give and  
grant unto Charles Daney, the guardianship and custody over the  
person and property of Massey Daney, age one year, Hannah Flet-  
cher, age 9 years, Wilburn Daney, age 16 years, and Rosa Daney, age  
13 years, minor Choctaw Indian children by blood, the said  
Charles Daney having qualified in the way of bond and all other  
requirements of the law; and the said guardian may lease the  
land of said minors as may seem best to him, and for no greater  
period than five years.

In testimony whereof, I have hereunto set my hand and seal  
of this court to be affixed on this the 31st day of July, 1903.

(signed) Atohison Anoontubby,

County and Probate Judge, Pickens  
Chickasaw Nation.

Attest:

(signed) William Kaney,  
County Clerk.

Chickasaw Nation,  
Pickens County. I hereby certify that the above and foregoing is  
a true and correct copy of the letters of guardianship this  
day issued to Charles Daney, as of record in my office.

In witness whereof, I have hereunto affixed my hand and  
seal as such Clerk on this the 31st day of July, A. D. 1903.

William Kaney.

Co. Clerk, Pickens Co. C. N.

((SEAL))

I, Clara Mitchell Wood, Stenographer for the Commission to the  
Five Civilized Tribes hereby certify that the above is a correct copy  
of a copy of letters of guardianship issued to Charles Dana.

(signed) Clara Mitchell Wood.

Subscribed and sworn to before me this 3rd day of August 1903.

(signed) G. D. Rodgers.

Notary Public.

((SEAL))

(endorsements):

Choc by blood 10650  
Department of the Interior, Commission to the Five Civilized Tribes.  
Choctaw Land Office, Filed Aug 5 1903 Tams Bixby, Chairman.

-----0-----

Milo Gordon Blair, being first duly sworn, states on oath that the  
above and foregoing is a true and correct copy of a certified copy  
of a copy of letters of guardianship issued to the person therein  
named.

Subscribed and sworn to before me this 17th day of October, 1903.

*Milo Gordon Blair*  
*Thomas W. Leahy*  
Notary Public.



7-5773.

Muskogee, Indian Territory. October 2, 1902.

C.A. Dana,

Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 27th ultimo, enclosing the application for enrollment as a citizen of the Choctaw Nation of Massey Dana, infant daughter of C.A. and Elisa Dana, born August 8, 1902; and the same being in proper form has been duly filed with the records of the Commission, and the child listed for enrollment as a citizen of the Choctaw Nation.

Respectfully,

Acting Chairman.

Choctaw-5773.

Muskogee, Indian Territory, January 31, 1903.

J. S. Mullen,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 17, 1903, in which you state that you have a full blood client by the name of Charles Daney, who has a full blood orphan child living with him, and you wish to know whether it will be necessary for Daney to be appointed guardian of this child before he will be permitted to select his allotment.

In reply to your letter you are advised that you do not state the name of the orphan child referred to, and it is therefore impossible to give you any information relative to his right to allotment.

If you will advise the Commission the name of the child in whose behalf you make the inquiry the matter of his enrollment will receive further consideration.

Respectfully,

 Chairman.

7-3773

Muskogee, Indian Territory, July 28, 1903.

Charles A. Dana,

Boggy Depot, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 6, asking if a Choctaw citizen has a right to cut posts from his allotment before he has filed on the same.

In reply to your letter you are informed that if you desire information concerning the cutting of timber you should address the United States Indian Inspector, Muskogee, Indian Territory.

Respectfully,

Commissioner in Charge.

7-3773

Muskegee, Indian Territory, May 1, 1907.

Charles A. Dana,

Voca, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of April 12, 1907, in which you ask for a blank for the enrollment of your child.

In reply to your letter you are advised that you do not give the name of the child to whom you refer and it is therefore impracticable to advise you whether or not application was made for its enrollment, but you are advised that the time within which applications for enrollment of minor children could be received under the Act of Congress approved April 26, 1906, expired July 25, 1906, and since that date there is no authority for the reception of such applications.

Your attention is also invited to the following provision of the Act of Congress approved April 26, 1906 above referred to:

"That the rolls of the tribes affected by this Act shall be fully completed on or before the fourth day of March, nineteen hundred and seven, and the Secretary of the Interior shall have no jurisdiction to approve the enrollment of any person after said date."

Respectfully,

Acting Commissioner.

# MEMORANDA.

(Date) 20 11 13 1899.

Name [faded]

Choctaw? [initials] County 13000 Year [faded] No. 5

Chickasaw? County [faded] Year [faded] Page [faded]

Citizen by blood? [initials] Mother's citizenship [faded]

Intermarried citizen? [faded]

Married under what law? [faded]

License filed this day, [faded]

27) x Wife's name, [faded]

Choctaw? [initials] County [faded] Year [faded] No. [faded]

Chickasaw? County [faded] Year [faded] Page [faded]

Citizen by blood? [initials] Mother's citizenship [faded]

Intermarried citizen? [faded]

Married under what law? [faded]

License filed this day [faded]

Names of children:

|     | County         | Year           | Page           | No.            |
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| 2 m | <u>[faded]</u> | <u>[faded]</u> | <u>[faded]</u> | <u>[faded]</u> |
| 5   | <u>[faded]</u> | <u>[faded]</u> | <u>[faded]</u> | <u>[faded]</u> |
| 13  | <u>[faded]</u> | <u>[faded]</u> | <u>[faded]</u> | <u>[faded]</u> |
| 11  | <u>[faded]</u> | <u>[faded]</u> | <u>[faded]</u> | <u>[faded]</u> |
| 18  | <u>[faded]</u> | <u>[faded]</u> | <u>[faded]</u> | <u>[faded]</u> |
|     | County         | Year           | Page           | No.            |
|     | County         | Year           | Page           | No.            |
|     | County         | Year           | Page           | No.            |
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|     | County         | Year           | Page           | No.            |
|     | County         | Year           | Page           | No.            |

20 11 13

Choc 3774

Fisher Frazier

3774

MEMORANDA.

(Date) Aug 23 1899.

38

Name Fisher Frazier  
Choctaw? yes County Lawson Year 96 No. 4287  
Chickasaw? County Year Page 104  
Citizen by blood? yes Mother's citizenship Choctaw  
Intermarried citizen?  
Married under what law?  
License filed this day,

40

X Wife's name, Sarah Frazier  
Choctaw? yes County Lawson Year 96 No. 10343  
Chickasaw? County Year Page 163  
Citizen by blood? yes Mother's citizenship Choctaw  
Intermarried citizen?  
Married under what law?  
License filed this day

Names of children:

| County | Year  | Page  | No.   |
|--------|-------|-------|-------|
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X On roll Sarah Peter

3774

Choc 3775

Julius J. Beams

Arthur Beams

Choc 3775



DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-----:-----

Record in the matter of the application for the enrollment as a  
citizen by intermarriage of the Choctaw Nation of

BELLE C. BEAMES, 7-D-694.

-----:-----

Department of the Interior.  
Commission to the Five Civilized Tribes.  
Muskogee, I. T. January 6, 1902.

In the matter of the application for enrollment as an inter-married citizen of the Choctaw Nation of Bell Cleveland Beames.

Bell Cleveland Beames being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Bell Cleveland Beames.  
Q What is your age? A My age is seventeen.  
Q What is your post office address? A Bokchito.  
Q That is in the Indian Territory is it? A Yes sir.  
Q How long have you lived in the Choctaw Nation? A Three years.  
Q Have you maintained a continuous residence in the Choctaw Nation for the last three years? A Yes sir.  
Q Where did you live before that? A Bell County Texas.  
Q Were you born in Texas? A Yes sir.  
Q And lived there until you moved to the Indian Territory? A Yes sir.  
Q What is the name of your father? A Daugherty. Tom Daugherty.  
Q Is he living? A Yes sir.  
Q Is he a white man? A Yes sir.  
Q What is the name of your mother? A Rosabelle Daugherty.  
Q Is she living? A No sir.  
Q Was she a white woman? A Yes sir.  
Q Did either of your parents ever make any claim to citizenship in any of the Nations in Indian Territory? A No sir.  
Q Do you claim any rights as a citizen by blood in any tribe in Indian Territory? A No sir.  
Q You are a white woman? A Yes sir.  
Q You are making application at this time to be enrolled as a citizen by intermarriage of the Choctaw Nation? A Yes sir.  
Q What is the name of your husband? A Arthur Greenwood Beames.  
Q Is he a citizen of the Choctaw Nation? A Yes sir.  
Q A citizen by blood? A Yes sir.  
Q Has he always been recognized and enrolled as such? A Yes sir.  
Q Has he been enrolled by this Commission as a citizen of the Choctaw Nation do you know? A I dont know.

The records of the Commission examined and the name of Arthur G. Beames, 16 years of age is found upon Choctaw roll card, field number 3775 where he was listed August 23, 1899 having been identified by the Commission to the Five Civilized Tribes as a resident of Blue County, Choctaw Nation upon the 1896 census roll of that nation.

- Q When did you marry Arthur G. Beames? A The 28th of July.  
Q The 28th of July 1901, A Yes sir.  
Q Who married you? A I forget his name; I forget his given name -- Gardner.  
Q Is he an official of the Choctaw Nation or a minister of the Gospel? A An official I think.  
Q Where were you married? A Town of Lauderdale.

Bell C. Beames--2.

- Q Where is that -- in the Choctaw Nation? A Yes sir.  
Q Have you your marriage license and certificate? A Yes sir.  
Q Do you wish to offer it in evidence? A Yes sir.

There is offered in evidence, filed and made a part of the records in this case a certificate that Greenwood Beames and Bell Daugherty were married on the 28th day of July 1901, signed R. C. Gardner, County and Probate Judge. Attached to the certificate is the certificate of F. E. Folsom, County Clerk of Blue County that the same was duly recorded in his office August 7, 1901, volume A. page 357.

- Q You have never been married before? A No sir.  
Q Was your husband ever married before? he married you? A No sir  
Q You and your husband are now living together as man and wife?  
A Yes sir.  
Q And have been continuously ever since you were married? A Yes sir

Clara Mitchell Wood being first duly sworn upon her oath states that as stenographer for the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 6th day of January 1902 and that the above and foregoing is a full true and correct transcript of her stenographic notes of said proceedings on said date.

*Clara Mitchell Wood*

Subscribed and sworn to before me this 7th day of January 1902.

*J. P. Hodson*  
*Notary Public*

Department of the Interior.  
Commission to the Five Civilized Tribes.  
Atoka, I. T., November 19th, 1902.

-----oOo-----

In the matter of the application of Belle C. Beames for enrollment as an intermarried citizen of the Choctaw Nation.

Belle C. Beames being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Belle C. Beames.  
Q How old are you? A Eighteen.  
Q What is your post office address? A Cliff.  
Q Is that in the Choctaw Nation? A No sir.  
Q Chickasaw? A Chickasaw, yes sir.  
Q How long have you resided in the Chickasaw Nation? A About eight months.  
Q Where did you live before that? A In the Choctaw Nation.  
Q How long did you live in the Choctaw Nation? A Three years.  
Q Continuously? A Yes sir.  
Q Do you claim intermarried rights in the Choctaw Nation?  
A Yes sir.  
Q What is the name of your Indian husband through whom you claim these rights? A Arthur G. Beames.  
Q Is he a recognized and enrolled citizen of the Choctaw Nation?  
A Yes sir.  
Q His rights have never been disputed? A No sir.  
Q When were you married to Arthur G. Beames? A July 28, 1901.  
Q Where was this marriage ceremony performed? A At the home of Tom Lauderdale.  
Q Where is that? A Bokchito.  
Q In the Choctaw Nation? A Yes sir.  
Q Were both you and your husband Arthur G. Beames residents of the Choctaw Nation at that time? A Yes sir.  
Q Did you procure a marriage license? A No sir.  
Q Who performed the marriage ceremony? A Dolph Gardner.  
Q Minister of the gospel? A No sir.  
Q What was he? A Judge, County Judge.  
Q Judge of what county? A Jackson county.  
Q Were you ever married before your marriage to Arthur G. Beames?  
A No sir.  
Q Was he ever married before his marriage to you? A No sir.  
Q Since this marriage in 1901 have you lived together continuously as husband and wife up to the present time? A Yes sir.  
Q There has been no separation, abandonment or divorce?  
A No sir.  
Q Are you at present living together as bona fide residents of the Chickasaw Nation? A Yes sir.

Belle C. Beames--2.

Albert G. McMillan being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 19th day of November, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

*Albert G. McMillan*

Subscribed and sworn to before me this 26 day of November, 1902.

*A. Kisteen*

Notary Public.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

**FILED**

JAN 6 1902

*[Signature]*  
ACTING CHAIRMAN.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

**FILED**

JAN 6 1902

*[Signature]*  
ACTING CHAIRMAN.

INDIAN TERRITORY

Blue County, Choctaw Nation

I, *E. J. ...*  
that the foregoing instrument of writing dated *...*  
was filed for record in my office the *...*  
day of *August 191...*  
on Pages *...* WITNESS my hand and seal  
and year last above mentioned

Clerk of the County Court of said County. I hereby certify  
*...* with its Certificate of Authentication.  
*...* recorded the  
the records of said County in Volume  
of said County at office on *...*

Clerk County Court Blue County

*...*

COMMISSIONER

2-D-694.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-----:-----

In the matter of the application for the enrollment of  
Belle G. Beames as a citizen by intermarriage of the Choctaw Na-  
tion.

---: D E C I S I O N :---

It appears from the record herein that on July 28, 1901, Belle G. Beames (nee Daugherty) was lawfully married to Arthur G. Beames, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 10656 upon the lists prepared by this Commission, under the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation and approved by the Secretary of the Interior on February 4, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation and that they have lived together continuously in the Choctaw- Chickasaw country as husband and wife from the date of said marriage up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Belle G. Beames should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 25, 1898 (30 Stat., 495) and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

\_\_\_\_\_  
Chairman.

  
\_\_\_\_\_  
Commissioner.

\_\_\_\_\_  
Commissioner.

\_\_\_\_\_  
Commissioner.



Choctaw No. 694

Muskogee, Indian Territory, February 27, 1904.

Belle C. Beames,  
Cliff, Indian Territory.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission, rendered February 27, 1904, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from the date hereof within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Registered.  
Enc. 7-D-694.

Commissioner in Charge.

Choctaw No. D-694

Muskogee, Indian Territory, February 27, 1904.

Mansfield, McMurray & Cernish,  
Attorneys for the Choctaw & Chickasaw Nations,  
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission, rendered February 27, 1904, granting the application of Belle C. Beames for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling said Belle C. Beames as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed her name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Registered.  
Enc. 7-D694.

Commissioner in Charge.

MEMORANDA.

(Date)

Aug 23 1899.

22

Name John G. Beames

Choctaw? Yes County Beames

Year 8- No. 1571

Chickasaw? County

Year Page 39

Citizen by blood? Yes Mother's citizenship Yes

Intermarried citizen?

Married under what law?

License filed this day,

Wife's name,

Choctaw? County

Year No.

Chickasaw? County

Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

|            |               |        |          |      |                |              |
|------------|---------------|--------|----------|------|----------------|--------------|
| <u>1/2</u> | <u>Beames</u> | County | <u>5</u> | Year | Page <u>27</u> | No. <u>1</u> |
|            |               | County |          | Year | Page           | No.          |
|            |               | County |          | Year | Page           | No.          |
|            |               | County |          | Year | Page           | No.          |
|            |               | County |          | Year | Page           | No.          |
|            |               | County |          | Year | Page           | No.          |
|            |               | County |          | Year | Page           | No.          |
|            |               | County |          | Year | Page           | No.          |
|            |               | County |          | Year | Page           | No.          |
|            |               | County |          | Year | Page           | No.          |

X 1571

7 - 3775

INDEXED ✓

32

IN RE  
THE DEATH OF

*Joseph J. Beaman*  
a citizen of the

*Choctaw* Nation.

Approved NOV 22 1902 190

*[Signature]*  
Commissioner.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
**FILED**  
NOV 22 1902

*[Signature]*  
ACTING CHAIRMAN

fi

CHOCTAW # 3775

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Julius J. Beams  
(Here insert name of deceased.)  
a citizen of the Choctaw Nation, who formerly resided at or near  
Box Chitto, Ind. Ter., and died on the \_\_\_\_\_ day of  
November, 1901.

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Central District.

I, Arthur J. Beams, on oath state that I am 19  
years of age and a citizen, by Blood, of the Choctaw Nation;  
that my post office address is Cliff, Ind. Ter.; that I am  
brother of Julius J. Beams,  
(State relationship as the father; an uncle; a cousin, etc.) (Here insert name of deceased.)  
who was a citizen, by Blood, of the Choctaw Nation;  
and that said Julius J. Beams died on the \_\_\_\_\_ day of  
November, 1901.

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 17 day of November 1902  
R. St. Linebaugh  
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Central District.

I, William L. Lavo, on oath state that I am 47  
years of age, and a citizen, by Mary Ann, of the Choctaw Nation;  
that my post office address is Box Chitto, Ind. Ter.;  
that I was personally acquainted with Julius J. Beams,  
who was a citizen, by Blood, of the Choctaw Nation;  
and that said Julius J. Beams died on the \_\_\_\_\_ day of  
November, 1901.

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 17 day of November 1902  
R. St. Linebaugh  
Notary Public.

IN RE

Application for Enrollment of

INFANT CHILD

*Archie W. Beames*

as a citizen of the

*Cherokee* Nation.

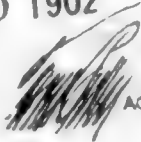
Approved JUL 30 1902 190



Commissioner.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED  
JUL 30 1902



ACTING CHAIRMAN

3775

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,  
 of Arthur William Beames, born on the 8<sup>th</sup> day of July, 1902  
(Here insert name of child)  
 Name of Father: Archer Green Beames, a citizen of the Choctaw Nation.  
 Name of Mother Belle C. Beames, a citizen of the Choctaw Nation.  
 Post-Office: Cliff St.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, )  
INDIAN TERRITORY,  
Southern District. )

I Belle Cleveland Beames, on oath state that I am 18  
 years of age and a citizen, by Marriage Blood, of the Choctaw Nation;  
 that I am the lawful wife of Archer Green Beames, who is a citizen, by  
Blood, of the Choctaw Nation, that a male child was  
(Male or female)  
 born to me on the 8<sup>th</sup> day of July, 1902; that said child has been  
 named Arthur William Beames, and is now living.

WITNESSES TO MARK. Belle Cleveland Beames  
W. F. Over  
(Must be Two Witnesses) } W. C. Zimster

Subscribed and sworn to before me this 29 day of July, 1902.  
W. F. Over  
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, )  
INDIAN TERRITORY,  
Southern District. )

I, W. L. Davis, Physician, on oath state that I  
 attended on Mrs. Belle C. Beames, wife of Archer Green Beames  
 on the 8 day of July, 1902, that there was born to her on said  
 date a male child; that said child is now living and is said to have been  
(Male or female)  
 named Arthur William Beames.

WITNESSES TO MARK. W. L. Davis M.D.  
(Must be Two Witnesses) } W. F. Over  
W. C. Zimster

Subscribed and sworn to before me this 29 day of July, 1902.  
W. F. Over  
 Notary Public.

Muskogee, Indian Territory, August 14, 1901.

Mr. Greenwood Reames,

Rekehito, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 10th instant, enclosing the certificate of marriage between Greenwood Reames and Belle Daugherty, a white woman, and you request that she be listed for enrollment as an intermarried citizen of the Choctaw Nation. Your marriage certificate is returned herewith.

You are informed that the rules of the Commission require that each and every applicant for enrollment as an intermarried citizen must appear before the Commission for the purpose of an examination under oath. Such application may be made at the office of the Commission at Muskogee, Indian Territory, at any time prior to the closing of the rolls of the citizens of the Choctaw and Chickasaw Nations, but it is suggested that if you desire to have your wife make application for her enrollment as an intermarried citizen of the Choctaw Nation, she do so in the near future.

Yours truly,

7-3775

MeM  
188

Commissioner in Charge.



7-3778

Waskogee, Indian Territory, July 30, 1908.

Arthur G. Beames,

Cliff, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Arthur William Beames, infant son of Arthur G. and Belle G. Beames, born July 8, 1908, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

Choc 3776 Samuel G. Gardner

3776

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

The record herein is in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of

FLORENCE GARDNER

7 - 3776

Department of the Interior.  
Commission to the Five Civilized Tribes.  
Antlers, I. T., December 4th, 1902.

Choctaw 3776  
Intermarried

-----oOo-----

In the matter of the application of Florence Gardner for enrollment as an intermarried citizen of the Choctaw Nation.

Florence Gardner being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Florence Gardner.  
Q How old are you? A Thirty-three.  
Q What is your post office address? A Bennington.  
Q How long have you been a resident of the Choctaw Nation?  
A Eighteen years I guess.  
Q Have you lived here continuously for the past eighteen years?  
A Yes sir, with the exception of two or three years I lived in Paris.  
Q When was that? A That's been eight or nine years ago.  
Q Since that time you have lived here continuously? A Yes sir.  
Q Do you claim intermarried rights in the Choctaw Nation?  
A Yes sir.  
Q What is the name of your Choctaw husband through whom you claim these rights? A Samuel Gardner.  
Q Is he a recognized and enrolled citizen of the Choctaw Nation?  
A Yes sir.  
Q His rights to enrollment have never been disputed? A No sir.  
Q When were you married to Samuel Gardner? A The 16th of September, in '86.  
Q Where was this marriage ceremony performed? A At Armstrong Academy.  
Q At that time were both you and your husband bona fide residents of the Choctaw Nation? A Yes sir.  
Q Who performed the marriage ceremony? A Parson W. J. B. Lloyd.  
Q Were you married under a license? A No sir, I reckon not.  
Q Were you ever married before your marriage to Samuel Gardner?  
A No sir.  
Q Was he ever married before his marriage to you? A No sir.  
Q Since that marriage have you lived together continuously as husband and wife up to the present time? A Yes sir.  
Q There has been no separation, abandonment or divorce? A No sir.  
Q Are you at present living together as actual and bona fide residents of the Choctaw Nation? A Yes sir.
-

Florence Gardner-----2

Albert G. McMillan being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 4th day of December, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

*Albert G. McMillan*

Subscribed and sworn to before me this 20 day of January, 1903.

*Charles H. Sawyer*

Notary Public.

*W. H. A.*

This certifies that Mr James  
Gardner and Miss Florence  
Wolfe were united in  
marriage by the undersigned  
at Armstrong. Fed on the  
sixteenth day of September  
in the year 1886

W B Lloyd  
a Minister of the Gospel.

7 - 3776

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Florence Gardner as a citizen by intermarriage of the Choctaw Nation.

DECISION.

It appears from the records herein that Florence Gardner (nee Wolfe), on September 16, 1886, was married in accordance with the laws, customs and usages of the Choctaw Nation to Samuel G. Gardner, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 10,658 upon the lists prepared by this Commission under the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation, and approved by the Secretary of the Interior on February 4, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation, that they have lived together continuously as husband and wife from the date of said marriage up to and including September 25, 1902; and that they have resided continuously in said nation from the year 1897 up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Florence Gardner should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495) and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory,

JUL 20 1903

\_\_\_\_\_  
J. H. ...  
\_\_\_\_\_  
C. A. ...  
\_\_\_\_\_  
W. E. ...  
\_\_\_\_\_

COPY:

62-19-1910

Worship, Indian Territory, July 20, 1903.

Silence Gardner,  
Bennington, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 10, 1903, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation. The attorneys for the Choctaw and Chickasaw Nations have been notified a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

*T. B. Needles.*  
Commissioner in Charge.

Registered.

Enc NYC 19/20



COPY.

Muskogee, Indian Territory, July 20, 1903.

Mansfield, McMurray & Cornish,  
Attorneys for the Choctaw and Chickasaw Nations,  
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 20, 1903, granting the application of Florence Gardner for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

*T. B. Meedles.*  
Commissioner in Charge.

Registered.

Enc MYC 20/20

IN RE

Application for Enrollment of

INFANT CHILD

*Leroy Gardner*  
as a citizen of

*Choctaw* Nation.

Approved, DEC 28 1901 190

*C. R. Beckwith*  
Commissioner.

ACTING CHAIRMAN



DEC 28 1901

FILED

DEPARTMENT OF THE INTERIOR  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

*IN RE* Application for Enrollment, as a citizen of the *Choctaw* Nation,  
of *Leroy Gardner*, born on the *1<sup>st</sup>* day of *December*, 1901  
(Here insert name of child)  
Name of Father: *Sam. S. Gardner*, a citizen of the *Choctaw* Nation.  
Name of Mother: *Florence A. Gardner*, a citizen of the *Choctaw* Nation.  
Post-office, *Academy Ind Territory*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
*Central* District.

I, *Florence A. Gardner*, on oath state that I am *thirty two*  
years of age and a citizen, by *marriage*, of the *Choctaw* Nation;  
that I am the lawful wife of *Sam. S. Gardner*, who is a citizen, by  
*Blood*, of the *Choctaw Nation*, that a *male* child was  
male or female  
born to me on the *first* day of *December*, 1901; that said child has been  
named *Leroy Gardner*, and is now living

WITNESSES TO MARK

*Florence A. Gardner*

(Must be Two)  
(Witnesses)

Subscribed and sworn to before me this *25<sup>th</sup>* day of *December*, 1901.

*J. H. Nuttall*

NOTARY PUBLIC

*Central Judicial District*

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
*Central* District.

I, *Mrs. A. C. Gardner*, *midwife*, on oath state that I  
attended on Mrs. *Florence A. Gardner*, wife of *Sam. S. Gardner*,  
on the *first* day of *December*, 1901; that there was born to her on  
said date a *Male* child that said child is now living and is said to have been  
male or female  
named *Leroy Gardner*

WITNESSES TO MARK

*Mrs. A. C. Gardner*

(Must be Two)  
(Witnesses)

Subscribed and sworn to before me this *25<sup>th</sup>* day of *December*, 1901.

*J. H. Nuttall*

NOTARY PUBLIC

*Central District*

MEMORANDA

Date:

1900

| Order    | Quantity    | Year    | Price    |
|----------|-------------|---------|----------|
| Order 1  | Quantity 1  | Year 1  | Price 1  |
| Order 2  | Quantity 2  | Year 2  | Price 2  |
| Order 3  | Quantity 3  | Year 3  | Price 3  |
| Order 4  | Quantity 4  | Year 4  | Price 4  |
| Order 5  | Quantity 5  | Year 5  | Price 5  |
| Order 6  | Quantity 6  | Year 6  | Price 6  |
| Order 7  | Quantity 7  | Year 7  | Price 7  |
| Order 8  | Quantity 8  | Year 8  | Price 8  |
| Order 9  | Quantity 9  | Year 9  | Price 9  |
| Order 10 | Quantity 10 | Year 10 | Price 10 |

| Order    | Quantity    | Year    | Price    |
|----------|-------------|---------|----------|
| Order 11 | Quantity 11 | Year 11 | Price 11 |
| Order 12 | Quantity 12 | Year 12 | Price 12 |
| Order 13 | Quantity 13 | Year 13 | Price 13 |
| Order 14 | Quantity 14 | Year 14 | Price 14 |
| Order 15 | Quantity 15 | Year 15 | Price 15 |
| Order 16 | Quantity 16 | Year 16 | Price 16 |
| Order 17 | Quantity 17 | Year 17 | Price 17 |
| Order 18 | Quantity 18 | Year 18 | Price 18 |
| Order 19 | Quantity 19 | Year 19 | Price 19 |
| Order 20 | Quantity 20 | Year 20 | Price 20 |

Muskogee, Indian Territory, December 28, 1901.

Sam G. Gardner,  
Academy, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Leroy Gardner, the infant son of Sam G. and Florence A. Gardner, born December , 1901, and the same being in proper form has been duly filed with the records of this office and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Commissioner in Charge.

7-3776

Muskogee, Indian Territory, December 28, 1901.

A . H. Nuttall,

Academy, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 25th instant, enclosing the application for enrollment as a citizen of the Choctaw Nation of Leroy Gardner, the infant son of Sam G. and Florence A. Gardner, born December 1, 1901, and the same being in proper form has been duly filed with the records of this office and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Commissioner in Charge.

9-3776

Choc 3777 Gibson Filmore

3777

MEMORANDA.

(Date) Aug 23 1899.

5-2

Name Gibson Filmore

Choctaw? 96 County Blue

Year 96 No. 4388

Chickasaw? County

Year Page 106

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day,

5-5

Wife's name, Turkey Filmore

Choctaw? 96 County Blue

Year 96 No. 4389

Chickasaw? County

Year Page 106

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

| County | Year | Page | No. |
|--------|------|------|-----|
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |

3/1/17



Muskogee, Indian Territory, February 3, 1903.

Sukey Fillmore,

Caney, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your affidavit of January 19, 1903, designating the numbers of the land which you desire to select in allotment, and the same is herewith returned to you for the reason that the Commission at this time has no means of recording selections of citizens of the Choctaw and Chickasaw Nations.

Matters of this character will receive its consideration upon the establishment of land offices in said Nations, at which time the citizens of these two tribes may appear at the land office for the Nation in which their land is located and make formal application for the land they desire to select in allotment.

No date has been definitely fixed for the establishment of these land offices, but it is probable that the same will be opened some time between the first of March and the first of April.

Respectfully,

Acting Chairman.

Enc. W R M-11.

Choc 3778 Wade Nicholas

3778

7-5778

INDEXED ✓

32

IN RE  
THE DEATH OF

*Willie Nicholas*

a citizen of the

*Choctaw* Nation.

Approved

NOV 22 1902 190

*[Signature]*  
Commissioner.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

**FILED**

NOV 22 1902

*[Signature]*

ACTING CHAIRMAN.

CHOC... \* 3778

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Willie Nicholas  
(Here insert name of deceased)

a citizen of the Choctaw Nation, who formerly resided at or near

Caddo, Ind. Ter., and died on the 11 day of

September, 1902  
(Here insert name of post office)

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA, }  
INDIAN TERRITORY, }  
Central District. }

I, Wade Nicholas, on oath state that I am 73

years of age and a citizen, by Blood, of the Choctaw Nation;

that my post office address is Caddo, Ind. Ter.; that I am

father of Willie Nicholas  
(State relationship as the father, an uncle, a cousin, etc.) (Here insert name of deceased)

who was a citizen, by Blood, of the Choctaw Nation;

and that said Willie Nicholas died on the 11 day of

September, 1902  
(Here insert name of deceased)

Wade Nicholas

WITNESSES TO MARK:

(Must be Two Witnesses.) }

Subscribed and sworn to before me this 19 day of November 1902.

D. St. Luebaugh  
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA, }  
INDIAN TERRITORY, }  
Central District. }

I, Henry Byington, on oath state that I am 51

years of age, and a citizen, by Blood, of the Choctaw Nation;

that my post office address is Caddo, Ind. Ter.;

that I was personally acquainted with Willie Nicholas  
(Here insert name of deceased)

who was a citizen, by Blood, of the Choctaw Nation;

and that said Willie Nicholas died on the 11 day of

September, 1902  
(Here insert name of deceased)

04 o'clock

Henry Byington

WITNESSES TO MARK

(Must be Two Witnesses.) }

Subscribed and sworn to before me this 19 day of Nov 1902.

D. St. Luebaugh  
Notary Public.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,  
of *Willis Nicholes*, born on the *7<sup>th</sup>* day of *July*, 18*99*.  
Name of father: *Wade Nicholes*, a citizen of the *Choctaw* Nation.  
Name of mother: *Sina Nicholes*, a citizen of the *Choctaw* Nation.  
Post Office: *Caddo St*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
*Cent* District.

I, *Sina Nicholes*, on oath, state that I am *18* years of age and a  
citizen, by *blood*, of the *Choctaw* Nation; that I am the  
lawful wife of *Wade Nicholes* who is a citizen, by *blood*, of the  
*Choctaw* Nation; that a *male* child was born to me on the *7* day  
of *July*, 18*99*; that said child has been named *Willis*  
and is now living.

Witness  
*J. Rappaport*  
Subscribed and sworn to before me this *29* day of *Aug*, 18*99*.  
*Sina Nicholes*  
*J. Rappaport*  
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
*Cent* District.

I, *Wade Nicholes*, a *Mother*, on oath, state that I  
attended on Mrs. *Sina Nicholes*, wife of *Wade Nicholes*  
on the *7* day of *July*, 18*99*; that there was born to her on said date a *male* child;  
that said child is now living and is said to have been named *Willis*

Witness  
*J. Rappaport*  
Subscribed and sworn to before me this *29* day of *Aug*, 18*99*.  
*Wade Nicholes*  
*J. Rappaport*  
Notary Public.

IN RE

Application for Enrollment of

INFANT CHILD

Roy Nicholas  
a citizen of the

Choctaw Nation.

Approved JUN 10 1902 190

*[Handwritten signature]*  
Commissioner

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

JUN 10 1902

*[Handwritten signature]*  
ACTING CHAIRMAN

5776

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,  
of Roy Nicholas, born on the 12 day of April, 1902

Name of Father: Wade Nicholas, a citizen of the Choctaw Nation.

Name of Mother: Sinie Nicholas, a citizen of the Choctaw Nation.

Post-Office: Caddo IT

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, )

INDIAN TERRITORY, )

Caddo District. )

I, Sinie Nicholas, on oath state that I am 22 years of age and a citizen, by Blood of the Choctaw Nation; that I am the lawful wife of Wade Nicholas, who is a citizen, by Blood of the Choctaw Nation, that a male child was born to me on the 12 day of April 1902; that said child has been named Roy Nicholas, and is now living.

Sinie Nicholas

WITNESSES TO MARK

(Must be Two With name)

Subscribed and sworn to before me this 7th day of June 1902

J. A. Ross, Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, )

INDIAN TERRITORY, )

Caddo District. )

I, Annie Nicholas, a midwife or nurse, on oath state that I attended on Mrs. Sinie Nicholas, wife of Wade Nicholas, on the 12 day of April 1902; that there was born to her on said date a male child; that said child is now living and is said to have been named Roy Nicholas.

Annie Nicholas

WITNESSES TO MARK

(Must be Two With name)

John Anderson  
Sinie Nicholas

Subscribed and sworn to before me this 7th day of June 1902

J. A. Ross, Notary Public.

MEMORANDA.

(Date) Aug 25 1899.

19

Name None Michael

Choctaw? yes County Blaine Year 90 No. 9798

Chickasaw? County Year Page 248

Citizen by blood? yes Mother's citizenship Chick

Intermarried citizen?

Married under what law?

License filed this day,

18

Wife's name, Lena Michael

Choctaw? yes County Blaine Year 90 No. 1719

Chickasaw? County Year Page 412

Citizen by blood? yes Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

6

Willie Michael County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

x See all names

131178



7 - 2775

Muskogee, Indian Territory, June 10, 1902.

Wade Nicholas,

Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Roy Nicholas, infant son of Wade and Sinie Nicholas, born April 12, 1902, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Commissioner in Charge.

Choc 3799 Wilburn Hogan

3799

MEMORANDA.

(Date) Aug 23 1899.

17 Name Milburn Hogan

Choctaw? yes County Blue Year 16 No. 5889

Chickasaw? County Year Page 144

Citizen by blood? yes Mother's citizenship Choctaw

Intermarried citizen?

Married under what law?

License filed this day,

Wife's name,

Choctaw? County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

Table with 5 columns: Name, County, Year, Page, No. (all fields are blank in the original image)

13779

Choc 3780

Nephus moore

Elie moore

3780

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
CHOCTAW LAND OFFICE,  
Atoka, Indian Territory, July 10, 1903.

Choc. R. 10668

--

7-card-3780

In the matter of the application of Elie Moore whose names appears as No. 10668 on the approved schedule of the citizens by blood of the Choctaw Nation for an allotment of lands in the Choctaw Nation,

Elie Moore being sworn testifies as follows:

Examination by the Commission:

Jacob Homer, Interpreter:

- Q What is your name ? A Elie Moore.  
Q What is your post office address ? A Caddo, Indian Territory.  
Q What is the name of your father ? A Nephus Moore.  
Q What is your mother's name ? A Lucy Moore.  
Q Are your father and mother living ? A No, sir, they are both dead.  
Q What is your age ? A I am eighteen years old.  
Q When were you eighteen years of age ? A 26th day of last February.  
Q Do you know what year you were born in ? A Yes, sir.  
Q What year ? A Eighteen hundred and eighty five.

This witness is identified as Elie Moore, Choctaw card field No. 3780, Choctaw Roll No. 10668.

Witness excused:

Milton Wright being called and sworn as a witness testifies as follows:

Examination by the Commission:

- Q What is your name ? A Milton Wright.  
Q What is your post office address ? A Caddo, Indian Territory.  
Q What is the name of your father ? A Allen Wright.  
Q What is the name of your mother ? A Betsy Wright.

Elie Moore 2

- Q Are you related to Elie Moore the witness who has just testified? A Yes, sir.
- Q What relation? A She is my uncle's child.
- Q Do you know how old Elie Moore is? A I never did count her age myself but then we seen it on the records and they counted it up and she was eighteen.
- Q Do you know in what year she was born? A No, sir. I did not notice that.
- Q Is it generally known and understood in the neighborhood in which Elie Moore lives that she is eighteen years of age?  
A Yes, sir.
- Q Upon the information which you have relative to her age, are you willing to swear that she is eighteen years old at this time? A Yes, sir, I am.
- Q Are you in any way interested in the lands which she will select as her allotment in the event she is permitted to select?  
A No, sir.

The witness is identified as Milton Wright, Choctaw Roll No. 10817, Choctaw card No. 5834.

Witness excused:

-:-

Fred V. Kinkade being first duly sworn on oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the proceedings had in the matter above referred to at Atoka, Indian Territory, July 10, 1903; that the above and foregoing is a true, full and correct translation of his stenographic notes as taken therein on said date.

*Fred V. Kinkade*

Subscribed and sworn to before me this 18, July 1903.

*John Shelby*  
Notary Public.

**OFFICE OF COUNTY AND PROBATE CLERK**

**COUNTY OF BLAIR**

**CHOCTAW NATION, INDIAN TERRITORY.**

**THE CHOCTAW NATION to MILTON WRIGHT, greeting.**

In the Probate Court of Blair County held on the First Monday of August, A. D. 1903, at Dumas, I. T., the seat of justice of said county, you were appointed Guardian of the person and estate of the Sophia Moore orphan of Nathan & Lucy Moore, deceased, of said county.

Therefore you are empowered and required fully and faithfully to perform this trust, to ask, levy, recover and receive, all the estate, real and personal, of your said ward, to present to our said court an inventory thereof, as well as any and all annual or other accounts of the same, and to do all things connected with said trust, according to law and the orders and decrees of said court therein.

In witness whereof I have set my hand and affixed the seal of the said county office this 3rd day of August, A. D. 1903

(Signed) *L. C. WRIGHT*

County and Probate Clerk,

Blair County, I. T.

SEAL:

Fred V. Finkade being first duly sworn as clerk states that above and foregoing is a true, full and correct copy as of right now on file with the Choctaw Land Office at Choctaw, Indian Territory at No. 10669.

Sworn to before me this October 7, 1903.

*[Signature]*  
Notary Public.

7-3780

Muskogee, Indian Territory, July 24, 1903.

Commissioner in Charge,  
Choctaw Land Office,  
Atoka, Indian Territory.

Dear Sir:

You are hereby advised that the following notation has  
this day been made upon original Choctaw enrollment card, No. 3780:

"Correct age of No. 3 is 18 years. See  
testimony of July 10, 1903."

You are therefore, requested to make like notation upon  
the duplicate card in your possession in accordance with the above  
information.

Respectfully,

Commissioner in Charge.



7-3780

Muskogee, Indian Territory, July 24, 1903.

Commissioner in Charge,  
Chickasaw Land Office,  
Tishomingo, Indian Territory.

Dear Sir:

You are hereby advised that the following notation has  
this day been made upon original Choctaw enrollment card, No. 3780:

"Correct age of No. 3 is 18 years. See  
testimony of July 10, 1903."

You are therefore, requested to make like notation upon  
the duplicate card in your possession in accordance with the above  
information.

Respectfully,

Commissioner in Charge.

7-3780

INDEXED

IN RE  
THE DEATH OF

*Nephus Moore*  
a citizen of the  
*Chockaw* Nation.

Approved *[Signature]* 1902  
Commissioner.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED  
NOV 28 1902

*[Signature]*  
ACTING CHAIR

#3780

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Nephus Moore  
(Here insert name of deceased)  
a citizen of the Choctaw Nation, who formerly resided at or near  
Caddo, Ind. Ter., and died on the \_\_\_\_\_ day of  
\_\_\_\_\_, 1900.

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Central District.

I, Loring Moore, on oath state that I am 26  
years of age and a citizen, by blood, of the Choctaw Nation;  
that my post office address is Caddo, Ind. Ter.; that I am  
son of Nephus Moore  
(State relationship as the father, an uncle, a cousin, etc.) (Here insert name of deceased)  
who was a citizen, by blood, of the Choctaw Nation;  
and that said Nephus Moore died on the \_\_\_\_\_ day of  
\_\_\_\_\_, 1900. Loring Moore

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 19<sup>th</sup> day of November 1902.  
H. Christen  
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Central District.

I, Nicholas McDaniel, on oath state that I am 70  
years of age, and a citizen, by blood, of the Choctaw Nation;  
that my post office address is Blue Ind. Ter.;  
that I was personally acquainted with Nephus Moore  
(Here insert name of deceased)  
who was a citizen, by blood, of the Choctaw Nation;  
and that said Nephus Moore died on the \_\_\_\_\_ day of  
\_\_\_\_\_, 1900. Nicholas his McDaniel  
marks

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 19<sup>th</sup> day of November 1902.  
H. Christen  
Notary Public.

7-3780 ✓

INDEXED

IN RE  
THE DEATH OF

*Lucy Moore*  
a citizen of the

*Choc Saw* Nation.

Approved *NOV 20* 190

*[Signature]*  
Commissioner.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES,  
FILED  
NOV 28 1902

*[Signature]*  
ACTING CHIEF

CHOCIAW. 3780.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Lucy Moore  
(Here insert name of deceased.)

a citizen of the Choctaw Nation, who formerly resided at or near  
Caddo, Ind. Ter., and died on the \_\_\_\_\_ day of

1900

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA, )  
INDIAN TERRITORY, )

Central District. )

I, Living Moore, on oath state that I am 26  
years of age and a citizen, by Blood, of the Choctaw Nation;  
that my post office address is Caddo, Ind. Ter.; that I am

son of Lucy Moore  
(State relationship as the father, an uncle, a cousin, etc.) (Here insert name of deceased.)

who was a citizen, by Blood, of the Choctaw Nation;  
and that said Lucy Moore died on the \_\_\_\_\_ day of

1900

Living Moore

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 19 day of November 1900.

H. Christen

Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA, )

INDIAN TERRITORY, )

Central District. )

I, Nicholas McDaniels, on oath state that I am 20  
years of age, and a citizen, by Blood, of the Choctaw Nation;  
that my post office address is Blue, Ind. Ter.;

that I was personally acquainted with Lucy Moore  
who was a citizen, by Blood, of the Choctaw Nation;  
and that said Lucy Moore died on the \_\_\_\_\_ day of

1900

Nicholas McDaniels

WITNESSES TO MARK

(Must be Two Witnesses)

D. H. Nelson  
H. G. Hains

Subscribed and sworn to before me this 19 day of Nov 1900.

H. Christen

Notary Public

MEMORANDA.

(Date) Aug 23 1899.

56 ✓ Name W. J. Moore  
 Choctaw? 11 County Blaine Year 90 No. 8787  
 Chickasaw? County Year Page 210  
 Citizen by blood? 11 Mother's citizenship Blaine  
 Intermarried citizen?  
 Married under what law?  
 License filed this day,

W x Wife's name, Lucy Moore  
 Choctaw? 11 County Blaine Year 90 No. 8788  
 Chickasaw? County Year Page 410  
 Citizen by blood? 11 Mother's citizenship Blaine  
 Intermarried citizen?  
 Married under what law?  
 License filed this day

Names of children:

14 # Ellie Wood County Blaine Year 10 Page 210 No. 8789  
 11 # Esther County Year Page No. 1270  
 10 # Shelby Perkins County W Year Page 268 No. 10504  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.

x  
 =  
 H  
 11 Annell Perkins

13180

Choc 3781 GIPSON Lewis

3781

Muskogee, Indian Territory, March 13, 1901.

Mr. Gipson Lewis,

Boggy Depot, Indian Territory,

Dear Sir:-

The Commission has information of the death of your wife, Susan Lewis, subsequent to the time application was made for her enrollment, August 23, 1899.

For the purpose of making the fact of her death a matter of record, there is enclosed you herewith a blank proof of death, which you will kindly have filled out and return to the Commission.

In having the same executed, you will notice that there is a blank for the affidavit of a relative and an acquaintance. Both of these blanks should be filled, all names written in full and the affidavits sworn to before a Notary Public. Should the relative or acquaintance making the affidavit be unable to write, and their signatures are by mark, it will be necessary to have such signatures attested by two disinterested parties as witnesses thereto.

The Notary Public acknowledging the affidavits must affix his notarial jurat and seal to each separate affidavit. The Commission will appreciate your prompt attention to this matter.

An envelope for reply is enclosed you herewith.

Yours truly,

Acting Chairman.

7-3761



Muskegee, Indian Territory, July 29, 1901.

Mr. Gipsen Lewis,

Boggy Depot, Ind, Ter.

Dear Sir:

Information has been received at this office of the death of your wife, Susan Lewis, subsequent to the time application was made for her enrollment as a citizen of the Choctaw Nation.

For the purpose of making her death a matter of record, there is inclosed you herewith a blank for proof of death, which you are kindly requested to have executed, and return to this office at your earliest convenience. You will notice that there is a blank for the affidavit of a relative and an acquaintance. Be careful to see that all blanks are properly filled, all names written in full, and in event either of the persons whose names are to be affixed to the affidavits are unable to write, and their signatures are by mark, that such signatures be attested by two disinterested parties, witnesses thereto.

The notary public before whom the affidavits of the relative and acquaintance are made, must affix his notarial jurat and seal to each separate affidavit.

Yours truly,

7-5781

Env.  
D. C.

Acting Chairman

3771  
7-3

Muskogee, Indian Territory, February 3, 1903.

Naney Roberts,

Caney, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your affidavit designating the numbers of the land which you desire to select in allotment and the same is returned to you herewith for the reason that the Commission has not, at this time, any means of recording the selections of the citizen of the Choctaw and Chickasaw Nations. Matters of this character will receive its consideration upon the establishment of land offices in the Choctaw and Chickasaw Nations at which time the citizens of these two tribes may appear at the land office for the Nation in which their land is located and make formal application for the land which they desire to select in allotment.

No date has been definitely determined for the opening of the land offices but it is probable that the same will be opened sometime between the 1st of March and the 1st of April.

Respectfully,

Enc. Hh 14

Acting Chairman.

7-3781

Muskogee, Indian Territory, October 24, 1903.

Gibson Lewis.  
Muskogee, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of October 17, in which you state that your father, John Lewis, was both of Choctaw and Chickasaw blood and drew money as a Chickasaw, and you ask that your name be transferred from the Choctaw to the Chickasaw rolls in order that you may draw your share of the incompetent money.

In reply to your letter you are informed that it not appearing from the records of the Chickasaw Nation in the possession of the Commission that you have been recognized and enrolled by the Chickasaw tribal authorities as a citizen of that Nation and your name having been identified upon the tribal rolls of the Choctaw Nation in the possession of the Commission, you have been enrolled as a citizen by blood of the Choctaw Nation and such enrollment was approved by the Secretary of the Interior, February 4, 1903. It is not seen, therefore, how your request that your name be transferred from the Choctaw to the Chickasaw rolls can be granted.

Respectfully,

Commissioner in Charge.

7-3781

7-3826

Muskogee, Indian Territory, September 29, 1902.

Nancy Byington,

Caddo, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 25th inst., enclosing the application for enrollment as a citizen of the Choctaw Nation of Rufus Byington, infant son of Peter and Nancy Byington, born April 29, 1901; which was returned to Peter Byington August 8, 1902, for further information relative to the mother of the child.

It is stated in your letter that you were registered as Nancy Lewis, or Nancy James, by your stepfather, whose name is Gibson Lewis. You are advised that from this information the Commission is now able to identify you as having been listed for enrollment as a citizen by blood of the Choctaw Nation under the name of Nancy James; and the application for the enrollment of your child being in proper form, the same has been duly filed with the records of the Commission, and the child listed for enrollment as a citizen of the Choctaw Nation.

You are requested to furnish the Commission with legal

W B S

evidence of your marriage to Peter Byington as authority for the change of your name upon our records from your maiden name to your present married name.

This matter should receive prompt attention.

Respectfully,

Acting Chairman.

IN RE

Application for Enrollment of  
INFANT CHILD

*[Handwritten Name]*  
as a citizen of  
*[Handwritten Name]* Nation.

Approved, SEP 20 1902  
*[Signature]*  
Commissioner.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES  
FILED  
SEP 20 1902

CHOCTAW.  
3781

*[Vertical handwritten notes and signatures on the right side of the page]*

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

I, *Rufus Byington*, in RE Application for Enrollment, as a citizen of the *Choctaw* Nation,  
of *Rufus Byington*, born on the *29* day of *April*, *1891*  
Name of Father: *John Byington*, a citizen of the *Choctaw* Nation.  
Name of Mother: *Nancy Byington*, a citizen of the *Choctaw* Nation.  
Post-office, *Daggy Dept. Ok.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
*Cent* District.

I, *Nancy Byington*, on oath state that I am *21*  
years of age and a citizen, by *blood* of the *Choctaw* Nation;  
that I am the lawful wife of *John Byington*, who is a citizen, by  
*blood* of the *Choctaw* Nation, that a *male* child was  
born to me on the *29* day of *April*, *1891*; that said child has been  
named *Rufus Byington*, and is now living.

WITNESSES TO MARK

(Must be Two Witnesses)

*Nancy Byington*

Subscribed and sworn to before me this *6* day of *August*, 190*2*

*Charles W. ...*  
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
*Cent* District.

I, *Lizzie Byington*, a *midwife*, on oath state that I  
attended on Mrs. *Nancy Byington*, wife of *John Byington*,  
on the *29* day of *April*, *1891*, that there was born to her on  
said date a *male* child; that said child is now living and is said to have been  
named *Rufus Byington*.

WITNESSES TO MARK

(Must be Two Witnesses)

*Charles W. ...*  
*Lizzie Byington*

Subscribed and sworn to before me this *6* day of *August*, 190*2*

*Charles W. ...*  
NOTARY PUBLIC

7-3781

INDEXED ✓

32

IN RE  
THE DEATH OF

*Isaac Lewis*

a citizen of the

*U. Chocoma* Nation.

Approved NOV 22 1902 190

*[Signature]*  
Commissioner

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
**FILED**  
NOV 23 1902

*[Signature]*  
ACTING CHAIRMAN.

187E# 3781



DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Susan Lewis  
(Here insert name of deceased.)

a citizen of the Choctaw Nation, who formerly resided at or near  
Boggy Depot, Ind. Ter., and died on the 20 day of  
October, 1899.

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,

Central District.

I, Lipscomb Lewis, on oath state that I am 46  
years of age and a citizen, by blood, of the Choctaw Nation;  
that my post office address is Canny, Ind. Ter.; that I am  
husband of Susan Lewis,  
(State relationship as: the father; an uncle; a cousin, etc.) (Here insert name of deceased.)  
who was a citizen, by blood, of the Choctaw Nation;  
and that said Susan Lewis died on the 20 day of  
October, 1899.

Gibson Lewis

WITNESSES TO MARK.

(Must be Two Witnesses.)

Subscribed and sworn to before me this 17 day of November, 1902

D. W. Luebaugh  
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,

INDIAN TERRITORY,  
Central District.

I, James King, on oath state that I am 25  
years of age, and a citizen, by blood, of the Choctaw Nation;  
that my post office address is Boggy Depot, Ind. Ter.;  
that I was personally acquainted with Susan Lewis,  
(Here insert name of deceased.)  
who was a citizen, by blood, of the Choctaw Nation;  
and that said Susan Lewis died on the 20 day of  
October, 1899.

James King

WITNESSES TO MARK.

(Must be Two Witnesses.)

Subscribed and sworn to before me this 17 day of November, 1902

D. W. Luebaugh  
Notary Public.

MEMORANDA.

43 Name *Richard* (Date) *1913* 1913  
 Choctaw? *✓* County *LeFlore* Year *1913* No. *125*  
 Chickasaw? County Year Page  
 Citizen by blood? *✓* Mother's citizenship  
 Intermarried citizen?  
 Married under what law?  
 License filed this day.

4 Wife's name *L...*  
 Choctaw? *✓* County *LeFlore* Year No. *125*  
 Chickasaw? County Year Page  
 Citizen by blood? *✓* Mother's citizenship  
 Intermarried citizen?  
 Married under what law?  
 License filed this day

Names of children:

13 *Alfred* County *LeFlore* Year Page No.  
 4 x *Richard* County Year Page No.  
 16 *Thomas* County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.

*12/15/13*

Chc 3782

Julia A. Turnbull

new Tigert

3782

MEMORANDA.

(Date) Aug 23 1899.

Name \_\_\_\_\_

Choctaw? County \_\_\_\_\_ Year \_\_\_\_\_ No. \_\_\_\_\_

Chickasaw? County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_

Citizen by blood? Mother's citizenship \_\_\_\_\_

Intermarried citizen?

Married under what law?

License filed this day.

90 Wife's name. Anna I. [unclear]

Choctaw? County \_\_\_\_\_ Year \_\_\_\_\_ No. \_\_\_\_\_

Chickasaw? County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_

Citizen by blood? Mother's citizenship [unclear]

Intermarried citizen?

Married under what law?

License filed this day.

Names of children

|    | County | Year | Page | No. |
|----|--------|------|------|-----|
| 20 |        |      |      |     |
| 17 |        |      |      |     |
| 18 |        |      |      |     |
|    |        |      |      |     |
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[Handwritten signature]

No. 663

# Certificate of Record of Marriages.

UNITED STATES OF AMERICA,  
THE INDIAN TERRITORY,  
CENTRAL DISTRICT } SCT.

I, E. J. FANNIN, Clerk of the United States Court in the Indian Territory and District aforesaid, do hereby CERTIFY that the License for and Certificate of the Marriage of

Mr. *Samuel Fize* and

M. *Julia Turnbull*

was filed in my office in said Territory and District the *26* day of *June* A. D. *1900* and duly recorded in Book *one* of Marriage Record, Page *332*

WITNESS my hand and seal of said Court, at *Atoka* this *26* day of *June* A. D. *1900*  
E. J. FANNIN,  
Clerk.

By *Wm J Johnson* Deputy.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

**FILED**

AUG 20 1901

*[Signature]*  
ACTING COMMISSIONER

# MARRIAGE LICENSE.

No. [REDACTED]

UNITED STATES OF AMERICA,  
THE INDIAN TERRITORY,  
CENTRAL DISTRICT. } SS.

To Any Person Authorized by Law to Solemnize Marriage—Greeting:

You are hereby commanded to solemnize the Rite and publish the BANS OF MATRIMONY between Mr. Samuel Sigert of Caddo in the Indian Territory, aged 22 years, and M<sup>rs</sup>. Julia Turnbull of Caddo in the Indian Territory, aged 21 years, according to law, and do you officially sign and return this License to the parties therein named.

WITNESS My hand and official seal, this 11<sup>th</sup> day of Jan'y A.D. 1900.

D. J. Tolson  
Deputy

E. J. Farnin  
Clerk of the United States Court.

## CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
CENTRAL DISTRICT. } SS.

I, B. N. Hultoman a Minister of the Gospel do hereby CERTIFY, that on the 14<sup>th</sup> day of Jan A. D. 1900 I did duly and according to law, as commanded in the foregoing License, solemnize the Rite and publish the BANS OF MATRIMONY between the parties therein named.

Witness my hand this 14<sup>th</sup> day of Jan. A. D. 1900.

My credentials are recorded in the office of the Clerk of the United States Court in the Indian Territory, Central District, Book B, Page 114

B. N. Hultoman  
a Minister of the Gospel

NOTE—This License and Certificate of Marriage must be returned to the Office of the Clerk of the United States Court of the Indian Territory, from whence it was issued within sixty days from the date thereof, or the party to whom the License was issued will be liable in the amount of One Hundred Dollars (\$100.00).

CHOCTAW:

INDEXED

20

*IN RE*

Application for Enrollment of

INFANT CHILD

*Turner Munroe Ramsey*

as a citizen of

*Choctaw* Nation.

DEC 27 1901

Approved

190

*C. R. McQuinn*  
Commissioner.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

**FILED**

DEC 27 1901

*[Signature]*  
SPECIAL COMMISSIONER

CHOCTAW:

3782

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,  
of *Turner Munroe Ramsey*, born on the *14* day of *November*, 1901  
(Here insert name of child.)  
Name of Father: *O A Ramsey* a citizen of the *United States* Nation.  
Name of Mother: *Lena Turnbull Ramsey* a citizen of the *Choctaw* Nation.  
Post-office *Curry Ind Ter*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }  
INDIAN TERRITORY }  
*Central* District. }

I, *Lena Turnbull Ramsey*, on oath state that I am *Twenty*  
years of age and a citizen, by *birth & blood*, of the *Choctaw* Nation;  
that I am the lawful wife of *O A Ramsey*, who is a citizen, by  
*birth*, of the *United States* Nation; that a *male* child was  
(male or female.)  
born to me on *14th* day of *November*, 1901; that said child has been  
named *Turner Munroe*, and is now living.

WITNESSES TO MARK

(Must be Two Witnesses) }

*Lena Turnbull Ramsey*

Subscribed and sworn to before me this *14* day of *November* 1901.

*J B Hardy*  
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }  
INDIAN TERRITORY }  
*Central* District. }

I, *J H Armstrong*, a *Physician*, on oath state that I  
attended on Mrs. *Lena Turnbull Ramsey*, wife of *O A Ramsey*,  
on the *14th* day of *November*, 1901; that there was born to her on  
said date a *male* child; that said child is now living and is said to have been  
(male or female.)  
named *Turner Munroe*

WITNESSES TO MARK:

(Must be Two Witnesses) }

*J H Armstrong M.D.*

Subscribed and sworn to before me this *14* day of *November* 1901.

*J B Hardy*  
NOTARY PUBLIC



India to get a letter that  
she was a white man  
bull when she ap-  
peared before the mi-  
nister of the interior.  
During the time she applied  
for a passport.

Her father was  
a man who had  
been in the army.

She was born in  
India. She was  
born in the year 1850.  
She was the daughter of  
a man who had been in  
the army.

*IN RE*

Application for Enrollment of  
INFANT CHILD

*Benjamin Franklin Tyeet*  
as a citizen of  
CHOCTAW, Nation.

Approved, AUG 8 1901 190

*[Signature]*  
Commissioner.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES  
**FILED**  
AUG 8 1901

*[Faint signature]*

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

*IN RE* Application for Enrollment, as a citizen of the *Choctaw* Nation,  
of *Benjamin Franklin Tjert*, born on the *7* day of *July*, 1901  
(Here insert name of child)  
Name of Father: *Samuel Tjert*, a citizen of the *U. S.* Nation.  
Name of Mother: *Julia Tjert*, a citizen of the *Choctaw* Nation.  
Post-office, *Caddo, L. T.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, )  
INDIAN TERRITORY, )  
*Central* District. )

I, *Julia Tjert*, on oath state that I am *22*  
years of age and a citizen, by *Blood*, of the *Choctaw* Nation;  
that I am the lawful wife of *Samuel Tjert*, who is a citizen, by  
of the *U. S.* Nation, that a *male* child was  
(male or female)  
born to me on the *7* day of *July*, 1901; that said child has been  
named *Benjamin Franklin Tjert*, and is now living.

WITNESSES TO MARK

(Must be Two)  
Witnesses

*Julia Tjert*

Subscribed and sworn to before me this *6* day of *August*, 1901.

*R. H. Linebaugh*  
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, )  
INDIAN TERRITORY, )  
District. )

I, *Mary A. Benton*, a *midwife*, on oath state that I  
attended on Mrs. *Julia Tjert*, wife of *Samuel Tjert*,  
on the *7* day of *July*, 1901; that there was born to her on  
said date a *male* child; that said child is now living and is said to have been  
(male or female)  
named *Benjamin Franklin Tjert*.

WITNESSES TO MARK:

(Must be Two)  
Witnesses

*Mary A. Benton*

Subscribed and sworn to before me this *6* day of *August*, 1901.

*R. H. Linebaugh*  
NOTARY PUBLIC

Choct. Roll 10678

COPY

BILL OF DIVORCE.

THE CHOCTAW NATION.

In the Circuit Court of the Third Judicial District, Regular August Term, 1903, a petition of Lena Ramsey, being presented by her attorney in said Court, for a Bill of Divorce, setting forth the fact etc., and after the Court hearing the testimony in regard to the petition do order and decree that a Bill of Divorce be issued to the applicant Lena Ramsey.

Therefore, I do issue a Bill of Divorce to said Applicant, Lena Ramsey, forever releasing her from the Bonds of Matrimony heretofore existing between Lena Ramsey and Tony Ramsey.

Given under my hand and seal of office this 12th day of August A. D. 1903.

(signed) THOS. GRIGGS, JR/  
Circuit Clerk 3rd District, C. N.

SEAL:

By \_\_\_\_\_ Deputy.

-:-

Fred V. Kinkade being first duly sworn on oath states that above and foregoing is a true, full and correct copy of original filed with this office which has been returned to the applicant. Said copy to be filed in Choctaw allotment Jacket No. 10678.

Sworn to before me this November 5, 1903.

*Fred V. Kinkade*  
*W. W. Shelby*  
Notary Public.

C E R T I F I C A T E

This CERTIFIES that the Rite of Holy Matrimony was celebrated between Robert Sumpter of Atoka, I. T., and Mrs. Lena Turnbull of Cansy, I. T., on Aug. 14, 1903, at High Hill by Rev. Wm. Fronterhouse.

Witnesses:

Lucinda Fronterhouse,

Nellie Fronterhouse,

-1-

Fred V. Kinkade being first duly sworn on oath states that above and foregoing is a true, full and correct copy of original filed with the Choctaw Land Office; that same has been returned to the parties therein; said copy to be filed in Choctaw allotment jacket No. 10678.

*Fred V. Kinkade*

Sworn to before me this November 5, 1903.

*Wm. Shelby*  
Notary Public,

Muskegee, Indian Territory, August 8, 1901.

Mr. Samuel Tigert,  
Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Benjamin Franklin Tigert, the infant son of Samuel and Julia Tigert, born July 7, 1901, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

You are requested to supply the Commission with either your original marriage license and certificate or a certified copy thereof, as authority for changing the name of your wife upon the records from that of her maiden name to that of her married name.

Please give this matter prompt attention.

Yours truly,

7-3782

Commissioner in Charge.

Muskogee, Indian Territory, August 20, 1901.

Mr. Samuel Tigert,

Cade, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the marriage license and certificate between Samuel Tigert, a non-citizen and Julia Turnbull a citizen by blood of the Choctaw Nation, and the same has been duly filed with the records of the Commission.

Enclosed herewith you will find the letter written you by the Commission of the 8th instant acknowledging receipt of the application for enrollment as a citizen of the Choctaw Nation of your infant son.

Yours truly,

Commissioner in charge.

7-3782

Enc. W. 182.

Muskogee, Indian Territory, December 27, 1901.

O. A. Ramsey.

Caney, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 24th instant, enclosing the application for enrollment as a citizen of the Choctaw Nation of Turner Munroe Ramsey, the infant son of O. A. and Lena Turnbull Ramsey, born November 14, 1901, and such application being in proper form has been duly filed with the records of this office and the child listed for enrollment as a citizen of the Choctaw Nation.

You are requested to forward either the original or certified copy of the marriage license and certificate between yourself and Lena Turnbull as authority for the changing of her name upon our records from her maiden name to her present married name. Please give this matter your prompt attention.

Yours truly,

Commissioner in Charge.

7-3782



Choctaw 3782

Muskogee, Indian Territory, May 1, 1902.

O. A . Ramsey,

Caney, Indian Territory.

Dear Sir;

Receipt is hereby acknowledged of your letter of April 29, 1902, relative to the application for enrollment as a citizen of the Choctaw Nation of your infant child, Turner Monroe Ramsey and as to the supplying of a copy of your marriage license and certificate to Lena Turnbull.

In reply to your communication you are advised that if you are unable to furnish either the original or certified copy of your marriage license and certificate to Lena Turnbull, that the Commission will accept in lieu thereof the affidavits of two disinterested persons who were present at the time you were married to Lena Turnbull and who have knowledge of the fact that you are living together as man and wife.

Yours truly,

Commissioner in Charge.

7-3782

Muskogee, Indian Territory, April 4, 1905.

Inez Reid,

Watooy, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of March 27, 1905, asking if it will be necessary for you to have other papers executed in the matter of the enrollment of your child.

In reply to your letter you are informed that the affidavits heretofore forwarded to the birth of Robert O. Sumter, Jr., child of Robert O. Sumter and Inez Turnbull, have been filed with our records as an application for the enrollment of said child.

In event further evidence is necessary to enable the Commission to pass upon the application for the enrollment of this child you will duly notified.

Respectfully,

Commissioner in Charge.

Muskogee, Indian Territory, April 17, 1905.

Mrs. Inez Reed,  
Matoy, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of April 10, 1905, in which you state that the name of your child is Gladys Lee Reed and that your sisters child is Robert O. Sumter.

In reply to your letter you are informed that it appears from our records that application has been made to this Commission for the enrollment of Robert O. Sumter Jr., child of Robert O. Sumter and Rena Ramsey but it does not appear from our records that affidavits have been filed to the birth of your child Gladys Lee Reed and for your convenience there is inclosed herewith blank for the enrollment of an infant child which you should have executed and returned to this office within sixty days from March 3, 1905.

Respectfully,

F.C.

Chairman.

7-3782

Muskogee, Indian Territory, April 17, 1905.

Julia Tigart,  
Watooy, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of April 10, 1905, in which you state that you filed affidavits with the Choctaw Enrolling Commission to the birth of your two children Samuel C. and Bertha W. Tigart, and you wish to know if these are sufficient for the enrollment of these children or if it will be necessary for you to furnish additional papers or go to the land office in regard to this matter.

In reply to your letter you are informed that it does not appear from our records that affidavits have been filed relative to the birth of your children above named and for your convenience there are inclosed herewith two blanks for the enrollment of infant children which you should have executed and returned to this office within sixty days from March 3, 1905.

Respectfully,

Chairman.

2 B.C.

Muskogee, Indian Territory, April 18, 1905.

Julia Tigert,

Matoy, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of your letter of April 10, 1905, in which you state that you filed affidavits with the Choctaw Enrolling Commission to the birth of your two children Samuel S. and Bertha M. Tigert, and you wish to know if these are sufficient for the enrollment of these children or if it will be necessary for you to furnish additional papers or go to the land office in regard to this matter.

In reply to your letter you are informed that it does not appear from our records that affidavits have been filed relative to the birth of your children above named and for your convenience there are inclosed herewith two blanks for the enrollment of infant children which should be executed and returned to this office within sixty days from March 3, 1905.

Respectfully,

S. B. C.

Chairman.

7-3782

Muskogee, Indian Territory, January 30, 1906.

Simeon Turnbull,

Wagon, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of the affidavits of Ina Turnbull and J. R. Allen, M. D., to the birth of Edith Turnbull, daughter of Simeon and Ina Turnbull, January 23, 1906.

You are hereby advised that under the act of Congress approved March 3, 1905, there was no provision for the enrollment of children born to citizens of the Choctaw and Chickasaw Nations subsequent to March 3, 1905.

Respectfully,

Acting Commissioner.

Choc 3783

Abner May

3783

MEMORANDA.

19 Name Blair May (Date) Aug 23 1899.

Choctaw? Yes County Blaine Year 76 No. 8793

Chickasaw? County Year Page 220

Citizen by blood? Yes Mother's citizenship Okla

Intermarried citizen? .....

Married under what law? .....

License filed this day. ....

Wife's name. ....

Choctaw? County Year No. ....

Chickasaw? County Year Page .....

Citizen by blood? Mother's citizenship .....

Intermarried citizen? .....

Married under what law? .....

License filed this day .....

Names of children: .....

| County | Year | Page | No. |
|--------|------|------|-----|
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
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| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |

3783



choc 3784

odile V. Dwight  
Joseph E. Dwight

3784

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

The record herein is in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of

ODILE V. DWIGHT,

7 - 3784

Commission to the Five Civilized Tribes,  
Caddo, Indian Territory.

In the enrollment of Odile V. Dwight and son as Choctaws;

A. Telle being sworn and examined by Com'r McKennon states:

- Q What is your name? A ~~Odile V. V. V.~~ A. Telle.
- Q How old are you? A Forty.
- Q Did you know Edward Dwight? A Yes sir.
- Q Was he a Choctaw citizen? A Yes sir.
- Q Did you know his wife? A Yes sir.
- Q What was her name? A Odile V.
- Q She is a white woman? A Yes sir.
- Q Were you present at their marriage? A Yes sir.
- Q Where did it occur? A At Boggy Depot in the Choctaw Nation.
- Q About what time? A I don't remember, I was just a boy then.
- Q Do you know they lived together as husband and wife? A Yes sir, until he died.
- Q And she has never re-married? A No sir.

the Interior,  
Five Civilized Tribes  
I hereby certify that the above is  
a true and correct translation of  
the original in Choctaw.

*M. D. Green*

Choctaw, 3784.

Department of the Interior,  
Commission to the Five Civilized Tribes,  
Ardmore, I. T., October 31, 1902.

In the matter of the application for enrollment as a citizen by intermarriage of the Choctaw Nation of Odile V. Dwight.

Joseph E. Dwight being duly sworn testifies with reference to this application as follows:

Examination by the Commission.

- Q What is your name? A Joseph E. Dwight.  
Q What is your age? A 31.  
Q What is your post office address? A Wayne, Indian Territory.  
Q What is the name of your mother? A Odile Victoria Dwight.  
Q Is she living? A Yes sir.  
Q What is her present post office address? A Wayne, Indian Territory.  
Q Did your mother make application to the Dawes Commission in 1896 for admission as a citizen? A Yes sir.  
Q Was she admitted by the Dawes Commission in 1896? A Yes sir.  
Q Was there any appeal taken to the court in her case? A Never heard of any.  
Q What is the name of your father? A Edward Dwight.  
Q Was he a citizen by blood of the Choctaw Nation? A Yes sir.  
Q Did your mother and father live together continuously up until your father's death? A Yes sir, I was small though.  
Q Has your mother continued to reside in the Choctaw-Chickasaw country since her admission by the Commission in 1896? A Yes sir.  
Q She has not been outside of the territory since that time to establish a residence or make a home? A No sir.  
Q Has she remarried since that time? A No sir.  
Q Is your mother making her home with you? A Yes sir.

W. H. Martin being duly sworn on oath states that as stenographer to the Commission to the Five Civilized Tribes he recorded in full the above proceedings at Ardmore, I. T., on the 31st day of October, 1902, and that the within and foregoing is a full true and correct transcript of his stenographic notes in the same.

Subscribed and sworn to before me this 19 day of November, 1902.

*Charles H. Sawyer*  
Notary Public

*Next*

7-3784

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of  
Odile V. Dwight as a citizen by intermarriage of the Choctaw Nation.

DECISION.

It appears from the census card record in this case that application was made to this Commission at Caddo, Indian Territory on August 23, 1899, for the enrollment of Odile V. Dwight as a citizen by intermarriage of the Choctaw Nation. Further proceedings were had in the matter of this application at Ardmore, Indian Territory, on October 31, 1902.

It further appears from the records of the Commission that on September 5, 1896, in the case entitled "Mrs. O. V. Dwight vs. Choctaw Nation," (1896 Choctaw Citizenship Docket, case number 310), the applicant herein made original application to this Commission under the provisions of the act of Congress approved June 10, 1896 (29 Stat., 321), for admission to citizenship in the Choctaw Nation, claiming her right thereto by virtue of her marriage with Edward Dwight, a recognized citizen by blood of the Choctaw Nation, and on December 2, 1896, the said Odile V. Dwight was by this Commission admitted to citizenship in the Choctaw Nation as a citizen by intermarriage, from which decision of the Commission no appeal was taken.


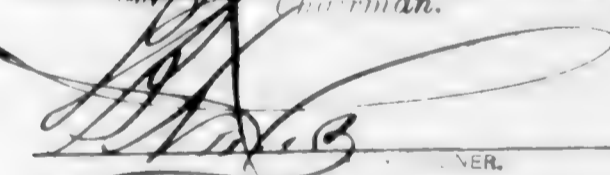
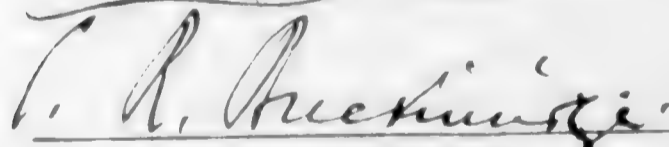
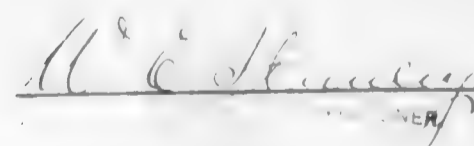
It further appears from the evidence in this case that the applicant herein was a resident in good faith of Indian Territory on June 28, 1898, and that her status as an intermarried citizen has remained unchanged from the date of her said admission in 1896 up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Odile V. Dwight should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495) and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory,

JUL 20 1903

  
\_\_\_\_\_  
Chairman.  
  
\_\_\_\_\_  
MEMBER.  
  
\_\_\_\_\_  
MEMBER.  
  
\_\_\_\_\_  
MEMBER.

Chectaw 3784

COPY.

Muskogee, Indian Territory, July 20, 1903.

Odile V. Dwight,  
Wayne, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 20, 1903, granting your application for enrollment as a citizen by intermarriage of the Chectaw Nation.

The attorneys for the Chectaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Chectaw Nation. If at the expiration of that time, no protest has been filed your name will be placed upon the final rolls of the citizens of the Chectaw and Chickasaw Nations to be submitted to the Secretary of the Interior for his approval.

Respectfully,

SIGNED

*T. B. Needles.*  
Commissioner in Charge.

Registered.

Enc MYC 23/20

COPY.

Muskogee, Indian Territory, July 20, 1903.

Mansfield McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,  
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 20, 1903, granting the application of Odile V. Dwight, for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

*E. B. Needles.*  
Commissioner in Charge.

Registered.

Enc MYC 24/20

GDR

7-D-357

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

)))))))))

In the matter of the application for the enrollment of James M. Buckholts, Rebecca Buckholts and Allie Dwight, as citizens by blood of the Choctaw Nation.

-----  
D E C I S I O N

It appears from the census card and other records in this case that James M. Buckholts appeared before the Commission at Caddo, Indian Territory, on August 24, 1899, and made personal application for the enrollment of himself and his two children, Rebecca and Allie Buckholts, as citizens by blood of the Choctaw Nation. Further proceedings were had in the matter of this application at Atoka, Indian Territory, on December 4 and December 7, 1900, and at Muskogee, Indian Territory, on April 9, 1902. On November 4, 1902, evidence of the marriage of Allie Buckholts and Joseph Edward Dwight, a recognized and enrolled citizen by blood of the Choctaw Nation, was filed with the records of the Commission, from which it appears that said parties were married on November 28, 1900.

It further appears from the record in this case that the principal applicant, James M. Buckholts, is the son of William Buckholts, a citizen by blood of the Choctaw Nation, who was admitted as such by a judgment of the Supreme Court of the Choctaw Nation, rendered in October, 1872, (certified copy attached), and Matilda Buckholts (deceased), a non-citizen; and that applicants, Rebecca Buckholts and Allie Dwight, are the issue of the marriage of the said James M. Buckholts and Jennetta Buckholts (nee Perryman), a non-citizen white woman.



On an examination of the tribal rolls of the Choctaw Nation in the possession of the Commission the names of James M. Buckholts (as James Buckholts), Rebecca Buckholts (as Rebecca Buckholts) and Allie Dwight (as Alice Buckholts), are identified on the 1893 Choctaw Leased District Pay Roll, Blue County, page 13, Nos. 139, 140 and 141, respectively, enrolled as citizens by blood of the Choctaw Nation. The names of James M. Buckholts (as J. M. Buckholts), Rebecca Buckholts and Allie Dwight (as Allie Buckholts), are also identified on the 1896 Choctaw census roll, Nos. 1536, 1537 and 1538, respectively, enrolled as citizens by blood of said nation.

It further appears from said census card records of the Commission that all of the applicants herein were residents in good faith of Indian Territory on June 28, 1898, all applicants listed for enrollment on census cards in 1899 having been first examined as to such fact, although their testimony was not reduced to writing.

The evidence in this case further shows that the Choctaw Nation, through its attorneys, has protested against the enrollment of the applicants herein on the ground that the name of the principal applicant James M. Buckholts, was not included in the judgment of the Choctaw Supreme Court admitting his father, William Buckholts, to citizenship in said nation, although the said James M. Buckholts was living at that time; that therefore the applicants herein can acquire no rights to Choctaw citizenship by virtue of the admission of the said William Buckholts, and that none of said applicants has ever been admitted to Choctaw citizenship by the legally constituted authorities of said nation.

The Act of the General Council of the Choctaw Nation, under the terms of which the applicants herein claim their right to enrollment as citizens by blood of the Choctaw Nation, was approved on March 20, 1872, and is entitled:

"An Act directing and authorizing the supreme judges of the Choctaw Nation to take evidence during the term of the Supreme Court of all persons who may claim to be Choctaw or Chickasaw descent, and fixing their pay."

In section one of said act the Supreme Judges of the Choctaw Nation are directed:

".....to take evidences in all cases of any person or persons claiming to the Choctaw or Chickasaw descents, who may have settled or may hereafter settle in this Nation, claiming the rights and privileges of citizenship, said person or persons shall be required to prove his, her or their blood and descent by two or more disinterested witnesses; and all the evidences taken and the opinion and the decision of the Judges shall be entered upon the minutes of the Courts; .....and the said opinion and decision of the Supreme Judges of any person or persons to be the bonafide citizens of this Nation shall be final and filed away in the office of the clerk of the Supreme Court."

The applicants herein contend that their ancestor, William Buckholts, applied under this act to the Supreme Judges of the Choctaw Nation to have his citizenship rights determined; that the said William Buckholts attempted to include the names of his descendants in his application, but was informed by the Chief Justice that this was unnecessary, and that his (William Buckholts'), recognition as a Choctaw by blood carried with it the recognition of his children; that for this reason and following the general custom in such cases at that time, the names of his descendants were not included in said application.

The contention of the applicants is supported by the deposition of Judge Joel Everidge, one of the Supreme Judges of the Choctaw Nation at the time of the admission of the said William Buckholts; by the testimony of James S. Standley, Joseph P. Plummer, Alinton Telle, Judge Simon E. Lewis and William Buckholts, all representative citizens of the Choctaw Nation; and by the tribal recognition given the descendants of the said William Buckholts on all the rolls of citizens of the Choctaw Nation pre-

2-372

pared since the date of said act of admission.

It is the opinion of this Commission that the contention of the applicants herein has been established, and that, therefore James M. Buckholts, Rebecca Buckholts and Allie Dwight should be enrolled as citizens by blood of the Choctaw Nation under the provisions of section twenty-one of the act of Congress approved June 28, 1898 (30 Stats., 495); and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Tams Bixby,  
Chairman.

T. B. Needles,  
Commissioner.

C. P. Breckinridge,  
Commissioner.

W. E. Stanley,  
Commissioner.

Muskogee, Indian Territory,  
Jul 20, 1903.

7-5784

Muskogee, Indian Territory, July 23, 1903.

J. E. Dwight,

Wayne, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of July 10, stating that your mother, O.V. Dwight, did not appear in person before the Commission during its recent appointments in the field, and asking if this will injure her right to enrollment as an intermarried citizen.

In reply to your letter you are informed that it appears from our records that on July 20, 1903, the Commission rendered its decision, granting the application of Odile V. Dwight for enrollment as an intermarried citizen of the Choctaw Nation, of which action of the Commission she was on that date advised by registered mail.

Respectfully,

Commissioner in Charge.

COMMISSIONERS  
TAMS BIXBY.  
THOMAS B. NEEDLES.  
C. R. BRECKINRIDGE.  
W. E. STANLEY.

ALLISON L. AYLESWORTH,  
SECRETARY

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, March 3, 1904.

Allie Dwight,

Purcell, Indian Territory,

Dear Madam:

You are hereby advised that on February 24, 1904, the Secretary of the Interior affirmed the decision of the Commission of July 20, 1903, enrolling you as a citizen by blood of the Choctaw Nation.

Respectfully,

Commissioner in Charge.

**MEMORANDA.**

(Date) Aug 23 1899.

~~38~~ Name Joseph E. Dwight

Choctaw? yes County Blue Year \_\_\_\_\_ No. \_\_\_\_\_

Chickasaw? \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_

Citizen by blood? yes ~~Mother's citizenship~~ etc

Intermarried citizen? \_\_\_\_\_

Married under what law? \_\_\_\_\_

License filed this day, \_\_\_\_\_

50 \* Wife's name, Odile V. Dwight

Choctaw? yes County Blue Year 96 No. 14479

Chickasaw? \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page 385

Citizen by blood? \_\_\_\_\_ Mother's citizenship no

Intermarried citizen? yes

Married under what law? \_\_\_\_\_

License filed this day \_\_\_\_\_

Names of children:

|    |                         |              |            |            |           |
|----|-------------------------|--------------|------------|------------|-----------|
| 28 | <u>Joseph E. Dwight</u> | County _____ | Year _____ | Page _____ | No. _____ |
|    |                         | County _____ | Year _____ | Page _____ | No. _____ |
|    |                         | County _____ | Year _____ | Page _____ | No. _____ |
|    |                         | County _____ | Year _____ | Page _____ | No. _____ |
|    |                         | County _____ | Year _____ | Page _____ | No. _____ |
|    |                         | County _____ | Year _____ | Page _____ | No. _____ |
|    |                         | County _____ | Year _____ | Page _____ | No. _____ |
|    |                         | County _____ | Year _____ | Page _____ | No. _____ |
|    |                         | County _____ | Year _____ | Page _____ | No. _____ |

Comp 31 # 336-93 F/R Blue Co. J. E. Dwight

X ... ... ...

12,784

choc 3785 Dukes mitchell  
Sallie mitchell

3785

MEMORANDA.

(Date) Aug 23 1899.

Name *James Whitehead*

Choctaw? *yes* County *Blev* Year *11* No. *8765*

Chickasaw? County Year Page *219*

Citizen by blood? *yes* Mother's citizenship *Blv*

Intermarried citizen?

Married under what law?

License filed this day,

Wife's name, *Sallie Whitehead*

Choctaw? *yes* County *Blev* Year *11* No. *166*

Chickasaw? County Year Page *219*

Citizen by blood? *yes* Mother's citizenship *Blv*

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

|           |                        |        |      |      |     |
|-----------|------------------------|--------|------|------|-----|
| <i>3</i>  | <i>Alice Whitehead</i> | County | Year | Page | No. |
| <i>10</i> | <i>Loane</i>           | County | Year | Page | No. |
|           |                        | County | Year | Page | No. |
|           |                        | County | Year | Page | No. |
|           |                        | County | Year | Page | No. |
|           |                        | County | Year | Page | No. |
|           |                        | County | Year | Page | No. |
|           |                        | County | Year | Page | No. |
|           |                        | County | Year | Page | No. |
|           |                        | County | Year | Page | No. |

*17705*



7-3785

~~INDEXED~~

IN RE  
THE DEATH OF

*Lulu M. Mott*

a citizen of the

*Choctaw Nation*

Approved

NOV 22 1902

*[Signature]*

DEPARTMENT OF THE INTERIOR  
COMMISSION TO THE FIVE CIVILIZED TRIBES

**FILED**

NOV 22 1902

*[Signature]*

CHOCTAW

*# 3785*

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Justin Mitchell  
(Here insert name of deceased.)

a citizen of the Cherokee

Nation, who formerly resided at or near

Cadde, Ind. Ter., and died on the 21 day of

October, 1900

AFFIDAVIT OF RELATIVE

UNITED STATES OF AMERICA,  
INDIAN TERRITORY.

Central District.

I, Julius Mitchell, on oath state that I am 3  
years of age and a citizen, by blood of the Cherokee Nation;  
that my present address is Cadde, Ind. Ter., that I am

son of Justin Mitchell  
who was a citizen, by blood of the Cherokee Nation;  
and that said Justin Mitchell died on the 21 day of

October, 1900 at Cadde, Ind. Ter.

Subscribed and sworn to before me

*[Signature]*

Notary Public for the Indian Territory

*[Signature]*  
Notary Public for the Indian Territory

AFFIDAVIT OF ACCOUNTABLE

UNITED STATES OF AMERICA,  
INDIAN TERRITORY.

(District)

I, the undersigned, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the files of the Commission to the Five Civilized Tribes.

Subscribed and sworn to before me

*[Signature]*

Notary Public for the Indian Territory

Maskogee, Indian Territory, July 29, 1901.

Mr. S. J. Homer,  
Caddo, Ind. Ter.

Dear Sir:

Sallie Duke and Mrs. Adelia Peters, addressed to them at Caddo, Indian Territory, to which no replies have been received.

If you know them, or either of them, you are kindly requested to state their present post office address. If you are unable to do this, can you name some one in whose care letters to these parties might be sent who would be likely to see that such letters were delivered?

An early reply, envelope for which is inclosed you herewith, will be duly appreciated.

Yours truly,

Acting Chairman.

7-29-01  
W. J.

~~Chectaw 3748~~  
Chectaw 3785

Muskogee, Indian Territory, June 8, 1905.

Joslin Lewis,

Caney, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of May 25, asking if the child of yourself and Sallie Mitchell, Chectaw Roll Number 10684, born March 2, 1905, can now be enrolled.

In reply to your letter you are advised that it does not appear from our records that application has been made to this Commission, under the act of Congress approved March 3, 1905, for the enrollment of a child of yourself and Sallie Mitchell, but as you do not give the name of this child, it is impracticable to give you any definite information on this subject.

You are further advised that the time within which the Commission could receive applications for the enrollment of infant children of Chectaw and Chickasaw citizens, under the act of March 3, 1905, above referred to, expired May 2, 1905, and if no application was made for the enrollment of this child prior to that date the Commission is now without authority to receive or consider the same.

Respectfully,

Chairman.

11

Muskogee, Indian Territory, March 13, 1901.

Mrs. Sallie Mitchell,  
Caddo, Indian Territory,

Dear Madam:-

The Commission has information of the death of your husband, Dukes Mitchell, subsequent to the time application was made for his enrollment, August 23, 1899.

For the purpose of making the fact of his death a matter of record, there is enclosed you herewith a blank proof of death, which you will kindly have filled out and return to the Commission.

In having the same executed, you will notice that there is a blank for the affidavit of a relative and an acquaintance. Both of these blanks should be filled, all names written in full and the affidavits sworn to before a Notary Public. Should the relative or acquaintance making the affidavit be unable to write, and their signatures are by mark, it will be necessary to have such signatures attested by two disinterested parties as witnesses thereto.

The Notary Public acknowledging the affidavits must affix his notarial jurat and seal to each separate affidavit. The Commission will appreciate your prompt attention to this matter.

An envelope for reply is enclosed you herewith.

Yours truly,

Acting Chairman.

Choc 3786 STEWART MITCHELL

3786

MEMORANDA.

(Date) Aug 23 1899.

62

Name Stewart Mitchell

Choctaw? yes County Red River Year 96 No. 8673

Chickasaw? County Year Page 217

Citizen by blood? yes Mother's citizenship Chloe

Intermarried citizen?

Married under what law?

License filed this day,

Wife's name,

Choctaw? County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

|       | County | Year | Page | No. |
|-------|--------|------|------|-----|
| ..... | County | Year | Page | No. |
| ..... | County | Year | Page | No. |
| ..... | County | Year | Page | No. |
| ..... | County | Year | Page | No. |
| ..... | County | Year | Page | No. |
| ..... | County | Year | Page | No. |
| ..... | County | Year | Page | No. |
| ..... | County | Year | Page | No. |
| ..... | County | Year | Page | No. |
| ..... | County | Year | Page | No. |
| ..... | County | Year | Page | No. |

3786

Choctaw 3786

Muskogee, Indian Territory, August 29,

W. W. Perkins,

Hugo, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of August 21, asking relative to the enrollment of persons on the Choctaw roll who died prior to September 25, 1902, and stating that one Stewart Mitchell died about four years ago and his heirs are preparing to select his allotment.

In reply to your letter you are advised that under the provisions of the act of Congress approved July 1, 1902, only those persons who were living on September 25, 1902, the date of the final ratification of said act of Congress, and entitled to enrollment shall be enrolled and receive allotment of land, in the Choctaw and Chickasaw Nations.

It does not appear from our records that any evidence of the death of Stewart Mitchell has been filed with the Commission, and if you have knowledge of the date of his death you are requested to have the inclosed blank for proof of death executed and return to this office in the inclosed envelope which requires no postage.

It appears from our records that no selection of allotment has been made in behalf of said Stewart Mitchell.

Respectfully,



7-3786

Muskogee, Indian Territory, October 17, 1904.

Loring Robinson,

Caddo, Indian Territory.

Dear Sir:-

This Commission has been advised that Stewart Mitchell, a citizen by blood of the Choctaw Nation has died since the time he was listed for enrollment.

Enclosed herewith you will find blank affidavits for proof of death together with an envelope for their return when properly executed and if you are able to place the same in the hands of some relative or acquaintance who will attend to the matter, your action will be duly appreciated.

Respectfully,

Chairman.

Env D. C.

Choc 3787 Frank Durant

3787

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,  
of Willie Durant, born on the 28 day of August, 1898.  
Name of father: Frank Durant, a citizen of the Choctaw Nation.  
Name of mother: Eliza Durant, a citizen of the Choctaw Nation.  
Post Office: Birmingham, Ala.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Central District.

I, Eliza Durant, on oath, state that I am 27 years of age and a citizen, by Blood, of the Choctaw Nation; that I am the lawful wife of Frank Durant who is a citizen, by Blood, of the Choctaw Nation; that a male child was born to me on the 28 day of Aug, 1898; that said child has been named Willie Durant, and is now living.

Eliza Durant  
Subscribed and sworn to before me this 16<sup>th</sup> day of Oct, 1899.

W. H. Ataway  
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Central District.

I, Isabell Chubby, a midwife, on oath, state that I attended on Mrs. Eliza Durant, wife of Frank Durant on the 28 day of Aug, 1898; that there was born to her on said date a male child; that said child is now living and is said to have been named Willie Durant.

Isabell Chubby  
Subscribed and sworn to before me this 16<sup>th</sup> day of Oct, 1899.

W. H. Ataway  
Notary Public.

MEMORANDA.

(Date) Aug 23 1899.

29

Name Frank Linnick  
 Choctaw? yes County Jackson Year 96 No. 3485  
 Chickasaw? \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page 84  
 Citizen by blood? yes Mother's citizenship Choc  
 Intermarried citizen? \_\_\_\_\_  
 Married under what law? \_\_\_\_\_

29

License filed this day, \_\_\_\_\_  
 Wife's name, Elyza Linnick  
 Choctaw? yes County Jackson Year 96 No. 3486  
 Chickasaw? \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page 84  
 Citizen by blood? yes Mother's citizenship Choc  
 Intermarried citizen? \_\_\_\_\_  
 Married under what law? \_\_\_\_\_

License filed this day \_\_\_\_\_  
Names of children:

- 8 Maggie Linnick County \_\_\_\_\_ Year 96 Page 84 No. 3487
- 7 Sampson County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. 3488
- 4 Lizzie County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. 3489
- 1 Willie County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_
- \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_
- \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_
- \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_
- \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_
- \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

31754

Choc 3788 Allen Durant

3788

7-3788  
72164

Muskogee, Indian Territory, May 14<sup>th</sup> 1906.

Lucinda Durant,  
Bennington, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of your letter of May 9, 1906, transmitting the affidavits of Lucinda Durant (nee Lucinda Nanomantube) and Sopha Durant to the birth of Luie Daniel Durant, son of Allen and Lucinda Durant (nee Nanomantube), July 30, 1906, and the same have been filed with the records of this office as an application for the enrollment of said child.

Respectfully,

Acting Commissioner.

MEMORANDA.

(Date) Jan 17 3 1899.

31 Name Allen Susank

Choctaw? Yes County Jackson Year 72 No. 3516

Chickasaw? No County            Year            Page 84

Citizen by blood? No Mother's citizenship Chick

Intermarried citizen?           

Married under what law?           

License filed this day,           

Wife's name,           

Choctaw?            County            Year            No.           

Chickasaw?            County            Year            Page           

Citizen by blood?            Mother's citizenship           

Intermarried citizen?           

Married under what law?           

License filed this day           

Names of children:

| County | Year | Page | No. |
|--------|------|------|-----|
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |

13788

Choc 3789 Robert Jackson

3789



*IN RE*

Application for Enrollment of

INFANT CHILD

*Mickey Jackson*

as a citizen of

*Choctaw*

Nation.

Approved, ~~AUG 11~~ 1902 190

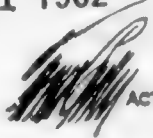


Commissioner.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

**FILED**

AUG 11 1902



ACTING CHAIRMAN

3789

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,  
of Micy Jackson, born on the 31 day of May, 1901  
(Here insert name of child)  
Name of Father: Robert Jackson, a citizen of the Choctaw Nation.  
Name of Mother: Sallie Jackson, a citizen of the Choctaw Nation  
Post-office, Caddo, N.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Ourtal District.

I, Sallie Jackson, on oath state that I am 23  
years of age and a citizen, by Blood of the Choctaw Nation;  
that I am the lawful wife of Robert Jackson, who is a citizen, by  
Blood of the Choctaw Nation; that a Female child was  
(male or female)  
born to me on the 31 day of May, 1901 that said child has been  
named Micy Jackson, and is now living.

WITNESSES TO MARK  
(Must be Two Witnesses)  
A. H. Blum  
J. E. Salomon

Sallie Jackson  
mark

Subscribed and sworn to before me this 8th day of Aug, 1902  
A. H. Blum  
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Ourtal District.

I, Hopok Intubby, a Nurse, on oath state that I  
attended on Mrs. Sallie Jackson, wife of Robert Jackson,  
on the 31st day of May, 1901 that there was born to her on  
said date a Female child; that said child is now living and is said to have been  
(male or female)  
named Micy Jackson.

WITNESSES TO MARK  
(Must be Two Witnesses)  
A. H. Blum  
J. E. Salomon

Hopok Intubby  
mark

Subscribed and sworn to before me this 8th day of Aug, 1902  
A. H. Blum  
NOTARY PUBLIC

7-3788

Muskogee, Indian Territory, August 11, 1902.

G.H. Elting,

Attorney at Law,

Okado, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 8th inst., enclosing the application for enrollment as a citizen of the Choctaw Nation of Miley Jackson, infant daughter of Robert and Sallie Jackson, born May 31, 1901; and the same being in proper form has been duly filed with the records of the Commission, and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

MEMORANDA

40

(Date) Jan 23 1902  
 Name Robert Jackson  
 Character? 7 County Jackson Year 1902 No. 1111  
 Character? County Year No.  
 Citizen by blood? Yes Mother's citizenship None  
 Intermarried citizen?  
 Married under what law?  
 License filed this day,

42

Wife's name Sula Jackson  
 Character? 7 County Jackson Year 1902 No. 1112  
 Character? County Year No.  
 Citizen by blood? Yes Mother's citizenship None  
 Intermarried citizen?  
 Married under what law?  
 License filed this day

Names of children:

| Name | County | Year | Sex | Age |
|------|--------|------|-----|-----|
|      | County | Year | Sex | Age |
|      | County | Year | Sex | Age |
|      | County | Year | Sex | Age |
|      | County | Year | Sex | Age |
|      | County | Year | Sex | Age |
|      | County | Year | Sex | Age |
|      | County | Year | Sex | Age |
|      | County | Year | Sex | Age |
|      | County | Year | Sex | Age |
|      | County | Year | Sex | Age |
|      | County | Year | Sex | Age |
|      | County | Year | Sex | Age |

*[Faint handwritten text]*

Choc 3790 Eliza Frazer

3790

MEMORANDA.

(Date) Aug 23 1899.

Name .....

Choctaw ? County Year No.

Chickasaw ? County Year Page

Citizen by blood ? Mother's citizenship

Intermarried citizen ?

Married under what law ?

License filed this day,

80

Wife's name, Eliza ...

Choctaw ? County Blue Year 16 No. 4343

Chickasaw ? County Year Page 105

Citizen by blood ? Mother's citizenship

Intermarried citizen ?

Married under what law ?

License filed this day

Names of children:

| County | Year | Page | No. |
|--------|------|------|-----|
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |

3790

choc 3791 Joseph Foster

3791

7-3791

Muskogee, Indian Territory, April 12, 1906.

Robert W. Rayel,  
Mandamin, Oklahoma.

Dear Sir:

Receipt is hereby acknowledged of your letter of April 7, 1906, stating that you are an intermarried citizen of the Choctaw Nation and have three children by a second marriage to a white woman; you ask what is necessary to secure their enrollment.

In reply to your letter you are advised that you do not mention the names of your children and it is therefore impracticable to give you definite information as to whether or not application has been made for their enrollment.

You are advised, however, that under existing legislation there is no authority for the reception of original applications for enrollment in the Choctaw and Chickasaw Nations. However, if you desire to present a claim for the enrollment of your children under the opinion of the Assistant Attorney General in the enrollment case of Mary Elizabeth Martin there is inclosed herewith circular showing procedure to be adopted in the presentation of cases of this character.

Respectfully,

Acting Commissioner.



MEMORANDA.

(Date) Aug 23 1899.

40 Name Joseph Foster

Choctaw? yes County Blue Year 96 No. 4340

Chickasaw? County Year Page 105

Citizen by blood? yes Mother's citizenship Cherokee

Intermarried citizen?

Married under what law?

License filed this day,

Wife's name,

Choctaw? County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

Table with 5 columns: County, Year, Page, No. for listing children.

3791

Choc 3792

Selina Harley

Etrena Harley

3792

1-3792 ✓

32

IN RE  
THE DEATH OF  
*Fannie Harley*

a citizen of the

*Choctaw* Nation.

Approved NOV 22 1902

*[Signature]*  
Commissioner.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

NOV 23 1902

*[Signature]*  
ACTING CHAIRMAN.

CHOCTAW #3792

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Fannie Harley  
(Here insert name of deceased.)  
a citizen of the Choctaw  
Boquey Depot Nation, who formerly resided at or near  
(Here insert name of post office.) Ind. Ter., and died on the \_\_\_\_\_ day of  
July, 1901.

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY.  
Central District.

I, Milendi Foster, on oath state that I am 25  
years of age and a citizen, by blood, of the Choctaw Nation;  
that my post office address is Boquey Depot, Ind. Ter.; that I am  
Grandmother of Fannie Harley,  
(State relationship as: the father; an uncle; a cousin, etc.) (Here insert name of deceased.)  
who was a citizen, by blood, of the Choctaw Nation;  
and that said Fannie Harley died on the \_\_\_\_\_ day of  
July, 1901.

WITNESSES TO SIGN: Milendi Foster  
man  
(Must be Two Witnesses.) { H. G. Haine

Subscribed and sworn to before me this 19 day of November 1902.  
H. Christen  
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY.  
Central District.

I, George Robinson, on oath state that I am 25  
years of age, and a citizen, by blood, of the Choctaw Nation;  
that my post office address is Cumby, Ind. Ter.;  
that I was personally acquainted with Fannie Harley,  
who was a citizen, by blood, of the Choctaw Nation;  
and that said Fannie Harley died on the \_\_\_\_\_ day of  
July, 1901.

WITNESSES TO MARK: \_\_\_\_\_  
(Must be Two Witnesses.) { \_\_\_\_\_

Subscribed and sworn to before me this 19 day of November 1902.  
H. Christen  
Notary Public.

7-3792



32

INDEXED

IN RE  
THE DEATH OF

*Delim Harley*

a citizen of the

*Choctaw* Nation.

Approved NOV 22 1902 190

Commissioner.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

NOV 22 1902

ACTING CHAIRMAN.

CHOCTAW #3792

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Selim Harley  
(Here insert name of deceased.)  
a citizen of the Choctaw Nation, who formerly resided at or near  
Waggy Depot, Ind. Ter., and died on the \_\_\_\_\_ day of  
May, 1900  
(Here insert name of postoffice)

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY  
Capital District.

I, Milinda Foster, on oath state that I am 55  
years of age and a citizen, by blood, of the Choctaw Nation;  
that my post office address is Waggy Depot, Ind. Ter.; that I am  
Mother-in-law of Selim Harley,  
(State relationship as: the father; an uncle; a cousin, etc.)  
who was a citizen, by blood, of the Choctaw Nation;  
and that said Selim Harley died on the \_\_\_\_\_ day of  
May, 1900  
Milinda Foster

WITNESSES TO MAKE:  
(Must be Two Witnesses.)  
W. G. Hains

Subscribed and sworn to before me this 19 day of November 1902  
H. Risten  
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY  
Capital District.

I, George Robison, on oath state that I am 24  
years of age, and a citizen, by blood, of the Choctaw Nation;  
that my post office address is Cunev Ind. Ter.;  
that I was personally acquainted with Selim Harley,  
(Here insert name of deceased.)  
who was a citizen, by blood, of the Choctaw Nation;  
and that said Selim Harley died on the \_\_\_\_\_ day of  
May, 1900  
George Robison

WITNESSES TO MAKE:  
(Must be Two Witnesses.)

Subscribed and sworn to before me this 19 day of November 1902  
H. Risten  
Notary Public.

7-3792

INDEXED

32

IN RE  
THE DEATH OF

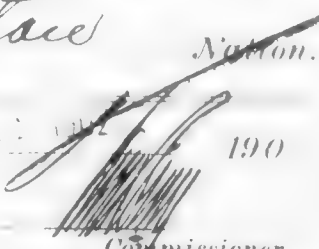
*Lizzie Harley*

*a citizen of the*

*Choctaw*

*Nation.*

Approved NOV 22 1902



Commissioner.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

NOV 23 1902



ACTING CHAIRMAN

CHOCTAW # 3792

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Lizzie Harley  
(Here insert name of deceased.)  
a citizen of the Choctaw Nation, who formerly resided at or near  
Boggy Depot, Ind. Ter., and died on the 28 day of  
February, 1900.  
(Here insert name of post office.)

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY  
Central District.

I, Milinda Foster, on oath state that I am 55  
years of age and a citizen, by blood, of the Choctaw Nation;  
that my post office address is Boggy Depot, Ind. Ter.; that I am  
mother of Lizzie Harley,  
(State relationship as: the father, an uncle, a cousin, etc.)  
who was a citizen, by blood, of the Choctaw Nation;  
and that said Lizzie Harley died on the 28 day of  
February, 1900.  
(Here insert name of deceased.)

WITNESSES TO MARK:

(Must be Two Witnesses.) { H. G. Hains  
J. W. Leary

Milinda <sup>her</sup> Foster  
mark

Subscribed and sworn to before me this 19 day of November 1902.  
H. Christie  
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY  
Central District.

I, George Robison, on oath state that I am 24  
years of age, and a citizen, by blood, of the Choctaw Nation;  
that my post office address is Caney, Ind. Ter.;  
that I was personally acquainted with Lizzie Harley,  
who was a citizen, by blood, of the Choctaw Nation;  
and that said Lizzie Harley died on the 28 day of  
February, 1900.  
(Here insert name of deceased.)

WITNESSES TO MARK:

(Must be Two Witnesses.) {

George Robison

Subscribed and sworn to before me this 19 day of November 1902.  
H. Christie  
Notary Public.



Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation, of Wyeie Harley, born on the 10th day of November, 1897. Name of father: Selim Harley, a citizen of the Choctaw Nation. Name of mother: Daisy Ann Harley, a citizen of the Choctaw Nation. Post Office: Conroy, G. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Antial District.

I, Daisy Ann Harley, on oath, state that I am 30 years of age and a citizen, by Blood, of the Choctaw Nation; that I am the lawful wife of Selim Harley, who is a citizen, by Blood, of the Choctaw Nation; that Female child was born to me on the 10 day of Nov, 1897; that said child has been named Wyeie and is now living.

That there was no one in attendance with me at the birth of said child, witness - S. J. Homer, 25th day of August, 1897. Daisy Ann Harley

C. H. Oving Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, District.

I, a, on oath, state that I attended on Mrs., wife of, on the day of, 1; that there was born to her on said date a child; that said child is now living and is said to have been named.

Subscribed and sworn to before me this day of, 1.

Notary Public.

MEMORANDA.

(Date) Aug 23 1899.

30 ✓ Name Selina Harley  
 Choctaw? yes County Blaine Year 96 No. 5899  
 Chickasaw? County Year Page 144  
 Citizen by blood? Mother's citizenship  
 Intermarried citizen?  
 Married under what law?  
 License filed this day,

30 × Wife's name, Lizette D. Harley  
 Choctaw? yes County Blaine Year 11 No. 11  
 Chickasaw? County Year Page 11  
 Citizen by blood? yes Mother's citizenship  
 Intermarried citizen?  
 Married under what law?  
 License filed this day

Names of children:

6 Efrena Harley County Blaine Year 7 Page 1 No. 11  
 5 ✓ Fannie County Year Page No. 11  
 1 Maryie County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.  
 County Year Page No.

✓ John  
 ✓ Laura  
 # Anna

1712

Choc 3793

Ned Payton

3793

IN RE

Application for Enrollment of

INFANT CHILD

*Harry Payton*

as a citizen of the

**CHOCTAW,** Nation.

Approved, JUN 11 1900 190

*[Signature]*  
Commissioner.

**FILED**  
JUN 11 1900  
COMMISSION TO THE TRIBES.

*Chas.  
3793.*

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,  
 of Harry Payton (here insert name of child) born on the 12 day of March, 1900  
 Name of Father: Ned Payton, a citizen of the Choctaw Nation.  
 Name of Mother: Josephine Payton, a citizen of the Choctaw Nation.  
 Postoffice, Lehigh St.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
 INDIAN TERRITORY,  
Central District.

I, Josephine Payton, on oath state that I am 24  
 years of age and a citizen, by blood, of the Choctaw Nation;  
 that I am the lawful wife of Ned Payton, who is a citizen, by  
blood, of the Choctaw Nation; that a Boy child was  
 born to me on the 12 day of March, 1900 that said child has been  
 named Harry Payton, and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this

9<sup>th</sup> day of June 1900  
Josephine Payton  
 JOSEPHINE PAYTON  
 NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,  
 INDIAN TERRITORY,  
Central District.

I, H. G. Goben, a Physician, on oath state that I  
 attended on Mrs. Josephine Payton, wife of Ned Payton  
 on the 12 day of March, 1900 that there was born to her on  
 said date a boy child; that said child is now living and is said to have been  
 named Harry Payton.

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this

9<sup>th</sup> day of June 1900  
H. G. Goben  
 H. G. GOBEN  
 NOTARY PUBLIC

**MEMORANDA.**

(Date)

1899

25

Name

*Wm. Payne*

Choctaw ?

County

*Blount*

Year

No.

Chickasaw ?

County

Year

Page

Citizen by blood ?

*Yes*

Mother's citizenship

Intermarried citizen ?

Married under what law ?

License filed this day,

34

Wife's name.

*Elizabeth Payne*

Choctaw ?

County

*Dickson*

Year

No.

Chickasaw ?

County

Year

Page

Citizen by blood ?

*Yes*

Mother's citizenship

Intermarried citizen ?

Married under what law ?

License filed this day

Names of children:

County

Year

Page

No.

County

Year

Page

No.

County

Year

Page

No.

County

Year

Page

No.

County

Year

Page

No.

County

Year

Page

No.

County

Year

Page

No.

County

Year

Page

No.

County

Year

Page

No.

County

Year

Page

No.

*13*

7  
Colbert, Indian Territory, June 12, 1900.

Mr. Ed Payne,

Wagon, Indian Territory,

Dear Sir:

The Commission is in receipt of an application for enrollment as a citizen of the Cherokee Nation of Terry Payne, the infant son of Ed and Josephine Payne, and the same being in proper form, has been duly filed with the records of the Commission, and the child has been listed for enrollment.

Very truly,  
Yours,  
W. H. Murray.

W. H. Murray.

Choc 3794 Linda Myer

3794



MEMORANDA.

(Date) Aug 7 3 1899.

Name .....

Choctaw ? County Year No.

Chickasaw ? County Year Page

Citizen by blood ? Mother's citizenship

Intermarried citizen ?

Married under what law ?

License filed this day,

43 / Wife's name, Linda Meyer

Choctaw ? No County Blue Year 10 No. 10506

Chickasaw ? County Year Page 368

Citizen by blood ? No Mother's citizenship Blue

Intermarried citizen ?

Married under what law ?

License filed this day

Names of children:

- 19 John Wilson County Blue Year Page 30 No. 3822
- 10 Frank Wilson County Year Page No. 13896
- County Year Page No.
- County Year Page No.
- County Year Page No.
- County Year Page No.
- County Year Page No.
- County Year Page No.
- County Year Page No.
- County Year Page No.

5194

Department of the Interior  
Commission to the Five Civilized Tribes  
Tishomingo, Indian Territory, May 13, 1903.

In the matter of the selection of an allotment and designation of a homestead for Linda Myer, a citizen by blood of the Choctaw Nation.

Approved Choctaw roll number 10705. Choctaw card No. 3794.

Peter Hokubbi, being first duly sworn testified as follows:  
Examination by the Commission.

- Q What is your name? A Hokubbi; my first name is Peter.  
Q How old are you? A Twenty three. Just about twenty three.  
Q What is your post office? A Atoka.  
Q Do you know John Lewis? A Yes, sir.  
Q Is this the John Lewis you know? A Yes.  
Q Do you know the name of his wife? A Yes.  
Q What is her name? A Lynda Lewis.  
Q What was her name before she married him? A Lynda Myer  
Q Do you know the name of her father? A No.  
Q How many children has Lynda Myer. A Two.  
Q What are their names? A Reason and Sarah Wilson.  
Q When were John Lewis and Lynda Myer married? A Last April  
a year ago; I dont know the exact time.  
Q In April 1902? A Yes sir.  
Q Were you present at that marriage? A Yes sir.  
Q By whom were they married? I disremember the name of  
the man that married them; he was a stranger; I've forgotten  
his name.  
Q Was he a Minister of the Gospel? A Yes sir.

---0---

John Lewis being first duly sworn testified through Mr.  
Maytubby a duly sworn interpreter, as follows:

Examination by the Commission:

- Q What is your name? A John Lewis.  
Q How old are you? A Seventy eight years.  
Q What is your post office? A Caney.  
Q What was your father's name? A E-la-pe-tink-latabe.  
Q Are you married? A Yes, sir.  
Q What was your wife's name before you married her? A Lynda  
Myer.  
Q Who was Lynda's father? A James Myer.  
Q Has Lynda any children? A She has two.  
Q What are their names? A I forget the boy's name; Sarah is  
one of them.  
Q How old is Sarah? A About twelve years old.  
Q When were you married to Lynda? A Last February a year ago  
Q By whom were you married? A Wesley Jones.  
Q Is he a minister of the gospel? A Yes sir.  
Q Are you now living with Lynda Myer as her husband? A Yes  
sir.  
Q And you now wish to select the land in the Chickasaw Nation  
for Lynda? A Yes, sir.

Clara Mitchell Wood being first duly sworn upon her oath

states that as stenographer for the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 15th day of May 1903 and that the above and foregoing is a full true and correct transcript of her stenographic notes of said proceedings on said date.

*Charanitchell Wood*

Subscribed and sworn to before me this 16th day of May, 1903.

*E. D. Rodgers*

Notary Public.

Choc 3795 SIMPSON Armby

3795

MEMORANDA.

(Date) Aug 23 1899.

37

Name Simpson Annby  
Choctaw? ye County Blue Year 96 No. 411  
Chickasaw? County Year Page 11  
Citizen by blood? ye Mother's citizenship choe  
Intermarried citizen?  
Married under what law?

40

Wife's name, Martha Annby  
Choctaw? ye County Jackson Year 96 No. 9780  
Chickasaw? County Year Page 248  
Citizen by blood? ye Mother's citizenship choe  
Intermarried citizen?  
Married under what law?

License filed this day  
Names of children:

9 Dora Annby County Blue Year 96 Page 11 No. 413  
County Year Page No.  
County Year Page No.  
County Year Page No.  
County Year Page No.  
County Year Page No.  
County Year Page No.  
County Year Page No.  
County Year Page No.

✓ Ann Simpson Annby  
x " " Martha Head

3795

Choc 3796 Nicholas Talbert

3796

MEMORANDA.

(Date) Aug 23 1899.

294 Name Nicholas J Albert  
 Choctaw? Yes County Blue Year 96 No. 12423  
 Chickasaw? No County \_\_\_\_\_ Year \_\_\_\_\_ Page 324  
 Citizen by blood? Yes Mother's citizenship Ches  
 Intermarried citizen? \_\_\_\_\_  
 Married under what law? \_\_\_\_\_

License filed this day, \_\_\_\_\_

32 Wife's name, Victoria Albert  
 Choctaw? Yes County Blue Year \_\_\_\_\_ No. 12421  
 Chickasaw? \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page 324  
 Citizen by blood? Yes Mother's citizenship \_\_\_\_\_  
 Intermarried citizen? \_\_\_\_\_  
 Married under what law? \_\_\_\_\_  
 License filed this day \_\_\_\_\_

Names of children:

Arthur Albert County Blue Year 96 Page \_\_\_\_\_ No. 12425  
 \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_  
 \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_  
 \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_  
 \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_  
 \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_  
 \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_  
 \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_  
 \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

Sumner Albert

3796

CHOCTAW.

20

INDEXED

IN RE

Application for Enrollment of

INFANT CHILD

*Katie Cristeua Folbert*

as a citizen of

*Choctaw* Nation.

Approved, SEP 10 1901 190

*C. R. Buckinore*  
Commissioner.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

SEP 10 1901



ACTING CHAIRMAN

CHOCTAW

3-10



DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,  
of Katie Cristina, born on the 26 day of July, 1901  
(Here insert name of child)  
Name of Father: Nicholas J. Talbert, a citizen of the Choctaw Nation.  
Name of Mother: Victoria Talbert, a citizen of the Choctaw Nation.  
Post-office, \_\_\_\_\_

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Central District.

I, Victoria Talbert, on oath state that I am 25  
years of age and a citizen, by birth & blood of the Choctaw Nation;  
that I am the lawful wife of Nicholas J. Talbert, who is a citizen, by  
Blood, of the Choctaw Nation, that a female child was  
(male or female)  
born to me on the 26 day of July, 1901; that said child has been  
named Katie Cristina and is now living.

WITNESSES TO MARK  
(Must be Two Witnesses) } G. G. Perkins  
Jonie McCoy

Victoria Talbert

Subscribed and sworn to before me this 7th day of September 1901.

H. B. Pardey  
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Central District.

I, Nicholas J. Talbert, a husband, on oath state that I  
attended on Mrs. Victoria Talbert, my wife, on  
the 26 day of July, 1901; that there was born to her on  
said date a female child; that said child is now living and is ~~said to have been~~  
(male or female)  
named Katie Cristina, no other persons present at said birth

WITNESSES TO MARK:  
(Must be Two Witnesses) } G. G. Perkins  
Jonie McCoy

Nicholas J. Talbert

Subscribed and sworn to before me this 7th day of September 1901.

H. B. Pardey  
NOTARY PUBLIC

Muskogee, Indian Territory, September 10, 1901.

Nicholas J. Tolbert,  
Camey, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Katie Cristonia Tolbert, the infant daughter of Nicholas J. and Victoria Tolbert, born July 26th, 1901, and the same being in proper form has been duly filed with the records of this office and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Commissioner in Charge.

7-3796

Choc 3797 Norman Coleman

3797

MEMORANDA.

(Date) Oct 4 + 5 1899.

32

Name Norman Coleman

Choctaw? Yes County Blue Year 7 No. 2863

Chickasaw? County Year Page 68

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day,

Wife's name,

Choctaw? County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

7 \* [Name] County Blue Year 1 Page 25 No. 2863

1 [Name] County Year Page No.

[Name] County Year Page No.

[Name] County Year Page No.

[Name] County Year Page No.

[Name] County Year Page No.

[Name] County Year Page No.

[Name] County Year Page No.

[Name] County Year Page No.

[Name] County Year Page No.

[Name] County Year Page No.

3797

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,  
of Caddo It, born on the 4<sup>th</sup> day of Oct, 1898.  
Name of father: Norman Coleman, a citizen of the Choctaw Nation.  
Name of mother: Mary Coleman, a citizen of the Choctaw Nation.  
Post Office: Caddo It

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,

Central District.

mother of this child is dead  
I, \_\_\_\_\_, on oath, state that I am \_\_\_\_\_ years of age and a  
citizen, by \_\_\_\_\_, of the \_\_\_\_\_ Nation; that I am the  
lawful wife of \_\_\_\_\_ who is a citizen, by \_\_\_\_\_, of the  
\_\_\_\_\_ Nation; that a \_\_\_\_\_ child was born to me on the \_\_\_\_\_ day  
of \_\_\_\_\_, 18\_\_\_\_; that said child has been named \_\_\_\_\_  
and is now living.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 18\_\_\_\_.

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,

INDIAN TERRITORY,  
Cent District.

I, Syephia Lewis, a midwife, on oath, state that I  
attended on Mrs. Mary Coleman, wife of Norman Coleman  
on the 4<sup>th</sup> day of Oct, 1898; that there was born to her on said date a Female child;  
that said child is now living and is said to have been named Jennan Coleman.

Subscribed and sworn to before me this 4<sup>th</sup> day of Oct, 1899.

W. H. Bates

Notary Public.

Attest. To mark  
W. H. Bates

DEPARTMENT OF THE INTERIOR,  
COMMISSIONER TO THE FIVE CIVILIZED TRIBES,  
CHOCTAW LAND OFFICE.

Atoka, Indian Territory, July 7, 1906.

In the matter of the enrollment of Daly Coleman,  
Choctaw by blood, Roll No. 10716, Field Card No.  
3797.

NORMAN COLEMAN, being first duly sworn testified as follows:

(Through Official Interpreter, Jackson W. Carnes).

(Examination by the Commissioner)

- Q What is your name? A Norman Coleman.  
Q How old are you? A About thirty-eight.  
Q What is your Post Office address? A Caney, I.T.  
Q Are you a duly enrolled citizen by blood of the Choctaw Nation?  
A Yes sir.  
Q Do you know the names of your father and mother? A No sir.  
Q How many children have you? A I had two but one died last July  
a year ago.  
Q Daly Coleman is living? A Yes sir.  
Q What is the name of the child that is dead? A Tennessee Coleman.

Norman Coleman is enrolled as No. 10715, upon  
the approved Choctaw Roll by blood, Field Card  
No. 3797.

- Q Your child, Daly Coleman, is enrolled as No. 10716, upon the ap-  
proved Choctaw Roll by blood, and the records of the Commissioner  
show that this is a male child and your son. Is Daly Coleman a  
boy or a girl? A A girl.  
Q Your purpose in testifying here to-day is with a view to having  
the enrollment records corrected to show the correct sex of Daly  
Coleman? A Yes sir, it is a girl and I want to fix it. When  
they enrolled it it was a mistake.  
Q Daly Coleman is not a boy? A No sir she is not a boy she is a  
girl.  
Q If the records of the Commissioner show this child to be enrolled  
as a boy it is a mistake is it? A Yes sir he ought to have been  
a girl instead of a boy.  
Q How old is Daly Coleman? A Growing on fifteen.  
Q Is your other child, Tennessee, a boy or a girl? A She is a  
girl but she is dead.  
Q Both of your children are girls? A Yes sir.

The name of Daly Coleman appears as No. 10716,  
upon the approved Choctaw roll by blood, Field  
card No. 3797, as the son of Norman Coleman, and  
the records show this child to be enrolled as a  
male.

(Witness Excused)

(2)

I, Charles Bozarth, stenographer to the Commissioner to the Five Civilized Tribes, on oath state that the above is a full, true and correct transcript of my stenographic notes as taken in said cause on said date.

Charles Bozarth

Subscribed and sworn to before me this 17 day of July, 1906.

W. H. August

Notary Public.

7

Muskogee, Indian Territory, July 23, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

On January 9, 1903, the Commission to the Five Civilized Tribes had the honor to transmit, for Departmental consideration, a schedule constituting part of the final roll of citizens by blood of the Choctaw Nation Numbers 9998 to 10979, inclusive, copies of which have been heretofore returned approved by the Secretary of the Interior February 4, 1903.

I now have the honor to report that the sex of the citizen who appears at Number 10716, upon said schedule as Dady Coleman, is erroneous and should be corrected.

On July 7, 1906, Norman Coleman, approved roll of citizens by blood of the Choctaw Nation Number 10716, who is the father of Dady Coleman, appeared at the Choctaw Land Office and from his testimony at that time it developed that Dady Coleman is a girl instead of a boy.

For the information of the Department copy of the testimony of Norman Coleman of July 7, 1906, is enclosed herewith, and I have the honor to recommend that the sex of the citizen who appears at Number 10716, upon the approved roll of citizens by



(2)

blood of the Ojibwa Nation, be changed from male to female upon the schedules in the Department and the Indian Office, and that this office be authorized to make like changes upon the copies of such schedules in its possession.

Respectfully,

SIGNED *J. M. B. B.*

Through the Commissioner  
of Indian Affairs.

Commissioner.

W.M.  
Encl. 20/1

Muskogee, Indian Territory, July 28, 1903.

Chief Clerk,  
Chickasaw Land Office,  
Ardmore, Indian Territory.

Dear Sir:-

For the information of your office there is enclosed herewith copy of letter, this day addressed to the Secretary of the Interior, recommending the change of sex of Daly Coleman at No. 10716, upon the approved roll of citizens by blood of the Choctaw Nation, from male to female. You will be notified when this recommendation is approved by the Department.

Respectfully,

Commissioner.

WLM. Encl. 23/3

7  
Winnipeg, Indian Territory, July 28, 1908.

Chief Clerk,  
Chester Land Office,  
Winnipeg, Indian Territory.

Dear Sir:

For the information of your office there is enclosed herewith copy of letter, this day addressed to the Secretary of the Interior, recommending the change of name of My Indian of No. 10716, upon the approved roll of allottees by that of the Chester Nation, from male to female. The bill is entitled and this recommendation is approved by the Department.

Respectfully,

W.L. No. 63/2

Enclosure.

DEPARTMENT OF THE INTERIOR,  
WASHINGTON.

FILE.

I. T. D. 17126-1906.  
D. C. 40867

September 15, 1906.

IRS.

Commissioner to the Five Civilized Tribes,  
Muskogee, Indian Territory.

Sir:

July 28, 1906, you recommended that the roll of citizens by blood of the Choctaw Nation, approved by the Department on February 4, 1903, be changed so that the sex of Daly Coleman, enrolled opposite No. 10716, will appear thereon as female instead of male, it appearing from the testimony of the father of said person, taken July 7, 1906, that such change is necessary.

Reporting September 12, 1906, the Indian Office recommends that the authority requested by you be granted. A copy of its letter is inclosed.

Proper steps will be taken for the correction on the parts of said roll in the possession of the Department and The Indian Office, and you are authorized to note such change on the proper roll in your possession.

Respectfully,

Jesse E. Wilson  
Assistant Secretary.

1 inclosure.

COPY.

DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
WASHINGTON.

LAND  
65706-1906.

September 12, 1906.

The Honorable,

The Secretary of the Interior.

Sir:--

There is inclosed a report from the Commissioner to the Five Civilized Tribes, dated July 28, 1906, saying that the initial in the sex column opposite Number 10716, Daly Coleman, approved roll of citizens by blood of the Choctaw Nation, is erroneous and should be corrected.

He reports that on July 7, 190<sup>6</sup>, Norman Coleman, enrolled as a citizen by blood of the Choctaw Nation at Number 10715, father of Daly Coleman, appeared at the Choctaw Land Office, and from his testimony taken at the time, it developed that Daly Coleman is a girl instead of a boy. He recommends that authority be granted for the correction of the roll.

Mr. Bixby transmitted a copy of the testimony referred to which conclusively shows that Daly Coleman deceased was a girl, and it is recommended that the authority requested by the Commissioner be granted.

Very respectfully,  
F. H. Leupp  
Commissioner.

CAF-KK.

Muskogee, Indian Territory, September 26, 1906.

Chief Clerk,  
Chickasaw Land Office,  
Armore, Indian Territory.

Dear Sir:-

There is enclosed herewith, for your information, copy of Departmental letter of September 15, 1906, (I.T.D.17136-1906), authorizing the change of sex of Oaly Coleman at No.10716 upon the approved roll of citizens by blood of the Choctaw Nation from "Male" to "Female."

You are, therefore, authorized to make like changes upon the copies of the approved roll and the letters of transmittal in your possession.

Respectfully,

*W. M. W.*  
Commissioner.

Encl. 26/1  
W.M.

Muskogee, Indian Territory, September 26, 1906.

Chief Clerk,  
Choctaw Land Office,  
Atoka, Indian Territory.

Dear Sir:-

There is enclosed herewith, for your information, copy of Departmental letter of September 15, 1906, (I.T.D.17126-1906), authorizing the change of sex of Daly Coleman at No. 10716 upon the approved roll of citizens by blood of the Choctaw Nation from "Male" to "Female."

You are, therefore, authorized to make like changes upon the copies of the approved roll and the letters of transmittal in your possession.

Respectfully,

Commissioner.

Encl. 26/2  
WLM.

7-3797

Muskogee, Indian Territory, September 26, 1906.

Chief Clark,  
Chickasaw Land Office,  
Ardmore, Indian Territory.

Dear Sir:-

Referring to Choctaw Roll Card No. 3797, Norman Coleman, et al, you are advised that as to No. 2 thereon, Daly Coleman, the relationship column has been changed from "Son" to "Daughter" and the sex from "M" to "F."

You are, therefore, directed to make like changes upon duplicate card of this number in your possession and place the following notation in red ink thereon:

"No. 2 Sex changed from "Male" to "Female" under Departmental authority of September 15, 1906 (I.T.D.#17126-1906) D. C. 40833-1906."

Respectfully,

Commissioner.



7-3797

Muskogee, Indian Territory, September 26, 1906.

Chief Clerk,  
Choctaw Land Office,  
Atoka, Indian Territory.

Dear Sir:-

Referring to Choctaw Roll Card No. 3797, Norman Coleman, et al, you are advised that as to No. 2 thereon, Daly Coleman, the relationship column has been changed from "Son" to "Dau" and the sex from "M" to "F."

You are, therefore, directed to make like changes upon duplicate card of this number in your possession and place the following notation in red ink thereon:

"No. 2 Sex changed from "Male" to "Female" under Departmental authority of September 15, 1906 (I.T.O.#17126-1906) D. C.40867-1906."

Respectfully,

Commissioner.

Choc 3798 Loring moore

3798

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,  
of Suffer Moore, born on the 30 day of September, 1899.  
Name of father: Loren Moore, a citizen of the Choctaw Nation.  
Name of mother: Surena Moore, a citizen of the Choctaw Nation.  
Post Office: Caddo Indian Ter

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Central District.

I, Surena Moore, on oath, state that I am 22 years of age and a  
citizen, by Blood, of the Choctaw Nation; that I am the  
lawful wife of Loren Moore who is a citizen, by Blood, of the  
Choctaw Nation; that a girl child was born to me on the 30<sup>th</sup> day  
of September, 1899; that said child has been named Suffer Moore  
and is now living.

Subscribed and sworn to before me this 7<sup>th</sup> day of November, 1899.  
Surena Moore  
H B Hardy  
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
District.

I, Louisa Frozier, a midwife, on oath, state that I  
attended on Mrs. Surena Moore, wife of Loren Moore  
on the 30<sup>th</sup> day of September, 1899; that there was born to her on said date a girl child;  
that said child is now living and is said to have been named Suffer

Subscribed and sworn to before me this 7<sup>th</sup> day of November, 1899.  
Louisa Frozier  
H B Hardy  
Notary Public.

**MEMORANDA.**

(Date) Aug 23 1899.

93 ✓ Name Loring Moore

Choctaw? Yes County Atoka Year 74 No. 5843

Chickasaw? County Year Page 241

Citizen by blood? Yes Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day,

52 x Wife's name, Frances L...

Choctaw? Yes County Atoka Year 74 No. 126

Chickasaw? County Year Page 106

Citizen by blood? Yes Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

| County | Year | Page | No. |
|--------|------|------|-----|
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |

05/19/98

Choc 3799

James Belvin

3799

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,  
of Johnnie Belvin, born on the 24 day of February, 1878  
Name of father: James Belvin, a citizen of the Choctaw Nation.  
Name of mother: Lilivay Belvin, a citizen of the Choctaw Nation.  
Post Office: Jackson, T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Central District.

I, Lilivay Belvin, on oath, state that I am 23 years of age and a  
citizen, by Blood, of the Choctaw Nation; that I am the  
lawful wife of James Belvin, who is a citizen, by Blood, of the  
Choctaw Nation; that a male child was born to me on the 24 day  
of February, 1878; that said child has been named Johnnie Belvin,  
and is now living.

Subscribed and sworn to before me this 15 day of November, 1877.

Lilivay Belvin  
H. M. Pittman  
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
District.

I, \_\_\_\_\_, a \_\_\_\_\_, on oath, state that I  
attended on Mrs. \_\_\_\_\_, wife of \_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_, 1\_\_\_\_; that there was born to her on said date a \_\_\_\_\_ child;  
that said child is now living and is said to have been named \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 1\_\_\_\_.

Notary Public.

7-3790

Muskogee, Indian Territory, July 13, 1903.

Commissioner in Charge,  
Choctaw Land Office,  
Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 6th instant enclosing two certified copies of the certificate of R. C. Gardner, County and Probate Clerk, Jackson County, Choctaw Nation, to the effect that Silway Belvin was appointed administratrix of the estate of James Belvin, deceased.

You are advised that this office has no evidence of the death of James Belvin. If proof of his death has been made before the Land Office at Atoka, you are requested to forward, at your earliest convenience, a certified copy of such proof.

Respectfully,

Commissioner in Charge.

MEMORANDA.

(Date) Aug 23 1899.

27

Name James Belvin
Choctaw? yes County Jackson Year 96 No. 1493
Chickasaw? County Year Page 31
Citizen by blood? yes Mother's citizenship Choctaw
Intermarried citizen?
Married under what law?
License filed this day,

24

Wife's name, Silway Belvin
Choctaw? yes County Jackson Year 91 No. 1494
Chickasaw? County Year Page 31
Citizen by blood? yes Mother's citizenship Choctaw
Intermarried citizen?
Married under what law?
License filed this day

Names of children:

Table with 5 columns: Name, County, Year, Page, No. Row 1: John Belvin, County, Year, Page, No.

3799



Choc 3800 James Harmby

3800

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,  
of *Savina Hamba*, born on the *16* day of *October*, 18*98*.  
Name of father: *James Hamba*, a citizen of the *Choctaw* Nation.  
Name of mother: *Winsey Hamba*, a citizen of the *Choctaw* Nation.  
Post Office: *Birmingham 24*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
*Central* District.

I, *Winsey Hamba*, on oath, state that I am *37* years of age and a  
citizen, by *Blood*, of the *Choctaw* Nation; that I am the  
lawful wife of *James Hamba*, who is a citizen, by *Blood*, of the  
*Choctaw* Nation; that a *female* child was born to me on the *16* day  
of *Oct*, 18*98*; that said child has been named *Savina*  
and is now living.

witness  
*J. J. Long*

Subscribed and sworn to before me this *24* day of *August*, 18*99*.

*Winsey Hamba*  
her  
mark

*W. H. Ottaway*  
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
*Central* District.

I, *James Hamba*, a *father*, on oath, state that I  
attended on Mrs. *Winsey Hamba*, my wife, on the *16* day of *Oct*, 18*98*; that there was born to her on said date a *female* child;  
that said child is now living ~~and is said to have~~ been named *Savina Hamba*

witness  
*J. J. Long*

Subscribed and sworn to before me this *24* day of *August*, 18*99*.

*James Hamba*  
his  
mark

*W. H. Ottaway*  
Notary Public.

MEMORANDA.

(Date) ... 1899.

35

Name ... County ... Year ... No. ... Page ...

37V

Wife's name, ... County ... Year ... No. ... Page ...

3  
10

Names of children: ... County ... Year ... Page ... No. ...

3500

12304  
CHOCTAW.

20

INDEXED

*IN RE*

Application for Enrollment of

INFANT CHILD

*James Hamby*

as a citizen of

Law.

Nation.

Approved, AUG 24 1901 190

*[Signature]*  
Commissioner.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES

**FILED**

AUG 24 1901

*[Signature]*  
ACTING CHAIRMAN

CHOCTAW

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

*IN RE* Application for Enrollment, as a citizen of the *Choctaw* Nation,  
of *James Hamby*, born on the *17* day of *September*, 190*0*  
Name of Father: *James Hamby*, a citizen of the *Choctaw* Nation.  
Name of Mother: *Judsey Hamby*, a citizen of the *Choctaw* Nation.  
Post-office, *Moyhan and Lee*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY.

*Central* District.

I, *Judsey Hamby*, on oath state that I am *42*  
years of age and a citizen, by *blood* of the *Choctaw* Nation;  
that I am the lawful wife of *James Hamby*, who is a citizen, by  
*birth* of the *Choctaw* Nation, that a *male* child was  
born to me on the *15* day of *September*, 1900 that said child has been  
named *James Hamby*, and is now living.

WITNESSES TO MARK

(Must be Two Witnesses)

*Henry B. ...*  
*W. H. Goforth*

*Judsey Hamby*  
*Wife*

Subscribed and sworn to before me this *25<sup>th</sup>* day of *August*, 190*1*.

*W. H. Goforth*  
*Notary Public*  
*3rd Dist. Ok.*

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY.

District.

I, *Alfred Morris*, on oath state that I  
know of *Mrs. Judsey Hamby*, wife of *James Hamby*,  
attended on Mrs. *Judsey Hamby* on the *15* day of *Sept*, 1900;  
that there was born to her on  
said date a *male* child; that said child is now living and is said to have been  
named *James Hamby*.

WITNESSES TO MARK

(Must be Two Witnesses)

*Alfred Morris*

Subscribed and sworn to before me this *25<sup>th</sup>* day of *September*, 190*1*.

*W. H. Goforth*  
*Notary Public*  
*3rd Dist. Ok.*

Washington, Indian Territory, August 26, 1901.

Mrs. William H. ...  
Muskogee, Ind. Ter.

Dear Madam:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of James Barry, the infant son of James and Ellen Barry, born September 12, 1897, and the same being a proper form, has been duly filed with the records of the Commission, and the child is hereby certified as a citizen of the Choctaw Nation.

Very truly,  
Your obedient servant,

7-5906

Commissioner of the Choctaw Nation

7-3000

McAlester, Indian Territory, May 2, 1907.

Southern Trust Company,  
McAlester, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of April 25, 1907, in which you state that you have been informed by Sophia Harby that application was made for the enrollment of James Harby, Jr., her minor brother, who is now deceased; you also ask to be advised if James Harby, father of Sophia Harby, who is now deceased, has been enrolled.

In reply to your letter you are advised that it appearing that James Harby died by October 1911 and his son James Harby, Jr. died in April 1912 their enrollment was cancelled by the Department July 9, 1908 and they were entitled therefore to entitled to allotments in the Division of Discharge Matters.

Very respectfully,

Wm. J. [unclear]

Choc 3801 Peter Harmby

3801



Choctaw 3801

ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES  
Muskogee, Indian Territory, July 11, 1904.

Peter Harnby,

Jackson, Indian Territory.

Dear Sir:

Your enrollment as a citizen by blood of the Choctaw Nation was approved by the Secretary of the Interior on February 4, 1903. It does not appear from the records of the Commission that selection of allotment of the lands of the Choctaw and Chickasaw Nations has been made in your behalf.

In this connection your attention is invited to the following provision of the act of Congress approved July 1, 1902, (32 Stats., 641), ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902:

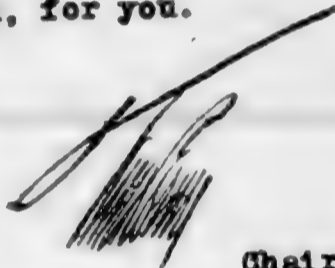
"If any citizen or freedman of the Choctaw and Chickasaw nations shall not have selected his allotment within twelve months after the date of the opening of said land offices in said nations, if not herein otherwise provided, and provided that twelve months shall have elapsed from the date of the approval of his enrollment by the Secretary of the Interior, then the Commission to the Five Civilized Tribes may immediately proceed to select an allotment, including a homestead for such person, said allotment and homestead to be selected as the Commission may deem for the best interest of said person, and the same shall be of the same force and effect as if such selection had been made by such citizen or freedman in person, and all lands held or claimed by persons for whom allotments have been selected by the Commission as provided, and in excess of the amount included in said allotments, shall be a part of the public domain of the Choctaw and Chickasaw nations and be subject to disposition as such."

P. H., 2.

You are therefore notified to appear before the land office of the Commission for the Nation in which you desire to select your allotment, within thirty days from the date hereof, for the purpose of making selection of allotment.

If such selection is not made within thirty days, the Commission will, under the authority of law above quoted, proceed to select an allotment, including a homestead, for you.

Respectfully,



Chairman.

Muskogee, Indian Territory, August 22, 1904.

Post-Master,

Boswell, Indian Territory.

Dear Sir :-

A letter recently addressed by this Commission to Peter Harmby, at Jackson, Indian Territory, and by the Post-Master at that place forwarded to Boswell, Indian Territory, has been returned here from your office bearing the notation "Ret. Deceased".

It is desired that this Commission be furnished with proof of the death of said Peter Harmby, and if you are able to give us the names of some of his relatives or friends who can furnish such proof, your action in so doing will be appreciated by this Commission.

Respectfully,

Eny.

Chairman.

7-3801

Muskogee, Indian Territory, September 1, 1904.

Peter Robinson,

Boswell, Indian Territory.

Dear Sir:

The Commission is advised that Peter Harnby who, if living, would now be about twenty-four years of age, is dead, and the postmaster at Boswell has informed this office that you will be able to furnish information relative to the date of the death of Harnby.

There is enclosed you herewith a blank for the purpose of making proof of the death of said Peter Harnby, which you are requested to execute in conjunction with some other person having knowledge of his death, and transmit the same at the earliest practicable date to the office of the Commission at Muskogee, Indian Territory.

Respectfully,

Chairman.

D.C.

7-3801.

Muskogee, Indian Territory, September 16, 1904.

Peter Robinson,

Nowell, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your affidavit and that of Fisher Frazier, relative to the death of Peter Hamby, a citizen by blood of the Choctaw Nation, which occurred in October, 1901, and the same being in proper form have been duly filed with the records of the Commission as evidence of death of said person.

Respectfully,

JD

Chairman.

7-3801.

Muskogee, Indian Territory, October 17, 1904.

Eugene Easton,

Attorney at Law.

Antlers, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of the 12th instant, requesting to be advised if the name of Peter Hurby appears on the Choctaw rolls, stating that the name of his father was Henry and that of his mother Sallie Hurby.

You are informed that the enrollment of Peter Harnby as a citizen by blood of the Choctaw Nation was approved by the Secretary of the Interior February 4, 1903, that said person is now about twenty-four years of age and the son of Henry and Sallie A. Harnby and it is presumed that he is the person concerning whom your inquiry is made.

Respectfully,

Chairman.

7-3801

Muskogee, Indian Territory, October 18, 1904.

Eugene Easton,

Attorney at Law.

Antlers, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of the 12th instant, requesting to be advised if the name of Peter Harmby appears on the Choctaw rolls, stating that the name of his father was Henry and that of his mother Sallie Hurby.

You are informed that the enrollment of Peter Harmby as a citizen by blood of the Choctaw Nation was approved by the Secretary of the Interior February 4, 1903, that said person is now about twenty-four years of age and the son of Henry and Sallie A. Harmby and it is presumed that he is the person concerning whom your inquiry is made.

Respectfully,

Chairman.

COPY.

Muskogee, Indian Territory, August 30, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith the record in the matter of the death of Peter Harnby, whose name appears upon the final roll of the citizens by blood of the Choctaw Nation opposite No. 10729.

On August 23, 1899, Peter Harnby, a full blood Choctaw Indian, personally appeared before the Commission to the Five Civilized Tribes and made application for enrollment as a citizen of the Choctaw Nation. His name was identified upon all of the tribal rolls of the Choctaw Nation then in the possession of the Commission to the Five Civilized Tribes, and upon his identification from the 1896 census roll of the Choctaw Nation as a resident of Jackson county, he was listed for enrollment as a citizen by blood of the Choctaw Nation.

On January 9, 1903, the Commission to the Five Civilized Tribes had the honor to transmit for departmental approval a schedule of citizens by blood of the Choctaw Nation, Nos. 9998 to 10979 inclusive; the name of Peter Harnby appearing upon said



(2)

schedule opposite No. 10729, as twenty-two years of age and a full blood Choctaw. This schedule was approved by the Secretary of the Interior February 4, 1903.

On November 11, 1904, W. A. Edwards, of Ardmore, Indian Territory, appeared before the Chickasaw land office of the Commission to the Five Civilized Tribes, then located at Tishomingo, Indian Territory, and presented letters of administration issued by the United States Court for the Southern District of the Indian Territory, appointing him administrator of the estate of Peter Harnby, deceased. Said letters of administration recite the death of Peter Harnby November 18, 1902. The administrator, W. A. Edwards, also presented at that time the affidavits of Osborn Frazier, a citizen by blood of the Choctaw Nation, and an uncle of Peter Harnby, and of Walter Lee, a white non-citizen, to the effect that Peter Harnby died November 18, 1902.

W. A. Edwards, as the administrator of the estate of Peter Harnby, deceased, selected in allotment for said estate land in the Chickasaw Nation to the appraised value of \$1037.50, described as follows:

Homestead.

NE/4 of NW/4; NW/4 of NE/4 of NW/4 of section 31, township 9 south, range 2 east; W/2 of N/2 of NE/4 of section 11, township 2 south, range 6 west.

(3)

Exclusive of the Homestead.

NW/4 of SE/4 of NE/4, NW/4 of NE/4, and NE/4 of SE/4  
of NW/4 of section 11, township 2 south, range 6 west;  
SE/4 of SW/4 of NW/4, E/2 of NW/4 of SE/4, and NW/4  
of SW/4 of SW/4 of section 12, township 2 south, range 6  
west.

E/2 of SE/4 of NE/4 of section 25, township 9 south,  
range 1 east.

No certificates for this land have as yet been delivered.

About the time the affidavits were presented by the administrator Edwards at the Chickasaw land office at Tishomingo, there was forwarded to the general office of the Commission to the Five Civilized Tribes at Muskogee, Indian Territory, the affidavits of Peter Robinson and Fisher Prasier, citizens by blood of the Choctaw Nation, to the effect that Peter Hamby died during the month of October, 1901. These affidavits were executed on September 6, 1904, before S. H. Downing, a notary public for the Central District of the Indian Territory.

Upon receipt of these two last mentioned affidavits instructions were immediately issued to the Choctaw and Chickasaw land offices to suspend any further action in reference to the allotment to Peter Hamby, deceased, Choctaw roll by blood No.

10729, and an investigation was instituted for the purpose of ascertaining the exact date of the death of Peter Harnby. The result thereof conclusively demonstrates that Peter Harnby died some time during the month of October, 1901.

On June 12, 1905, the Commission to the Five Civilized Tribes made a finding of fact that Peter Harnby died on the \_\_\_\_\_ day of October, 1901.

On June 16, 1905, W. A. Edwards, the administrator, at Ardmore, Indian Territory, and Easton, Rowells & Hardison, at Antlers, Indian Territory, being the only parties appearing in interest from the records of the Commission to the Five Civilized Tribes, were notified to appear before the Commissioner at his office at Muskogee, Indian Territory, on Monday, July 10, 1905, at nine o'clock A. M., and show cause why recommendation should not be made to the Secretary of the Interior for the cancellation of the enrollment of Peter Harnby as a citizen by blood of the Choctaw Nation.

On July 10, 1905, W. A. Edwards, of Ardmore, Indian Territory, appeared before the Commissioner and stated that he had no evidence to offer in the matter and that his only connection therewith was as the agent of some parties who were negotiating for the purchase of the allotment of Peter Harnby, deceased. No further action has been taken by any of the parties in interest in this matter.

(3)

The Act of Congress approved July 1, 1902 (32 Stats., 641), provides as follows:

"No person whose name does not appear upon the rolls prepared as herein provided shall be entitled to in any manner participate in the distribution of the common property of the Choctaw and Chickasaw tribes, and those whose names appear thereon shall participate in the manner set forth in this agreement: Provided, That no allotment of land or other tribal property shall be made to any person, or to the heirs of any person whose name is on the said rolls, and who died prior to the date of the final ratification of this agreement. The right of such person to any interest in the lands or other tribal property shall be deemed to have become extinguished and to have passed to the tribe in general upon his death before the date of the final ratification of this agreement, and any person or persons who may conceal the death of anyone on said rolls as aforesaid, for the purpose of profiting by the said concealment, and who shall knowingly receive any portion of any land or other tribal property, or of the proceeds so arising from any allotment prohibited by this section, shall be deemed guilty of a felony, and shall be proceeded against as may be provided in other cases of felony, and the penalty for this offense shall be confinement at hard labor for a period of not less than one year nor more than five years, and in addition thereto, a forfeiture to the Choctaw and Chickasaw Nations of the lands, other tribal property, and proceeds so obtained."

In view of the record herewith transmitted, I have the honor to respectfully recommend that the enrollment of Peter Harmby as the same appears upon the approved roll of citizens by blood of the Choctaw Nation opposite No. 10729 be cancelled, and that the allotment selected by W. A. Edwards as the administrator of the estate of Peter Harmby, deceased, on November 11, 1904, be cancelled, set aside and held for naught, and that the land

(6)

selected be declared subject to allotment by any citizen or freed-  
man of the Choctaw or Chickasaw Nations.

Respectfully,

SIGNED *Tamc Bixby.*

Commissioner.

Through the Commissioner  
of Indian Affairs.

McM 20/9

W. C. F.  
LLB.

DEPARTMENT OF THE INTERIOR,

D. C. 46572-1905.  
I. T. D. 12894-1905.

WASHINGTON. October 5, 1905.

J. D. D.

Commissioner to the Five Civilized Tribes,  
Muskogee, Indian Territory.

Sir:

On August 30, 1905, you transmitted th record relative to the death of Peter Harmby, whose name appears upon the approved roll of citizens by blood of the Choctaw Nation, opposite No. 10729.

You recommend that said name be cancelled from the approved roll, for the reason that the record shows that said Peter Harmby died prior to September 25, 1902. You also recommend that authority be granted for the cancellation of the allotment selected for said Peter Harmby, deceased, by W. A. Edwards, of Ardmore, Ind. T., and that said lands be declared subject to allotment by any citizen or freedman of the Choctaw or Chickasaw nations.

Reporting September 26, 1905, the Indian Office concurred in your recommendation that the name of said Peter Harmby be cancelled from the approved roll.

I have this day cancelled said name from the roll in this office, the Indian Office has been authorized to make

said cancellation from the roll in its possession, and you are authorized to cancel the roll in your possession accordingly. You are also authorized to cancel the allotment selected for said Peter Harmby.

The Department will not pass upon the question as to whether said land is subject to allotment by any citizen or freedman of the Choctaw or Chickasaw nation, for the reason that the record contains no evidence concerning the heirs of the deceased or the improvements upon said land.

The matter has this day been referred to the Department of Justice for such action as it may deem advisable.

Respectfully,

(Signed) Thos. Ryan

Acting Secretary.

MEMORANDA.

(Date) Aug 23 1899.

19 Name Peter Hamby

Choctaw? yes County Jackson Year 96 No. 5793

Chickasaw? County Year Page 141

Citizen by blood? yes Mother's citizenship Choctaw

Intermarried citizen?

Married under what law?

License filed this day,

Wife's name,

Choctaw? County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

| County | Year | Page | No. |
|--------|------|------|-----|
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |
| County | Year | Page | No. |

3801



Choc 3802 Alfred Morris

3802

**MEMORANDA**

(Date) Aug 2 1900

20

Name William M. ...  
Citizen? Yes County ... Year ...

Children? ... County ... Year ...

Citizen by blood? Yes Mother's citizenship ...

Intermarried citizen? ...

Married under what law? ...

License filed this day ...

Wife's name ...

Citizen? ... County ... Year ...

Children? ... County ... Year ...

Citizen by blood? ... Mother's citizenship ...

Intermarried citizen? ...

Married under what law? ...

License filed this day ...

Names of children:

|        |      |     |     |
|--------|------|-----|-----|
| County | Year | ... | ... |
| County | Year | ... | ... |
| County | Year | ... | ... |
| County | Year | ... | ... |
| County | Year | ... | ... |
| County | Year | ... | ... |
| County | Year | ... | ... |
| County | Year | ... | ... |
| County | Year | ... | ... |
| County | Year | ... | ... |

*Handwritten notes and scribbles at the bottom right corner.*

Choc 3803 Mary Benton  
now Odell

3803

N.B. Odell transferred from Choc # D-805  
May 15-05

Record as to enrollment of N.B. Odell  
forwarded DEPT March 14, 1906

Record returned, see opinion of Assistant  
Attorney General of March 15, 1906 in  
case of Omer R. Nicholson.

Choctaw D. #805.

DEPARTMENT OF THE INTERIOR.  
Commission to the Five Civilized Tribes.  
Muskogee, I. T. September 24, 1902.

-----

In the matter of the application of W. B. Odell for the enrollment of himself as an intermarried citizen of the Choctaw Nation.

W. B. Odell being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A W. B. Odell.  
Q What is your age? A Forty-eight.  
Q What is your post office address? A Cliff in Chickasaw.  
Q How long have you been a resident of the Chickasaw Nation? A  
About twelve months, just about twelve months.  
Q Where did you live before that? A I lived in the Choctaw Nation  
about fourteen years.  
Q You lived in the Choctaw Nation fourteen years before that? A  
Yes sir, I lived in one place ever since I first came there.  
Q What is the name of your father? A James Odell.  
Q Is he living? A No sir.  
Q What is the name of your mother? A Mary Jane Odell.  
Q Is she living? A No sir, has been dead a couple of years.  
Q Are both of your parents white persons? A Yes sir.  
Q Did either of your parents ever make claim as a member of any  
Indian tribe? A No sir.  
Q Before this present time did you ever apply for enrollment as  
a member of any Indian tribe? A No sir, I just enrolled my  
children.  
Q You never made application for the enrollment of yourself? A  
I sent up my first wife's certificate of marriage.  
Q Your first wife was a Choctaw? A Yes sir.  
Q Did you ever make application for the enrollment of yourself as  
an intermarried citizen of the Choctaw Nation? A No sir, I just  
enrolled my children.  
Q What is the name of your present wife? A Mary.  
Q Are you now applying as an intermarried citizen of the Choctaw  
Nation? A Yes sir.  
Q Through which one of your wives do you claim? A This one.  
Q Is your present wife a recognized and enrolled citizen of the  
Choctaw Nation? A I suppose she is, that has been my under-  
standing all the time.  
Q Her name before her marriage to you was Benton? A Yes sir.

The name of the applicant's wife, Mary Benton, appears upon the records of the Commission on Choctaw Roll Card, Field number 3803, having been listed by the Commission for enrollment as a citizen by blood of the Choctaw Nation upon the identification of her name on the 1896 Choctaw Census Roll, Blue County # 1660.

Choctaw D. #805-2

- Q When were you married to Mary Benton? A This morning.  
Q Where did this marriage take place? A Caddo.  
Q Have you evidence of this marriage with you? A Yes sir.

The applicant has in his possession marriage license issued by the County and Probate Clerk of Blue county, Choctaw Nation, to W. B. Odell and Mrs. Mary Benton, and attached thereto is the certificate of the County and Probate Judge of Blue County stating that on September 24, 1902 he united the above named parties in marriage. A copy of said license and certificate is attached hereto and made a part of the record. The original is returned to the applicant for the purpose of having it properly recorded.

- Q Were you ever married before the marriage to your present Wife?  
A Yes sir.  
Q What was the name of your former wife? A Lucy Dodson.  
Q When were you married to her? A I was married to her in eighty-four.  
Q Is she dead? A Yes sir.  
Q When did she die? A January ninety-six.  
Q Were you ever married again except to your present wife? A Yes sir.  
Q What was her name? A Mamie Cox.  
Q Is she living? A No sir.  
Q When did she die? A About two years ago. September two years ago she died.  
Q Was you ever married again? A No.  
Q Was your wife ever married before her marriage to you? A Yes sir.  
Q What was the name of her former husband? A Charles Benton.  
Q When was she married to him? A I don't know.  
Q Is he living? A No sir.  
Q Do you know when he died? A He died just before I moved to this country.  
Q About two years ago? A No sir he has been dead ever since I have lived here.  
Q Fourteen or fifteen years? A Yes sir.  
Q Was your wife ever married again except to you? A Yes sir she has.  
Q What was the name of her second husband? A Carnes.  
Q Do you know when she was married to him? A About the spring of ninety-six I think it was.  
Q Is he living? A No sir.  
Q When did he die? A About a year ago.  
Q Was she married to any other? A Yes sir. Milton Harkins.  
Q When did she marry him? A Married about two years ago.  
Q Is he living? A Yes sir.  
Q Has there been any divorce between these parties? A Yes sir.  
Q Have you got any evidence of that divorce? A No sir.  
Q Where was the divorce obtained? A District Court Falls Valley. Of the Choctaw Nation? A Yes sir.  
Q Who obtained the divorce he or she? A I don't know.  
Q The ones you have mentioned are the only men to whom your wife has been married? A To my knowledge.

Choctaw D. #805-3

Mrs. Odell first being duly sworn testified as follows:

- Q What is your name? A Mary Odell.  
Q What is your age? A Forty-three.  
Q What is your residence? Where do you live? A Cliff.  
Q What Nation is Cliff in? A Chickasaw Nation.  
Q How long have you been a resident of the Chickasaw Nation? A Five months.  
Q Where did you live before that? A In Blue County. Choctaw Nation? A Yes sir.  
Q Are you a citizen by blood of the Choctaw Nation? A Yes sir.  
Q What was the name of your first husband? A Charles Benton.  
Q When were you married to Charles Benton? A 1878 I think it was.  
Q Is Charles Benton dead? A Yes sir been dead fifteen years.  
Q What was the name of your next husband? A Henry Carned.  
Q Was he a white man? A Choctaw.  
Q Is he living or dead? A Dead.  
Q When did he die? A Died two years ago.  
Q What was the name of your next husband? A Milton Harkins.  
Q Is he a white man or an Indian? A Choctaw.  
Q Choctaw? A Yes sir.  
Q Is he living? A Yes sir.  
Q When were you married to him? A November two years ago.  
Q How long did you live with him? A Six months.  
Q Did you then separate? A Yes sir.  
Q Did you obtain a divorce? A He obtained a divorce.  
Q Where was that divorce granted? A District Court of Jackson County.  
Q When did he obtain that divorce? A Last August a year ago.  
Q Have you got evidence of that divorce with you? A No sir.  
Q What is the name of your next husband? A Odell.  
Q What are his initials? A W. O.  
Q When were you married to him? A Last February.  
Q You were first married under the United States law? A Married in the Nation.  
Q You were remarried? A Yes sir married this morning.  
Q Remarried this morning in accordance with the Choctaw Law? A Yes sir.  
Q Is your present husband a white man? A Yes sir.  
Q Mrs. Odell have you any children? A Yes, sir.  
Q Please state their names and ages. A Theodore Benton, James Benton and Edgar Benton.  
Q How old is Theodore? A Twenty-one.  
Q Did you have a child by the name of Charles? A Yes, sir.  
Q Is he dead? A Yes, sir.  
Q Did you have a child by the name of Clemon? A Yes, sir.  
Q Is he dead? A Yes, sir.  
Q Did Theodore ever make application for enrollment as a citizen of the Choctaw Nation? A I reckon not, I put his name on the roll.  
Q When you applied before to the Commission did you make application for Theodore with the rest of the children? A Yes, sir.

Mrs. Odell, in the matter of your application for enrollment as an intermarried citizen, it will be necessary for you to obtain some evidence relative to the divorce of your wife from her last husband. The best evidence would be the original or a

Choctaw D. #205- 4

certified copy of the decree from the court granting that divorce; if you can't get that, it would be well to get affidavits from at least two parties who know the circumstances of the case.

Mr. Odell testified as follows:

- Q Mr Odell when were you first married to your present wife? A February this last year; February twelfth.  
Q By whom were you married? A Mr. Dickson.  
Q In the Choctaw Nation? A Yes, sir.  
Q Then you lived with her up to the present time? A Yes, sir.  
Q And on February 24th you were remarried in accordance with the Choctaw law? A Yes, sir.

-----  
Chas. Diffendaffer, after being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported the proceedings had in the above entitled cause, taken on September 24, 1902, and that the foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

*Chas. Diffendaffer*

Subscribed and sworn to before me this 11 day of September, 1902.

*[Signature]*  
Notary Public.

7-D-805

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
Tishomingo, Indian Territory, November 6, 1902.

In the matter of the application for enrollment of William B. Odell as a citizen by intermarriage of the Choctaw Nation.

Said William B. Odell, being first duly sworn, testified as follows:

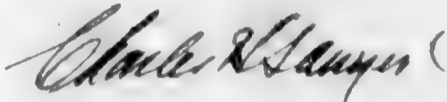
Examination by the Commission.

- Q What is your name? A William B. Odell.  
Q What is your age? A Forty-eight.  
Q What is your postoffice address? A Cliff, Indian Territory.  
Q When were you last before the Commission? A I was before them on the 24th of September.  
Q At what place? A Muskogee.  
Q What is the name of your wife through whom you claim the right to enrollment? A Mary Benton.  
Q Her name is Mary Odell? A Yes sir.  
Q Were you married to her under a tribal license? A Yes sir, a Choctaw license.  
Q Where was the license procured? A Caddo.  
Q Are you still living with her? A yes sir.  
Q Still a resident of the Choctaw-Chickasaw country? A yes sir.

Ira S. Niles, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause, heard at Tishomingo, Indian Territory, November 6, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said proceedings on said date.



Subscribed and sworn to before me this the 16 day of November, 1902.



Notary Public.

11/16



Copy.

Bill of Divorce.

The Choctaw Nation,

In Circuit Court of the Third Judicial District, Regular August term 1901, a petition of Melton Hawkins being presented by his Attorney in said Court, for a Bill of Divorce, setting forth the facts, etc. and after the Court hearing the Testimony in regard to the petition do order and decree that a Bill of Divorce be issued to the applicant Melton Hawkins

THEREFORE, I do issue a Bill of Divorce to said applicant Melton Hawkins forever releasing him from the Banns of Matrimony heretofore existing between Melton Hawkins and Mary Hawkins.

Given under my hand and seal of office, this the 19th day of August A. D. 1901.

Will Everidge  
Circuit Clerk, 3d District, C. N.

By \_\_\_\_\_ Deputy.

(Seal)

Endorsed:

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES,  
FILED March 17, 1902  
Tams Bixby, Acting Chairman.

Robert E. Grunert being duly sworn states that the foregoing is a true and correct copy of the original now on file with the Commission to the Five Civilized Tribes.

*Robert E. Grunert*

Subscribed and sworn to before me this 29, day of November, 1904.

*Charles H. Sawyer*

Notary Public.

7-D-805.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of W. B. Odell as a citizen by intermarriage of the Choctaw Nation.

--: D E C I S I O N :--

It appears from the record herein that on September 24, 1902 W. B. Odell made application to this Commission for enrollment as a citizen by intermarriage of the Choctaw Nation. Further proceedings were had in the matter of said application at Tishomingo, Indian Territory on November 6, 1902.

It further appears from the record herein that on September 24, 1902 the applicant was married in accordance with the laws, customs and usages of the Choctaw Nation to Mary Odell (formerly Benton), a recognized and enrolled citizen by blood of the Choctaw Nation whose name appears as number 10731 upon the lists prepared by this Commission, under the provisions of the Act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation and approved by the Secretary of the Interior on February 4, 1903; that at the date of said marriage both persons above mentioned were residents in good faith of the Chickasaw Nation, and that they lived together in said nation continuously as husband and wife up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that W. B. Odell should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the Acts of Congress approved June 28, 1898 (30 Stat., 495) and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

  
Chairman.

  
Commissioner.

Muskogee, Indian Territory,

MAR 28 1905

  
Commissioner.

7-D-805.

COPY.

Muskogee, Indian Territory, March 28, 1905.

W. B. Odell,

Cliff, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered March 28, 1905, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of said decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

~~SIGNATURE~~

*James Bixby*

Chairman.

Registered.

Incl. 7-D-805.

7  
7-D-805

COPY,

Muskogee, Indian Territory, March 28, 1905.

Mansfield, McMurray & Cornish,  
Attorneys for Choctaw and Chickasaw Nations,  
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of this Commission rendered March 28, 1905, granting the application for the enrollment of W. E. Odell as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling said applicant as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, his name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

~~WITNESSE~~

*James Bixby*

Chairman.

Registered.

Incl. 7-D-805.

J. H. GOFORTH  
County - and - Probate - Judge  
Blue County, Choctaw Nation

Caddo, J. C., ..... 190.

I Henry Byington a citizen  
of the Choctaw Nation and  
an Lawyer and practice Law  
in the Choctaw Courts and  
that I prepared a Bill of  
Divorce at Maysboro. Ind. Ia.  
where the Circuit Court of  
the 3rd Judicial District  
of the Choctaw Nation, August  
Term - 1901, Style of Case  
Milton Harker vs. Mary Harker  
Before the Hon. E. M. Connelley  
Judge of said Court and  
the said Mary Harker who is  
now Mary Adell, this 25  
day of Sept 1902  
Henry Byington

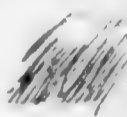
Sumner to Council Secretary  
upon the 23 day of  
Sept 20, 1902  
Folsom  
County and Probate Clerk  
of Blaine County O.M.

County Clerk My Henry  
and list of Officers for  
24 day of Sept 20, 1902  
of Folsom  
County and Probate Clerk  
of Blaine County O.M.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

SEP 30 1902

 ACTING CHAIRMAN

Marriage License

FOR

*W B Odell*

AND

*Mrs Mary Butler*

Issued


*Sept 24 1902*

*F. E. Tolson*

County and Probate Clerk.

This license shall be placed in the hands of the Circuit Clerk for record within thirty days by the parties in whose favor it was issued.

ACTING CHAIRMAN



SEP 30 1902

FILED

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

INDIAN TERRITORY.

Blue County, Choctaw Nation.

SS.

I, A. E. Folsom Clerk of the County court of said county, do hereby certify that the foregoing instrument of writing, dated the 24 day of Sept 1802, with its Certificate of Authentication, was filed for record in my office the 24 day of Sept 1802 at 1:30 o'clock PM and duly recorded this 24 day of Sept 1802 at 1:30 o'clock PM in the records of said County, in Volume 150 on Pages 150. WITNESS my hand and seal of the county court of said county, at office in Caddo, the day and year last above mentioned.

A. E. Folsom

Clerk, County Court, Blue County.

Witness my official signature and seal of office at my office in Caddo, this 24 day of Sept A. D. 1902

A. E. Folsom

County and Probate Clerk, Blue Co.

I, J. H. Goforth hereby certify that on the 24 day of Sept A. D. 1902 I united in marriage Mr. W. B. Odell and Mrs. Mary Benton the parties above named.

Witness my hand this 24 day of September A. D. 1902.

J. H. Goforth  
Co. & Pro. Judge of Blue Co. Ok.



7-3803

INDEX ✓

CHOCTAW.

32

IN RE  
THE DEATH OF

*Charles Benton*

a citizen of the

*Choctaw* Nation.

Approved *11/10/02* 190

*[Signature]*  
Commissioner.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

*11/10/02*

*[Signature]*

ACTING CHAIRMAN

FILED

3803

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Charles Benton  
(Here insert name of deceased.)

a citizen of the Choctaw Nation, who formerly resided at or near  
Caddo, Ind. Ter., and died on the 12 day of

April, 1902

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA, )  
INDIAN TERRITORY, )  
Southern District. )

I, W.B. Caddis, on oath state that I am 46  
years of age and a citizen, by marriage, of the Choctaw Nation;  
that my post office address is Cliff, Ind. Ter.; that I am

step-father of Charles Benton  
(State relationship: the father, an uncle, a cousin, etc.) (Here insert name of deceased.)

who was a citizen, by blood, of the Choctaw Nation;  
and that said Charles Benton died on the 12 day of

April, 1902 W.B. Caddis

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 6 day of November 1902

C.S. Stephens  
Notary Public

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA, )  
INDIAN TERRITORY, )  
Southern District. )

I, G. Lauchner, on oath state that I am 34  
years of age, and a citizen, by marriage, of the Choctaw Nation;  
that my post office address is Cliff, Ind. Ter.;

that I was personally acquainted with Charles Benton  
(Here insert name of deceased.)

who was a citizen, by blood, of the Choctaw Nation;  
and that said Charles Benton died on the 12 day of

April, 1902 G. Lauchner

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 6 day of November 1902

C.S. Stephens  
Notary Public

9-3803

INDEXED ✓

CHOCTAW

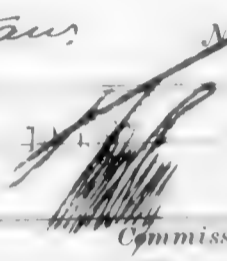
32

IN RE  
THE DEATH OF

*Clemens Benton*  
↓  
a citizen of the

*Choctaw* Nation.

Approved ----- 190



Commissioner.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
**FILED**

1902



ACTING CHAIRMAN

ULTAN.

3803

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Clemens Bentz  
(Here insert name of deceased.)  
a citizen of the Choctaw Nation, who formerly resided at or near  
Caddo, Ind. Ter., and died on the \_\_\_\_\_ day of  
April, 1902

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA, )  
INDIAN TERRITORY, )  
Southern District. )

I, W. B. O'Neil, on oath state that I am 45  
years of age and a citizen, by Mamaga, of the Choctaw Nation,  
that my post office address is Bluff, Ind. Ter., that I am  
Step of Acton of Clemens Bentz  
(State to whom the latter is related, as father, mother, brother, sister, etc.)  
who was a citizen, by Hood, of the Choctaw Nation,  
and that said Clemens Bentz died on the \_\_\_\_\_ day of  
April, 1902 W. B. O'Neil

WITNESSES TO MARK  
(Must be by Witnesses)

Subscribed and sworn to before me this 6 day of Nov, 1902  
C. J. Stephens  
Natural Justice

AFFIDAVIT OF ACQUAINTANCE

UNITED STATES OF AMERICA, )  
INDIAN TERRITORY, )  
Southern District. )

I, G. Lauchner, on oath state that I am 34  
years of age, and a citizen, by Mamaga, of the Choctaw Nation,  
that my post office address is Bluff, Ind. Ter.,  
that I was personally acquainted with Clemens Bentz  
who was a citizen, by Hood, of the Choctaw Nation,  
and that said Clemens Bentz died on the \_\_\_\_\_ day of  
April, 1902 G. Lauchner

WITNESSES TO MARK  
(Must be by Witnesses)

Subscribed and sworn to before me this 6 day of Nov, 1902  
C. J. Stephens  
Natural Justice

7-1-305  
7-1-304  
7-1-303

Medford, Indian Territory, September 10, 1900.

S. S. Hall,

Medford, Indian Territory.

Dear Sir:

Reference is hereby made to the various papers and reports between S. S. Hall on the subject, dated September 10, 1900, also the affidavit of Henry Wheeler relative to the claims between Miller, Moore and Henry Wheeler in 1901, and the same have been duly filed with the records of the land office by the order of your excellency for completion as a matter of record of the various claims.

Very respectfully,

Henry Wheeler

Choctaw D 805  
Choctaw D 806

Muskogee, Indian Territory, April 19, 1904.

D. L. Faulk,  
Cliff, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of April 5, in which you ask to be informed why Buck Odell and Grant Lockner have not yet been enrolled as intermarried citizens of the Choctaw Nation.

In reply to your letter you are informed, that the Commission has not yet passed upon the applications of Grant Lauchner and W. D. Odell as intermarried citizens of the Choctaw Nation. As soon as decisions are reached in these cases the applicants will be notified of the action taken therein.

Respectfully,

Chairman.

MEMORANDA.

(Date)

Aug 23 1899.

Name

Choctaw ?

County

Year

No.

Chickasaw ?

County

Year

Page

Citizen by blood ?

Mother's citizenship

Intermarried citizen ?

Married under what law ?

License filed this day,

Wife's name,

Mary Benton

Choctaw ?

yes

County

Blue

Year

96

No.

1660

Chickasaw ?

County

Year

Page

41

Citizen by blood ?

yes

Mother's citizenship

Choc

Intermarried citizen ?

Married under what law ?

License filed this day

Names of children:

15<sup>x</sup>

Charles Benton

County

Blue

Year

96

Page

41

No.

1663

15

Clemson

County

Year

Page

No.

1664

12

James

4

County

Year

Page

No.

1665

7

Edgar

4

County

Year

Page

No.

1667

County

Year

Page

No.

County

Year

Page

No.

County

Year

Page

No.

County

Year

Page

No.

County

Year

Page

No.

County

Year

Page

No.

x On roll Charlie Benton

13803

Choc 3804 George G. Perkins

3804



DEPARTMENT OF THE INTERIOR,  
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for enrollment as  
a citizen by intermarriage of the Choctaw Nation of - -

Elizabeth Perkins.

7-3804.

Choctaw, 3804.

Department of the Interior,  
Commission to the Five Civilized Tribes,  
Tishomingo, I. T., November 5, 1902.

In the matter of the application for enrollment as a citizen by intermarriage of the Choctaw Nation of Elizabeth Perkins.

Elizabeth Perkins being duly sworn testifies as follows:

Examination by the Commission.

- Q What is your name? A Elizabeth Perkins.
- Q What is your age? A 22.
- Q What is your post office address? A Kingston.
- Q Are you a citizen by blood of the Choctaw or Chickasaw Nation?  
A Yes sir, I guess so.
- Q You claim right to enrollment as an Indian or as an intermarried citizen? A By blood I guess.
- Q Did you ever draw any money in either of the nations? A No sir.
- Q Was your name on any of the tribal rolls of the nations? A It was on the Choctaw rolls once, this last roll.
- Q Made by the Commission? A Yes sir.
- Q Were you not listed for enrollment as the wife of George G. Perkins, a citizen of the Nation? A I was then, but we are separated now.
- Q But that was the way your name happened to be listed was it not? A Yes sir.
- Q Is he a citizen by blood of the Choctaw Nation? A Yes sir.
- Q When were you married to him? A I forget the day of the month now; we have been married eight years.
- Q Married in 1894? A Yes sir.
- Q Where were you married? A In Blue County.
- Q In the Choctaw Nation? A Yes sir.
- Q How long had you been living in the Choctaw Nation when you married Perkins? A Two years.
- Q Was he a resident of the Choctaw Nation at the time? A Yes sir.
- Q Was he your first husband? A Yes sir.
- Q Are you his first wife? A No sir.
- Q How many times had he been married before he married you? A Twice as well as I know.
- Q Do you know the names of the women he was married to before he married you? A I know one, Lillie Jones I think it was.
- Q Were they both dead when he married you? A No sir.
- Q Was either one of them dead? A One of them was.
- Q And the other one was living? A Yes sir.
- Q What was her name? A Lillie Jones.
- Q Do you know whether or not he procured a divorce from her before he married you? A Yes sir, he did.
- Q Did you ever see the decree of divorce? A Yes sir, I seen it.
- Q And you know the divorce was granted before he married you? A Yes sir.
- Q How long did you live with George Perkins after you married him? A Five year.
- Q Where did you live during that time? A In Blue County, Choctaw Nation.

- Q Did he have a place of his own there? A Yes sir.
- Q You lived with him on the place? A Yes sir.
- Q What was the cause of the separation? A My life weren't a flower to live with him.
- Q Did he abuse you in any way? A Yes sir.
- Q Ever strike you? A No sir, he threatened to right smart.
- Q What was the immediate cause of the separation; what occurred just before the separation? A Just mistreatment, thats all.
- Q When you separated who left the place? A I did.
- Q Did you have any children at that time? A Just that one there.
- Q Just had one? A Yes sir.
- Q Did you take the child with you? A Yes sir.
- Q Did you procure a divorce from him after leaving him? A Yes sir, I reckon so; he is married.
- Q You did not institute any proceedings for divorce? A No sir.
- Q Were you ever served with a notice or summons in the court? A No sir.
- Q You dont know then of your own knowledge that he procured a divorce from you? A No, just what I have heard.
- Q You have heard that he procured a divorce? A Yes sir.
- Q Did you hear where it was procured? A I heard he had a divorce; I dont know for certian.
- Q You do not know what grounds he alleged in his petition for divorce? A No sir.
- Q You do not know in what court he procured the divorce? A No sir.
- Q How many children have you now? A Just one.
- Q What is that child's name? A Lucy.
- Q The child is still living? A Yes sir.
- Q Where did you go after you left your husband's place? A To the Chickasaw Nation; I first went to Texas and stayed in Whitewright two months, then I returned to the Chickasaw Nation.
- Q Do you know when it was that you returned to the Chickasaw Nation? A No sir, I dont.
- Q How long has it been since you separated from your husband? A three years ago the 4th day of July.
- Q The 4th of July last? A Yes sir.
- Q Have you married since you left your husband? A No sir.
- Q Is there anything else that you care to say with reference to your leaving your husband? A No sir.
- Q Have you any witnesses that you care to introduce to show the treatment that you received from your husband and the causes that led to the separation? A None here, I dont guess.
- Q At the time you left your husband did he tell you to leave the place or anything of that kind? A Not right then, he did at times.
- Q What was the reason that you and your husband could not get along together? A He was high tempered.
- Q Which one of your was high tempered? A He was.
- Q You treated him in every way that a wife should? A Yes sir, I treated him as well as I could.

W. H. Martin being duly sworn on oath states that as stenographer to the Commission to the Five Civilized Tribes he recorded in full the above proceedings at Tishomingo, I. T., on the

Elizabeth Perkins-----3

5th day of November, 1902, and that the within and foregoing is a full, true, and correct transcript of his stenographic notes in the same.

*Elizabeth Perkins*

Subscribed and sworn to before me this 15 day of November, 1902.

*Charles H. Sawyer*

Notary Public.

*1002*

# THE CHOCTAW NATION.

In the Circuit Court of the 3<sup>d</sup> Judicial District, Regular Term. 1895

A PETITION, OF *John J. Williams* being presented by *J. J. Williams*

Attorney in said Court, for a

## BILL OF DIVORCE,

setting forth the facts, etc., after the Court hearing the Testimony in regard to the Petition do order and decree that a Bill of Divorce be issued to the applicant

THEREFORE, I do issue a Bill of Divorce to said applicant

*John J. Williams* forever releasing *John J. Williams* from the bonds of Matrimony  
heretofore existing between *John J. Williams* and *John J. Williams*

GIVEN UNDER MY HAND, and seal of office, this *4* day of *June* 1895

*J. J. Williams*  
Circuit Clerk.

BEFORE THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Elizabeth Perkins as a citizen by intermarriage of the Choctaw Nation, Choctaw Field No. 3304.

We hereby request, on behalf of the Choctaw and Chickasaw Nations, that final decision in this case be postponed until final decision by the Choctaw and Chickasaw Citizenship Court in the case of B. F. Thompson vs. Choctaw and Chickasaw Nations, No. 58 on the South McAlester Desk, in which the said court will decide the question of the validity of the provisions of the Choctaw Nation providing for the forfeiture of citizenship of white persons who separate from their Indian spouses, which question is involved in the case to which this communication refers.

This request is filed under authority granted by the Honorable Secretary of the Interior in his communication to the Commission to the Five Civilized Tribes, dated November 18, 1903.

  
Attorneys for the Choctaw and Chickasaw Nations.

January 23, 1904.

*CP*  
7-3804.

DEPARTMENT OF THE INTERIOR,  
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Elizabeth Perkins as a citizen by intermarriage of the Choctaw Nation.

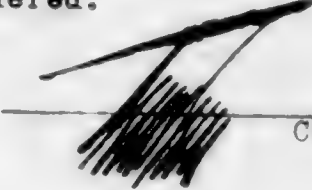
- - : D E C I S I O N : - -

It appears from the census card record in this case that on August 23, 1899, application was made to the Commission to the Five Civilized Tribes for the enrollment of Elizabeth Perkins as a citizen by intermarriage of the Choctaw Nation. Further proceedings were had in the matter of said application at Tishomingo, Indian Territory, on November 5, 1902.

It further appears from the record herein that on April 11, 1895, the applicant was lawfully married to George Perkins, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears (as George G. Perkins) as No. 10734 upon the lists prepared by said Commission under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation, and approved by the Secretary of the Interior February 4, 1903; that at the date of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation, and that they lived together as husband and wife in said Nation for about five years when they separated, and that the applicant has never remarried; that the applicant has been a resident in good faith of the Choctaw-Chickasaw country continuously since the date of her marriage to said George Perkins, up to and including September 25, 1902.

I am therefore of opinion that, following the ruling of the Department in the case of Thornton D. Pearce (I.T.D. 4060-1904), relative to the question of forfeiture, Elizabeth Perkins should be enrolled as a citizen by intermarriage of the Choctaw Nation in accordance with the provisions of the Acts of Congress approved June 28, 1898 (30 Stats., 495), and July 1, 1902 (32 Stats., 641), and it is so ordered.

Muskogee, Indian Territory,

  
COMMISSIONER.

OCT 2- 1905

7-3804

COPY.

Muskogee, Indian Territory, October 2, 1905.

Elizabeth Perkins,  
Kingston, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 2, 1905, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of said decision and have been allowed fifteen days from the date of this notice within which to file protest against your enrollment. If at the expiration of that time no protest has been filed, your name will be placed upon the final roll of citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

*Wm. James Dancy*

Commissioner.

Registered.

Incl. 7-3804.



7-3804

COPY.

Muskogee, Indian Territory, October 2, 1905.

J. A. Cotner,  
Attorney at Law,  
Ardmore, Indian Territory.

Dear Sir:

You are hereby notified that the Commissioner to the Five Civilized Tribes on October 2, 1905, rendered his decision granting the application for the enrollment of Elizabeth Perkins as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of said decision and have been allowed fifteen days from the date of this notice within which to file protest against the enrollment of this applicant. If at the expiration of said time no protest has been filed, her name will be placed upon the final roll of citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

SIGNED *James H. Hasty*  
Commissioner.

Registered.

7-3804

Muskogee, Indian Territory, October 2, 1905.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 2, 1905, granting the application for the enrollment of Elisabeth Perkins as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from the date of this notice within which to file protest against the enrollment of this applicant. If at the expiration of said time no protest has been filed, her name will be placed upon the final roll of citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

SIGNED: James H. [unclear]

Commissioner.

Registered.

Incl. 7-3804.

Commission to the Five Civilized Tribes,  
Caddo, Indian Territory.

In the enrollment of Maud A. Perkins as a Choctaw; Nicholas Tallbert being sworn and examined by Com'r McKennon states:

- Q What is your name? A Nicholas Tallbert.
- Q How old are you? A Twenty-nine.
- Q Do you know George Perkins? A Yes sir.
- Q Did you know his first wife? A Yes sir.
- Q He is a Choctaw citizen? A Yes sir.
- Q She is a white woman? A His first wife was a Choctaw.
- Q Was the mother of Maud a Choctaw? A No sir, she was a white woman.
- Q Her name was Lillie? A Yes sir.
- Q Did you see them married? A I seen them after he married and took her home.
- Q They lived together as husband and wife? A Yes sir.

-----

Department of the Interior,  
Commission to the Five Civilized Tribes.

I hereby certify upon my official oath as  
stenographer to the named Commission, that this  
transcript is a true, full and correct translation of  
my stenographic notes.

*W. D. Green*

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,  
of *Lucy Perkins*, born on the *14<sup>th</sup>* day of *April*, 1898  
Name of father: *G. G. Perkins*, a citizen of the *Choctaw* Nation.  
Name of mother: *Elizabeth Perkins*, a citizen of the *Choctaw* Nation.  
Post Office: *Caney, I. T.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
*Central* District.

I, *G. G. Perkins*, on oath, state that I am *33* years of age and a  
citizen, by *birth*, of the *Choctaw* Nation; that I am the  
*wife of my husband*  
lawful wife of *Elizabeth Perkins* who is a citizen, by *marriage* of the  
*Choctaw* Nation; that a *girl* child was born to me on the *14<sup>th</sup>* day  
of *April*, 1898; that said child has been named *Lucy and that*  
*my wife is neglecting to enroll her as a citizen of said tribe I believe*  
and is now living. *I make this affidavit*

Subscribed and sworn to before me this *11<sup>th</sup>* day of *September*, 1899  
*J. A. Hardy*  
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
*Central* District.

I, *Senae Perkins*, a *citizen*, on oath, state that I  
attended on Mrs. *Elizabeth Perkins*, wife of *G. G. Perkins*  
on the *14<sup>th</sup>* day of *April*, 1898; that there was born to her on said date a *girl* child;  
that said child is now living and is said to have been named *Lucy*

Subscribed and sworn to before me this *7<sup>th</sup>* day of *Sept*, 1899  
*Senae Perkins*  
*J. A. Hardy*  
Notary Public.

Muskogee, Indian Territory, January 17, 1901.

W. B. Anderson,

Pontotoc, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 8th instant relative to the rights of George Perkins of Ego, Indian Territory to enrollment as a citizen of the Choctaw Nation.

You state in your letter that Mr. Perkins should be enrolled as a Chickasaw and not as a Choctaw Indian.

You are informed that the records of this Commission show that George F. Perkins, 35 years of age, together with his wife, Elizabeth Perkins and their two children Maud A. and Lucy Perkins of Caney, Indian Territory were on April 23rd, 1899 listed for enrollment as citizens of the Choctaw Nation.

You are further informed that the mother of George Perkins above referred to appears upon our records as Elsie Perkins, a Choctaw citizen and a resident of Blue County, Choctaw Nation. If this is not correct and as you claim, his mother is a Chickasaw, if you will so inform the Commission and give her name and any other facts that you may have relative to her Chickasaw citizenship, the same will be received and made a matter of record.

Yours truly,

Acting Chairman.

Choctaw 3804

Muskogee, Indian Territory, November 20, 1902.

J. M. Townsley,

Amos, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 10th instant, in which you desire to be informed if Elizabeth Perkins and her daughter, Lucy Perkins are enrolled as Choctaws.

In reply to your letter you are advised that it appears from our records that Elizabeth Perkins and her daughter, Lucy Perkins, are listed for enrollment by this Commission as citizens of the Choctaw Nation, Elizabeth Perkins as an intermarried citizen and Lucy Perkins as a citizen by blood of that nation.

Respectfully,

Acting Chairman.

7-3804

Muskogee, Indian Territory, February 9, 1904.

Elizabeth Perkins,

Kingston, Indian Territory.

Dear Madam:

You are hereby advised that under direction of the Secretary of the Interior of November 18, 1903, and upon a protest filed with the Commission by the attorneys for the Choctaw and Chickasaw Nations dated January 23, 1904, no further action will be taken relative to your enrollment as a citizen by intermarriage of the Choctaw Nation until the Commission is further instructed by the Secretary of the Interior.

Respectfully,

Commissioner in Charge.

COMMISSIONERS  
HENRY L. DAWES.  
TAMM BIXBY.  
THOMAS B. NEEDLES  
C. R. BRECKINRIDGE  
ALLISON L. AYLESWORTH  
SECRETARY

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING.

9-3804

Muskogee, Indian Territory, March 28, 1902.

George G. Perkins,  
Ego, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Chickasaw Nation of Edward Perkins the infant son of G. G. and Mary Perkins born February 13, 1902 and the same is returned to you herewith for further information relative to the mother of the child.

It is stated in the affidavit of the mother that her name is Mary Perkins; that she is thirty six years of age, a citizen by blood of the Chickasaw Nation and the lawful wife of G. G. Perkins who is a citizen by blood of the Choctaw Nation.

If Mary Perkins is a citizen by blood of the Chickasaw Nation you are requested to state her full maiden name, the time and place application was made for her enrollment, the names of other members of her family for whom application was made at the same time and any other information that you may have which will enable the Commission to identify Mary Perkins



as being duly listed for enrollment as a citizen by blood of the Chickasaw Nation.

If she is a citizen by blood of the Chickasaw Nation who has been married to you since the time she was listed for enrollment as such, legal evidence of her marriage to you should be furnished the Commission as authority for changing her name upon our records from her maiden name to her present married name.

You are informed that the records of the Commission show that on August 23, 1899 George G. Perkins, thirty five years of age and his wife, Elizabeth Perkins, eighteen years of age and two minor children were listed for enrollment as citizens of the Chickasaw Nation.

If Elizabeth Perkins is dead you are requested to state the date of her death; if she is living and you and she have been divorced evidence of the same should be furnished the Commission.

Upon receipt of the information requested herein, together with legal evidence of your marriage to Mary Perkins and copies of the application for the enrollment of your child the matter will receive further consideration.

Yours truly,

Commissioner in Charge.

Wm. H. H.

7-5804

Muskogee, Indian Territory, March 28, 1902.

George G. Perkins,

Ngo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Chickasaw Nation of Edward Perkins the infant son of G. G. and Mary Perkins born February 13, 1902 and the same is returned to you herewith for further information relative to the mother of the child.

It is stated in the affidavit of the mother that her name is Mary Perkins; that she is thirty six years of age, a citizen by blood of the Chickasaw Nation and the lawful wife of G. G. Perkins who is a citizen by blood of the Choctaw Nation.

If Mary Perkins is a citizen by blood of the Chickasaw Nation you are requested to state her full maiden name, the time and place application was made for her enrollment, the names of other members of her family for whom application was made at the same time and any other information that you may have which will enable the Commission to identify Mary Perkins

G G P 2

as being duly listed for enrollment as a citizen by blood of the Chickasaw Nation.

If she is a citizen by blood of the Chickasaw Nation who has been married to you since the time she was listed for enrollment as such, legal evidence of her marriage to you should be furnished the Commission as authority for changing her name upon our records from her maiden name to her present married name.

You are informed that the records of the Commission show that on August 23, 1899 George G. Perkins, thirty five years of age and his wife, Elizabeth Perkins, eighteen years of age and two minor children were listed for enrollment as citizens of the Choctaw Nation.

If Elizabeth Perkins is dead you are requested to state the date of her death; if she is living and you and she have been divorced evidence of the same should be furnished the Commission.

Upon receipt of the information requested herein, together with legal evidence of your marriage to Mary Perkins and return of the application for the enrollment of your child the matter will receive further consideration.

Yours truly,

Enc. W. 96.

Commissioner in Charge.

7-3804

Muskogee, Indian Territory, June 11, 1904.

Postmaster,

Kingston, Indian Territory.

Dear Sir:

Can you advise the Commission of the postoffice address of Elizabeth Perkins, formerly the wife of George G. Perkins, a citizen by blood of the Choctaw Nation?

If you are unable to supply the information, kindly state the name of someone, if possible, who can do so, returning your reply at your earliest convenience in the enclosed envelope.

Respectfully,

Chairman.

Choctaw 3804  
Chickasaw 803

Muskogee, Indian Territory, June 26, 1902.

George G. Perkins,  
Wapanucka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 23rd instant, in which you state that your former wife, Elizabeth Perkins has been dead two years and that you are now married to Mary Humes, and enclosing the application for enrollment as a citizen of the Chickasaw Nation of Edward Perkins, the infant son of G. G. and Mary Perkins, born February 13, 1902.

For the purpose of making the death of your former wife, Elizabeth Perkins, a matter of record, there is enclosed you herewith a blank for proof of death, which you are requested to have properly executed and return to this office in the enclosed envelope which requires no postage.

You will notice that there is an affidavit for a relative and an acquaintance. In having the same executed, be careful to see that all blanks are properly filled, all names written in full and in event either of the persons whose names are to be affixed to the affidavits are unable to write and their signatures are by mark, that such signatures be attested by two disinterested

4  
6672

parties, witnesses thereto. The notary public before whom the affidavits are acknowledged, must affix his notarial jurat and seal to each separate affidavit.

You are also requested to forward either the original or certified copy of the marriage license and certificate between yourself and Mary Humes as authority for the changing of her name upon our records from her former name to her present married name.

The application for the enrollment of Edward Perkins being in proper form has been duly filed with the records of this office and the child listed for enrollment as a citizen of the Chickasaw Nation.

Yours truly,

Commissioner in Charge.

DC

Env

7-3804

Muskogee, Indian Territory, July 8, 1905.

James A. Cotner,  
Attorney at Law.  
Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of July 1, 1905, enclosing the original bill of divorce of G. G. Perkins from his former wife Lillie Perkins which you offer in support of the application for the enrollment of Elizabeth Perkins as an intermarried citizen of the Choctaw Nation and the same has been filed with the record in this case.

Respectfully,

~~Commissioner~~

COMMISSIONERS  
TAMM DIXBY,  
THOMAS B. NEEDLES,  
C. R. BRECKINRIDGE,  
W. E. STANLEY.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

7-3804

ALLIBON L. AYLESWORTH,  
SECRETARY

ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES. Muskogee, Indian Territory, February 9, 1904.

Elizabeth Perkins,  
Kingston, Indian Territory.

Dear Madam:

You are hereby advised that under direction of the Secretary of the Interior of November 18, 1903, and upon a protest filed with the Commission by the attorneys for the Choctaw and Chickasaw Nations dated January 23, 1904, no further action will be taken relative to your enrollment as a citizen by intermarriage of the Choctaw Nation until the Commission is further instructed by the Secretary of the Interior.

Respectfully,



Commissioner in Charge.



COMMISSIONER  
JAMES P. DIXON  
THOMAS B. NEEDLES  
R. H. KENNEDY

DEPARTMENT OF THE INTERIOR  
COMMISSION TO THE FIVE CIVILIZED TRIBES

LETTERS SENT BY THE FOLLOWING

7-3804.

W. M. HEAL  
SECRETARY  
ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, June 1, 1904.

Mrs. Elizabeth Perkins,  
Kingston, Indian Territory.

Dear Madam:

In the matter of your application for enrollment as a citizen by intermarriage of the Choctaw Nation, it appears from your testimony given before the Commission at Tishomingo, Indian Territory on November 5, 1902 that your former husband, George G. Perkins, through whom you claim your rights, had a living wife, Lillie Jones, at the time of his marriage to you but that he had been divorced from the said Lillie Jones.

It will be necessary, before the Commission can determine your rights as a citizen by intermarriage of the Choctaw Nation, for you to furnish the Commission with either the original or a certified copy of the decree of divorce between George G. Perkins and his former wife, Lillie Jones.

You should give this matter your prompt attention.

Respectfully,

Chairman.

1-3004

McClugee, Indian Territory, August 9, 1904.

George G. Perkins,

Waupanyoka, Indian Territory.

Dear Sir :-

If you are able to do so, you are kindly requested to furnish the Commission with the present post-office address of your former wife, Elizabeth Perkins, returning your reply at your earliest convenience in the enclosed envelope, which requires no postage.

Respectfully,

Yrs.

Commissioner in Charge.

7-3804

Muskogee, Indian Territory, August 25, 1904.

G. S. Perkins,

Fillmore, Indian Territory.

Dear Sir :-

Receipt is hereby acknowledged of your letter of the 19th inst., stating that you are unable to furnish the present address of your former wife, Elizabeth Perkins, but that she is somewhere in Texas.

Accept our thanks for your attention to the matter.

Respectfully,

Chairman.

7-3804

Muskogee, Indian Territory, July 8, 1905.

James A. Cotner,

Attorney at Law.

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of July 1, 1905, enclosing the original bill of divorce of G. G. Perkins from his former wife Lillie Perkins which you offer in support of the application for the enrollment of Elizabeth Perkins as an intermarried citizen of the Choctaw Nation and the same has been filed with the record in this case.

Respectfully,

Commissioner.

7-3804

Muskogee, Indian Territory, January 26, 1906.

George E. Rider,  
Attorney at Law,  
Madill, Indian Territory.

Dear Sir:

Your letter of November 18, 1905, addressed to the Secretary of the Interior has been by him referred to this office for consideration and appropriate action. Therein you inclose copy of letter written by you to the Commissioner of Indian Affairs, relative to the application for the enrollment of Elizabeth Perkins; you state you noticed the name has been forwarded the Secretary of the Interior for approval and you call attention to the matter as you are advised she gets her alleged right by reason of her marriage and there was some question about the man she married having been divorced from a former wife.

You state you have heard it intimated that any showing made as to the divorce of her Choctaw husband from a former wife is fraudulent and you desire to have the matter investigated as you represent Joseph P. Rierdon, guardian of Annie Lula Burris who, on November 14, 1905, interpleaded in a contest proceeding instituted at the Chickasaw Land Office against one Rhoda Lawchubbee, and it is to the interest of your client, if a fraud has been perpetrated, to have the matter brought to the attention of the Commissioner to the Five Civilized Tribes.

G. E. R. #2

In reply to your letter you are advised that it appears from the records of this office that on August 23, 1899, application was made for the enrollment of Elizabeth Perkins, wife of George G. Perkins as an intermarried citizen of the Choctaw Nation. Further testimony was taken in this matter on November 5, 1902, and from the testimony of Elizabeth Perkins it appeared that her Choctaw husband George G. Perkins had been married to two women before his marriage to her; that one of them was dead and that he was divorced from the other who was named Lillie Jones. There was also filed in this case the bill of divorce issued by J. E. Tucker, Circuit Clerk of the Third Judicial District of the Choctaw Nation, releasing George G. Perkins from the bonds of matrimony theretofore existing between himself and Lillie Jones Perkins on February 16, 1895, subsequently on April 11, 1895, as shown by the marriage certificate filed in this case George Perkins and Elizabeth Womak were united in marriage.

It does not appear from the records of this office that affidavits were filed as to the divorce of George G. Perkins from his former wife Lillie Perkins.

On October 2, 1905, a decision was rendered in this case by the Commissioner to the Five Civilized Tribes granting the application of Elizabeth Perkins for enrollment as an intermarried citizen of the Choctaw Nation. Copies of this decision were for-

G. E. R. #2

warded the applicant and the attorneys for the Choctaw and Chick-  
asaw Nations and the attorneys for the Nations were allowed fifteen  
days from that date to protest to this decision. No protest having  
been filed by them her name was placed upon a schedule of inter-  
married citizens of the Choctaw Nation which was forwarded the Sec-  
retary of the Interior and her enrollment was approved by him  
November 27, 1905.

Respectfully,

Acting Commissioner.

MEMORANDA.

(Date) Dec 2 1899.

35 Name George G. Parkins

Choctaw? No County Blount Year No. 11207

Chickasaw? County Year Page 265

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day,

18 x Wife's name, Mary Bell

Choctaw? No County Blount Year No. 11207

Chickasaw? County Year Page 317

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

|   | County | Year | Page | No. |
|---|--------|------|------|-----|
| 1 |        |      |      |     |
| 3 | Blount |      |      |     |
|   | County | Year | Page | No. |
|   | County | Year | Page | No. |
|   | County | Year | Page | No. |
|   | County | Year | Page | No. |
|   | County | Year | Page | No. |
|   | County | Year | Page | No. |
|   | County | Year | Page | No. |
|   | County | Year | Page | No. |
|   | County | Year | Page | No. |

17504



Choc 3805

Jacob Folsom

3805

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

The record herein is in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of

Mary Folsom, 7 - 3805

Commission to the Five Civilized Tribes,  
Caddo, Indian Territory.

In the enrollment of Mary Folsom as an intermarried Choctaw;  
Finis E. Folsom being sworn and examined by Com'r McKennon states:

- Q What is your name? A Finis E. Folsom.
- Q How old are you? A ~~Sixty-eight~~ Forty-seven.
- Q You know Jacob Folsom do you? A Yes sir.
- Q Did you know his wife Mary? A No sir, not until they came here.
- Q He is a Choctaw citizen? A Yes sir.
- Q She is a white woman? A Yes sir.
- Q You say you recorded their marriage? A Yes sir, marriage certificate between himself and Mary.
- Q What office did you hold then? A County Clerk's office.
- Q It was your duty to make a record of such marriages?
- A Yes sir.
- Q Do you know what became of that records? A It is here somewhere.

(Here applicant's husband is advised by Com'r McKennon to go and get a certified copy of the record.)

-----

U. S. Interior,  
Caddo, Indian Territory.  
I, \_\_\_\_\_, County Clerk, do hereby certify that this is a true and correct copy of the original of \_\_\_\_\_  
\_\_\_\_\_

Department of the Interior.  
Commission to the Five Civilized Tribes.  
Atoka, Indian Territory, November 17th, 1902.

Choctaw 3805.  
Intermarried.

In the matter of the application of Mary Folsom for enrollment as an intermarried citizen of the Choctaw Nation.

Mary Folsom, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Mary Folsom.  
Q What is your age? A Forty four.  
Q What is your post office address? A Caney, Indian Territory.  
Q Is that in the Choctaw Nation? A Yes sir.  
Q How long have you been a resident of the Choctaw Nation? A Twenty years.  
Q Have you lived here continuously for the past twenty years?  
A Yes sir.  
Q Never made your home anywhere else during that time? A No sir.  
Q Do you claim intermarried rights in the Choctaw Nation? A Yes sir.  
Q What was the name of your Choctaw husband through whom you claim these rights? A Jacob Folsom.  
Q Is he a recognized and enrolled citizen of the Choctaw Nation?  
A Yes sir.  
Q Have his rights ever been disputed? A No sir.  
Q When were you married to Jacob Folsom? A Twenty six years ago.  
Q Where were you living at that time? A Close to Alvarado, Texas.  
Q Where was your husband living? A He was living in Texas also.  
Q How long had he been living in Texas? A I don't know; I had not known him but about a year before I married him.  
Q He was living there all that time? A Yes sir.  
Q How long after your marriage was it that you removed to the Territory? A About five or six years.  
Q You were married under the laws of the state of Texas? A Yes sir.  
Q Were you ever married before your marriage to Jacob Folsom?  
A No sir.  
Q Was he ever married before his marriage to you? A Not that I know of.  
Q Since that marriage have you lived together continuously as husband and wife? A Yes sir.  
Q There has been no separation, abandonment or divorce? A No sir.  
Q You are at present living together as bona fide residents of the Choctaw Nation? A Yes sir.

-----oOo-----

Harry C Risteen, being first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 17th day of November, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

*Harry C Risteen*

Subscribed and sworn to before me this 5 day of January, 1903.

*Charles H. Sawyer*

Notary Public.

*West*

1166  
Jan 13

7 - 3805

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

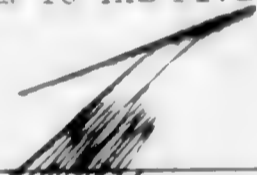
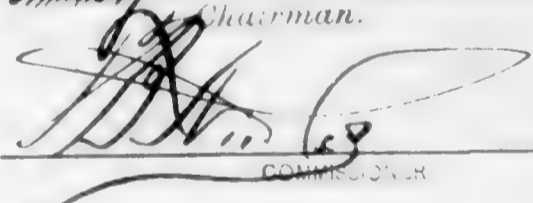
In the matter of the application for the enrollment of  
Mary Folsom as a citizen by intermarriage of the Choctaw Nation.

DECISION.

It appears from the record herein that Mary Folsom,  
(nee Parks), on January 9, 1878, was lawfully married to Jacob  
Folsom, a recognized and enrolled citizen by blood of the Choc-  
taw Nation, whose name appears as number 10,737 upon the lists  
prepared by this Commission under the act of Congress approved  
July 1, 1902 (32 Stat., 641), of persons entitled to enrollment  
as citizens by blood of the Choctaw Nation, and approved by the  
Secretary of the Interior on February 4, 1903; that at the time  
of said marriage both persons above mentioned were residents of  
the State of Texas, and that they have lived together contin-  
uously as husband and wife in the Choctaw Nation from the year  
1884 up to and including September 25, 1902.

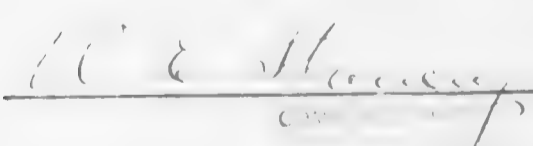
It is, therefore, the opinion of this Commission that  
Mary Folsom should be enrolled as a citizen by intermarriage of  
the Choctaw Nation, in accordance with the provisions of the acts  
of Congress approved June 28, 1898 (30 Stat., 495) and July 1, 1902  
(32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

  
\_\_\_\_\_  
Chairman.  
  
\_\_\_\_\_  
COMMISSIONER

Muskogee, Indian Territory,

MAY 8 1903

  
\_\_\_\_\_  
W. E. H. H. H.

Choctaw-3805

COPY.

Muskogee, Indian Territory, May 8, 1903.

Mary Folsom,  
Caney, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission, rendered May 8, 1903, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed your name will be placed upon the final rolls of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED) *Tamo Dinby.*

Register.

Chairman.

Enc. NEW 13.

Choctaw 3805

COPY.

Muskegee, Indian Territory, May 8, 1903.

Mansfield, McMurray and Cornish,  
Attorneys for Choctaw and Chickasaw Nations,  
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered May 8, 1903, granting the application of Mary Folsom for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

SIGNED: *James Sixby.*

Registered.

Chairman.

Enc. NEW 14.

Commission to the Five Civilized Tribes,  
Caddo, Indian Territory.

In the enrollment of Jacob Folsom as a Choctaw; Arabella  
Gardner being sworn and examined by Com'r McKennon states:

- Q What is your name? A Arabella Gardner.  
Q How old are you? A Forty-eight.  
Q Did you know Daniel Folsom? A He was my father.  
Q Did you know his wife Adeline? A Yes sir.  
Q She was a white woman? A Yes sir.  
Q He was a recognized Choctaw? A Yes sir.  
Q Were you present at their marriage? A No, I wasn't there,  
I was small, I don't remember.  
Q You know that they lived together as husband and wife?  
A Yes sir.  
Q She is your step-mother? A Yes sir.

-----  
Department of the Interior,  
Five Civilized Tribes.  
I hereby certify that as  
my official duty as  
Special Commissioner, that this  
is a true and correct translation of  
my stenographic notes.

*W. D. Green*



The State of Texas  
County of Johnson

To Any regular  
ordained Minister of the Gospel,  
Judge of the District Court, Chief Justice  
of the County Court; or any acting Justice  
of the Peace;

You are hereby authorized and empowered  
to solemnize the rites of matrimony between  
Mr. Jacob Folsom and Miss M. M. Parks  
provided the legal requirements  
thereof exist, and due return make  
thereof to my office as the law requires.

Given under my hand and the seal  
of the District Court at Johnson County this  
8<sup>th</sup> day of January 1878.

G. H. Macey

Clerk District Court Johnson County Texas.

By G. M. Mackes Deputy

This is to Certify that on the 7<sup>th</sup> day of January  
1878 I solemnized the rights of Matrimony  
between Jacob Folsom and Miss M. M. Parks

Geo. Isaac Boyd

Recorded this 8<sup>th</sup> day of May 1878.

G. H. Macey

Clerk County Court

Johnson County —

The State of Texas  
Johnson County

Sam P. Ramsey, County

Clerk of Johnson County Texas

hereby  
certify that the above and foregoing is a  
true and correct copy of the marriage license  
and certificate of Jacob Folsom and  
Miss M. M. Parks as the same appear of  
Record in Marriage Record Book 14 Page 286

of Johnson County Texas  
Given under my hand and seal of  
office this August 10<sup>th</sup> 1896.

Sam P Ramsey  
County Clerk of Johnson  
County Texas.

Recorded this 15 day of August A.D. 1896

F. E. Folsom

Clerk of Blue Co., C. T.

Choctaw Nation  
County of Blue

I, C. W. James, Clerk of Blue  
County Choctaw Nation do hereby certify  
that the foregoing is a true and correct  
copy of a Marriage License and Certificate  
of Jacob Folsom and Miss M. M. Parks  
recorded in Record Book A Page 475 and 476.  
in full as the same appears above.

In witness whereof I hereby set my  
hand and official seal this 23<sup>rd</sup> day of  
August A.D. 1899.

C. W. James, County Clerk  
in and for Blue County Choctaw Nation.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,  
 of Ola Pearl Tolson, born on the 4 day of Dec, 1898  
 Name of father: Jacob Tolson, a citizen of the Choctaw Nation.  
 Name of mother: Mary Tolson, a citizen of the Choctaw Nation.  
 Post Office: Caddo, Ind. Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }  
 INDIAN TERRITORY, }  
Ind. District. }

I, Mary Tolson, on oath, state that I am 38 years of age and a  
 citizen, by interracial, of the Choctaw Nation; that I am the  
 lawful wife of Jacob Tolson who is a citizen, by blood, of the  
Choctaw Nation; the first child was born to me on the 4 day  
 of Dec, 1898; that said child has been named Ola Pearl Tolson  
 and is now living.

Subscribed and sworn to before me this 23 day of August, 1898.  
Chas. M. [Signature]  
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }  
 INDIAN TERRITORY, }  
Ind. District. }

I, Francis Lane, a midwife, on oath, state that I  
 attended on Mrs. Mary Tolson, wife of Jacob Tolson  
 on the 4 day of Dec, 1898; that there was born to her on said date first child;  
 that said child is now living and is said to have been named Ola Pearl Tolson

Subscribed and sworn to before me this 21 day of August, 1898.  
Chas. M. [Signature]  
 Notary Public.

MEMORANDA.

(Date)

1899.

44

Name: Jane Hanson  
 Choctaw? yes County Blue Year 96 No. 4350  
 Chickasaw? County Year Page  
 Citizen by blood? yes Mother's citizenship MS  
 Intermarried citizen?  
 Married under what law?

License filed this day

38

Wife's name, Mary Hanson  
 Choctaw? yes County Blue Year 1 No. 43539  
 Chickasaw? County Year Page 387  
 Citizen by blood? Mother's citizenship MS  
 Intermarried citizen? yes  
 Married under what law?

License filed this day

Names of children:

| No. | Name            | County | Year | Page | No.  |
|-----|-----------------|--------|------|------|------|
| 18  | Agnes S. Hanson | Blue   | 10   | 10   | 4352 |
| 11  | William E.      | "      | "    | "    | 4353 |
| 6   | George H.       | "      | "    | "    | 4354 |
| 3   | Wess C.         | "      | "    | "    | 4355 |
| 9mo | Ora P.          | "      | "    | "    |      |
|     |                 | County | Year | Page | No.  |
|     |                 | County | Year | Page | No.  |
|     |                 | County | Year | Page | No.  |
|     |                 | County | Year | Page | No.  |
|     |                 | County | Year | Page | No.  |
|     |                 | County | Year | Page | No.  |

✓ Evidence of marriage of Jane Hanson  
 X As to marriage of parents all testimony  
of Arabella Gardner  
 # On all Hanson  
Hanson Ed

3805

Muskogee, Indian Territory, April 20, 1905.

Mrs. Agnes I. Folsom,  
Caney, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of April 5, 1905, asking if the affidavits heretofore forwarded are sufficient for the enrollment of your child.

In reply to your letter you are advised that you do not mention the name of your child, but it does not appear from our records that affidavits have been filed for a child born to you since September 25, 1902, and for your convenience there is inclosed herewith a blank which you should have executed and returned to this office within sixty days from March 3, 1905.

Respectfully,

Chairman.

B. C.

Muskogee, Indian Territory, June 28, 1904.

Jacob Folsom,

Caney, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the affidavits of Mary Folsom and J. H. Armstrong, relative to the birth of your infant son, Anus Earl Folsom, September 7, 1903, which it is presumed have been forwarded as an application for enrollment of said child as a citizen by blood of the Choctaw Nation.

You are informed that under the provisions of the Act of Congress approved July 1, 1902, the Commission is now without authority to receive or consider the original application for enrollment of any person whomsoever as a citizen of the Choctaw or Chickasaw Nation.

Respectfully,

Commissioner in Charge.

Choc 3806 Daniel Gardner

3806

DEPARTMENT OF THE INTERIOR,  
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of - - -

Minnie Gardner,

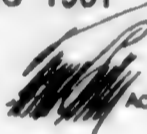
7-3806.



DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

**FILED**

AUG 26 1901



ACTING CHAIRMAN.

11-3806)

I W. J. B. Lloyd a  
minister of the Gospel  
do certify that I performed  
the ceremony and published  
the Bonds of Matrimony of  
Daniel H Gardner and Minnie  
Holman on the first Thursday  
2<sup>nd</sup> day of August - 1900  
W. J. B. Lloyd

Central Judicial District  
I certify the above to  
be a true & correct copy  
of the Marriage Certificate  
of Daniel H Gardner and  
Minnie Holman  
A. H. Kitchell  
Notary Public

Memo.-

DEPARTMENT OF THE INTERIOR,  
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.  
Muskogee, Indian Territory, August 25, 1905.

In the matter of the alleged application for the enrollment of Minnie Gardner as a citizen by intermarriage of the Choctaw Nation. C. T. Mitchell of McCurtain, I.T. appearing for applicant, as her attorney.

Minnie Gardner being first duly sworn testified as follows:

Examination by the Commissioner:

Q What is your name? A Minnie Gardner.

Q Your age? A Twenty-eight.

Q Your postoffice address? A Bokchito, Indian Territory.

Q Do you claim to be entitled to enrollment as a citizen by intermarriage of the Choctaw Nation? A Yes sir.

Q Through whom do you make that claim? A Through Daniel Gardner.

Q Is he a citizen by blood of the Choctaw Nation? A Yes sir.

Q Has he any middle initial? A Yes, Daniel H. Gardner.

Q Is that his full name? A Yes sir.

Daniel H. Gardner, husband of the applicant, is identified on Choctaw Field Card No 3806, and as No. 10743 upon the lists prepared by the Commission to the Five Civilized Tribes (Choctaws by blood), approved by the Secretary of the Interior February 4, 1903.

Q Did you ever make application for enrollment as an intermarried citizen? A Yes sir.

Q When and where did you make that application? A Did I make it?

Q You state that you have made application for enrollment; when did you make that application? A No, I haven't.

Q You haven't? A I don't understand.

Q I want to know, have you ever appeared before this time and made application for enrollment as an intermarried citizen?

A I haven't ever appeared myself.

Q Has anyone ever made application for you that you know of?

A Yes, my husband made application; he has come here.

Q What did he do? A Well, he tried but I don't think he could do anything.

Q When was it that your husband tried to secure your enrollment? You claim that your husband has made application for you, but you don't remember when it was? Is that the way of it?

A Yes, he come and tried, but he couldn't do anything.

Q When was it he came before the Commission and tried to get you enrolled, if you know? A I couldn't tell you exactly for I don't remember; it has been, I reckon, two years ago.

Q Were you with him at the time? A No, I wasn't with him.

Q Do you know what he did or who he saw at the time you say he made application? A No, I don't know who he saw.

Q You don't know anything about it except that he told you that he had made such application? A Yes sir.

Q When were you married to Daniel Gardner? A August 2, 1900.

Q Where were you living at the time you married him?

A Living close to old Pennington.

Q In the Choctaw Nation? A Yes sir.

Q How long had you lived in the Choctaw Nation at that time?

2-Minnie Gardner.

A I was living here (there) three years.

Q Where was his home at that time? A It was close to Armstrong Academy.

Q In the Choctaw Nation? A Yes sir.

Q Had you ever been married to anyone else before you married him? A No sir.

Q Had he ever been married before he married you? A Yes sir.

Q How many times? A Just once.

Q What is the name of his first wife, if you know? A Jane Walker.

Q Was she living or dead at the time of your marriage to him?

A Living.

Q Had he secured a divorce from her? A Yes sir.

Q By whom were you married? A Brother Lloyd.

Q Was he a minister of the gospel? A Yes sir.

Q What church? A Presbyterian.

Q From the time you married him until the present time where have you made your home? A Lived close to Armstrong Academy in the Choctaw Nation.

Q You have always lived in the Choctaw Nation from the time you were married? A Yes sir.

Q And from the time of your marriage until the present time have you and Daniel H. Gardner lived together as husband and wife? A Yes sir.

Q There has been no separation or divorce? A No sir.

Q Have you any children by him? A Yes sir.

Q How many? A Two.

Q What are their names? A Othens and Jack.

Q Which is the older of the two children? A Othens.

Q How old is she? A Four years old.

Q Did you make an application for the enrollment of Othens?

A Yes sir.

Q Did you make the application in person or by written application? A Written.

Q You are a white woman? A Yes sir.

Q Are your parents living? A Yes sir.

Q What are their names? A Calvin C. Holman and Elizabeth Holman.

Q Both white people? A Yes sir.

Q They have no Indian blood? A No sir.

Q And you claim to possess no Indian blood? A No sir.

Q I show you, Mrs. Gardner, a written application for the enrollment of Othens Gardner sworn to by you on August 21, 1901, and filed with the Commission to the Five Civilized Tribes on November 15, and ask you whether the signature to the affidavit is in your handwriting? A Yes sir.

Q You swore to that affidavit on the date given? A Yes sir.

Q And was the application then forwarded to the Commission after you had sworn to it? A Yes sir.

Examination by Mr. McNeill.

Q Where is the divorce that your husband procured from his former wife, Jane Walker? A I don't know anything about that.

Q You claim to have made application as an intermarried citizen of the Choctaw Nation by virtue of this affidavit sworn to to the enrollment of Othens Gardner, do you? A Yes sir.

Q Who did you say you were married by? A Brother Lloyd.

Q On the 20 day of August, 1901? A Yes sir.

3-Minnie Gardner.

Examination by the Commissioner:

Q Was there any license secured for your marriage to Daniel H. Gardner, that you know of? A No sir.

Q You just went before the minister and were married? A Yes.

Q Did you get a certificate of marriage? A Yes sir.

Q What became of that certificate, if you know? A I don't know what became of it unless we lost it.

Q Was that certificate ever filed with the Commission to the Five Civilized Tribes, as far as you know? A No, I don't know.

There is found among the records of the Commission a certificate of marriage between Daniel H. Gardner and Minnie Holman on August 2, 1900, a certified copy of which is attached hereto, marked Exhibit A., and made a part of this record.

By the Commissioner: Mrs. Gardner, in the matter of your application for enrollment it will be necessary to furnish the Commissioner with either the original or a certified copy of the decree of divorce obtained by your husband from his first wife Jane Walker.

-----  
Daniel H. Gardner being first duly sworn testified as follows:  
Examination by the Commissioner:

Q Your name is Daniel H. Gardner? A Yes sir.

Q What is your age and postoffice address? A Thirty-two, Bokchito, Indian Territory.

Q Are you the husband of Minnie Walker who has just testified? A Yes sir.

Q Where were you married to Minnie Walker? A At old Bennington at her father's house.

Q When? A August 2, 1900

Q Did you ever make application for the enrollment of Minnie Gardner as an intermarried citizen? A I made it this way: I came up here in 1901 to enroll my baby and I never thought of taking her along as I thought that I could make application without her, and when I came up here I found--I believe it was Judge Needles that I made application before.

Q What did you tell Mr. Needles that you wanted to do. A He told me that I couldn't make application without her being along in person and after I talked to him awhile, he said, "You can make application anyway", and he wrote her name down in a book. And I told him: "Now this is an application is it?" and he said yes, he had made it an application.

Q When was it that you had this conversation with Mr. Needles? A I don't remember now; I don't think I have got the papers with me now, but as near as I can remember it was August.

Q What year? A 1901. The year I put my baby on the roll.

Q The year you applied for Othens? A Yes sir.

Q Was this before or after you made application for Othens Gardner? A Both at the same time.

Q The application that you made for Othens Gardner, was that a written application? A No, it was personal. I made application for both the same day.

Q Did you afterwards make application for the enrollment of Othens Gardner? A No, she was approved in September I believe.

4-Minnie Gardner.

Q There is on file with the Commission a written application for the enrollment of Othena Gardner which was filed with the Commission to the Five Civilized Tribes November 13, 1901. You may examine this and see if the signature attached to the affidavit of the mother is the signature of your wife, Minnie Gardner? A I brought this along I think. I don't recollect now.

Q Is the signature of that affidavit the signature of your wife? A Yes sir.

Q Did you file this written application for the enrollment of Othena Gardner with the Commission? A Yes sir.

There is found in the records in the matter of the application for the enrollment of Othena Gardner, a birth affidavit sworn to by Minnie Gardner on August 21, 1901, and approved and filed with the Commission November 13, 1901.

Q At the time you married Minnie Gardner had you ever been married before? A Yes sir.

Q What was the name of your first wife? A Jane Walker.

Q Was she living or dead at the time of your marriage to Minnie Gardner? A Living.

Q Had you secured a divorce from her at the time of your marriage to Minnie Gardner? A Yes sir.

Q Where did you secure it? A District court, Jackson county.

Q Have you the decree of that divorce in your possession? A I have not. She, my first wife, has it.

Q You turned it over to her? A Yes sir.

Q From the time you married Minnie Gardner until the present time, where have you made your home? A In the Choctaw Nation.

Q Always in the Choctaw Nation? A Yes sir.

Q And have you and Minnie Gardner lived together continuously as husband and wife since your marriage to her? A Yes sir.

Q Without any separation? A Yes sir.

Q Your wife is a white woman isn't she? A Yes sir.

Q No Indian blood at all? A No sir.

Q Do you know the names of her parents? A Holman.

Q Your wife's parents are both white people? A Yes sir.

Q You stated that you were married once before you married Minnie Gardner? A Yes sir.

Q And the name of your first wife was Jane Walker? A Yes sir.

Q Was that her full name? A Mary Jane Walker.

Q Do you know whether she was married since she was divorced from you? A Yes sir.

Q What is her present name? A Mary Jane Boydston.

Q And the decree of divorce from her you say you delivered to her at the time the divorce was secured? A Yes sir.

-----  
Frances R. Lane upon oath states that as stenographer to the Commission to the Five Civilized Tribes she correctly reported the testimony in the above entitled case and that the foregoing is an accurate transcript of her stenographic notes thereof.

*Frances R. Lane*

Subscribed and sworn to before me this August 28, 1905.

*Edward J. Morris*  
Notary Public.

Choctaw

Indexed

20

IN RE

Application for Enrollment of  
INFANT CHILD

Othena Gardner  
as a citizen of

Choctaw Nation

Approved Nov. 13, 1901 190

Tams Bixby,  
*Commissioner.*

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED  
TRIBES.  
F I L E D.  
Nov. 13, 1901.

Tams Bixby,  
Acting Chairman.

Choctaw

3806

DEPARTMENT OF THE INTERIOR,

COPY. COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation, of Othens Gardner, born on the 30 day of April, 1901. Name of Father: Daniel H. Gardner a citizen of the Choctaw Nation. Name of Mother: Minnie Gardner a citizen of the Choctaw Nation. Postoffice Academy, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central Judicial DISTRICT.

I, Minnie Gardner, on oath state that I am 25 years of age and a citizen by marriage of the Choctaw Nation; that I am the lawful wife of Daniel H. Gardner, who is a citizen, by Blood of the Choctaw Nation; that a Girl child was born to me on 30 day of April, 1901; that said child has been named Othens Gardner, and is now living.

WITNESSES TO MARK: Minnie Gardner.

(Must be Two Witnesses.)

Subscribed and sworn to before me this 21 day of August, 1901. A. H. Nuttall, Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MID-WIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central Judicial DISTRICT.

I, A. C. Gardner, a Midwife, on oath state that I attended on Mrs. Minnie Gardner, wife of Daniel H. Gardner on the 30 day of April, 1901, that there was born to her on said date a Girl child; that said child is now living and is said to have been named Othens Gardner.

WITNESSES TO MARK: A. C. X Gardner.

(Must be Two Witnesses.) Dove Gardner J. R. Knight.

Subscribed and sworn to before me this 21 day of August, 1901. A. H. Nuttall, Notary Public.



# THE CHOCTAW NATION.

In the Circuit Court of the Third Judicial District, Regular *July* Term, 189*5* a Petition of

*B. J. ...* being presented by *...* Attorney in said Court, for a

## BILL OF DIVORCE,

setting forth the facts, etc., and after the Court hearing the Testimony in regard to the Petition do order and decree that a Bill of Divorce be issued to the applicant:

THEREFORE, I do issue a Bill of Divorce to said applicant *...* forever releasing *...* from the bonds of Matrimony heretofore existing between *...* and *...*

Given under my hand and seal of office, this the *...* day of *...* 189*5*

District Clerk.

(1-3436)

DEPARTMENT OF THE INTERIOR,  
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

---000---

In the matter of the alleged application for the enrollment of Minnie Gardner as a citizen by intermarriage of the Choctaw Nation.

---000---

It appears from the record herein that on August 25, 1905, Minnie Gardner appeared before the Commissioner to the Five Civilized Tribes and presented testimony relative to an application alleged to have been made for her enrollment as a citizen by intermarriage of the Choctaw Nation, within the time limited by the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641.)

On said date said applicant testified that she had never personally made application for enrollment as a citizen by intermarriage of the Choctaw Nation, but that about two years ago her husband, Daniel H. Gardner, appeared before the Commission to the Five Civilized Tribes and made application for her enrollment.

Daniel H. Gardner, husband of the applicant, testified that in August, 1901 he appeared before said Commission, at Muskogee, Indian Territory, and made application for the enrollment of his wife, Minnie Gardner, as a citizen by intermarriage of the Choctaw Nation; that at said time he was first informed by Mr. Needles, one of the Commissioners, that it would be necessary for his wife to appear in person before her application could be received, but later, Mr. Needles informed him "you can make application anyway".

It appears from the records of said Commission that on November 13, 1901, there was filed with said Commission written application for the enrollment of Othena Gardner, infant daughter of Minnie Gardner and Daniel H. Gardner, which application is composed in part of the affidavit of the said Minnie Gardner, to the effect that she is the lawful wife of Daniel H. Gardner, who is a citizen by blood of the Choctaw Nation, and that she is the mother of said Othena Gardner. On August 26, 1901, there was filed with the said Commission a certified copy of the certificate of marriage between the applicant, Minnie Gardner, and Daniel H. Gardner.

I am of the opinion that the certificate of marriage, above referred to, filed on August 26, 1901, together with the written application for the enrollment of Othena Gardner, filed November 13, 1901, should be treated as a sufficient application for the enrollment of Minnie Gardner as a citizen by intermarriage of the Choctaw Nation, made within the time limited by the provisions of said Act of Congress approved July 1, 1902 (32 Stats., 641), and that the same should now be determined on its merits, and it is so ordered.

Muskogee, Indian Territory,

JAN 11 1906

  
\_\_\_\_\_  
Commissioner.

7-3806.

DEPARTMENT OF THE INTERIOR,  
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

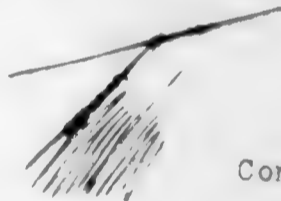
In the matter of the application for the enrollment of  
Minnie Gardner as a citizen by intermarriage of the Choctaw Nation.

D E C I S I O N .

It appears from the record herein that application was duly made to the Commission to the Five Civilized Tribes for the enrollment of Minnie Gardner as a citizen by intermarriage of the Choctaw Nation, within the time limited by the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641).

It appears from the record herein that on August 2, 1900, the applicant, Minnie Gardner, was lawfully married to Daniel H. Gardner, a recognized and enrolled citizen of the Choctaw Nation, whose name appears as No. 10743 upon a list prepared by the Commission to the Five Civilized Tribes under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation and approved by the Secretary of the Interior February 4, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation, and that they lived together continuously as husband and wife in said Nation from the date of their said marriage, up to and including September 25, 1902.

I am, therefore, of the opinion that Minnie Gardner should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the Acts of Congress approved June 28, 1898 (30 Stats., 495), and July 1, 1902 (32 Stats., 641), and it is so ordered.



Commissioner.

Muskogee, Indian Territory,

APR 24 1906

7-3806

Muskogee, Indian Territory, April 24, 1906.

Minnie Gardner,

Bokohito, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered April 24, 1906, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of the decision and have been allowed fifteen days from the date of this notice within which to file protest against your enrollment. If at the expiration of that time no protest has been filed, the name of Minnie Gardner will be placed upon the final roll of citizens by intermarriage of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

SIGNED

*Wm. C. Scall*

Acting Commissioner.

Registered.

Incl. 7-3806

7-3806

Muskogee, Indian Territory, April 24, 1906.

C. T. Mitchell,  
Attorney at Law,  
McCurtain, Indian Territory,

Dear Sir:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on April 24, 1906, rendered his decision granting the application for the enrollment of Minnie Gardner as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of the decision and have been allowed fifteen days from the date of this notice within which to file protest against her enrollment. If at the expiration of that time no protest has been filed, the name of Minnie Gardner will be placed upon the final roll of citizens by intermarriage of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

SIGNED

*Wm. O. Beall*  
Acting Commissioner.

Registered.

Muskogee, Indian Territory, April 24, 1906.

Mansfield, McMurray & Cornish,  
Attorneys for Choctaw and Chickasaw Nations,  
South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered April 24, 1906, granting the application for the enrollment of Minnie Gardner as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from the date of this notice within which to file protest against her enrollment. If at the expiration of that time no protest has been filed, the name of Minnie Gardner will be placed upon the final roll of citizens by intermarriage of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Registered.

Incl. 7-3806

Acting Commissioner.

CHOCTAW.

INDEXED

20

IN RE

Application for Enrollment of

INFANT CHILD

*Olivera Gardner,*

as a citizen of

*Choctaw*

Nation.

NOV 13 1901

Approved,

190



Commissioner.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

NOV 13 1901



ACTING CHAIRMAN

CHOCTAW

370

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

*IN RE* Application for Enrollment, as a citizen of the *Choctaw* Nation,  
of *Othena Gardner*, born on the *30* day of *April*, 190*1*  
(Here insert name of child)  
Name of Father: *Daniel H Gardner*, a citizen of the *Choctaw* Nation.  
Name of Mother: *Minnie Gardner*, a citizen of the *Choctaw* Nation.  
Post-office, *Academy 97*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
*Central Judicial* District.

I, *Minnie Gardner*, on oath state that I am *25*  
years of age and a citizen, by *marriage*, of the *Choctaw* Nation;  
that I am the lawful wife of *Daniel H Gardner*, who is a citizen, by  
*Blood*, of the *Choctaw* Nation, that a *girl* child was  
(male or female)  
born to me on the *30* day of *April*, 190*1*; that said child has been  
named *Othena Gardner*, and is now living.

WITNESSES TO MARK

*Charlie Gardner*

(Must be Two Witnesses)

Subscribed and sworn to before me this *21* day of *August*, 190*1*.

*A H Nuttall*

NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY  
*Central Judicial* District.

I, *A. C. Gardner*, a *midwife*, on oath state that I  
attended on Mrs. *Minnie Gardner*, wife of *Daniel H Gardner*,  
on the *30* day of *April*, 190*1*, that there was born to her on  
said date a *girl* child; that said child is now living and is said to have been  
(male or female)  
named *Othena Gardner*.

WITNESSES TO MARK

*A C Gardner*

(Must be Two Witnesses)

*Aloue Gardner*  
*J R Knight*

Subscribed and sworn to before me this *21* day of *August*, 190*1*.

*A H Nuttall*

NOTARY PUBLIC



7

To Hon Ed, <sup>D</sup>wight County & Probate  
Judge in and for Jackson County C. N.,  
D. S.

The under signed petitioner  
woud & represent unto your honor  
that he is a Citizen of the Choctaw Nation,  
and comes unto your honorable Court  
and states that he is the father of  
one Edna Gistaud Murphy a girl about  
two years old begotten out of  
wedlock, which it is the purpose  
of this petition to pray your honor  
to legalize the said Edna Gistaud Murphy  
a lawful heir to her father the  
under signed petitioner as though  
she was born in wedlock,  
praying your honor will be  
pleased to grant this reasonable  
request. I subscribe myself  
your honorable servant and petitioner  
Daniel Gardner

This the 7th day of August 1899

This is the original Copy of the  
petition of Daniel Gardner  
James J. Beloin  
County and probate clerk  
Jackson County, C. N.,

W. J. BELVIN,  
ATTORNEY AT LAW.

Jackson county, C. Ind. Ter., General 1899-1900

This is to certify that Edward Girdle  
Murphy a son of the said Edward Girdle  
a valid two acres and is entitled  
to all rights, interests, and claims as  
a recognized full estate holder in  
Choctaw nation which have been  
to the court by above named Edward  
Girdle Girdle, his wife and children  
& were done in the presence of  
which is now on file in the office.

Approved 11th day Dec. 1899

Approved Sept 11th 1899

E. J. Swigart

C. as on Judge of Jacm

J. J. Belvin

County and Probate Clerk

J. J. Belvin

Mr. W. J. Belvin,

Jackson, Indian Territory.

Acting Chairman. Y

Dear Sirs

The Commission is in receipt of your letter of January 23, with the inclosures in the matter of the application for enrollment of Edna Girtrude Murphy, the daughter of Daniel Gardner, consisting of the copy of the original application of Daniel Gardner to the Commissioner and Probate Judge of Jackson County, Choctaw Nation for the bestowment of the rights of citizenship by the Choctaw Nation on Edna Girtrude Murphy, and the certificate of E. T. Dwight, the Judge conferring the rights as prayed for in the petition.

The statement in your letter that the mother of this child was a white woman is noted, and there is no record before this Commission of Daniel Gardner ever having been married. Was any previous application ever made on behalf of Edna Girtrude Murphy for enrollment as a Choctaw citizen, and if there was, where and when was such application made? The Commission cannot take for enrollment Edna Girtrude Murphy with the present information at hand, but the papers in the case have been prepared, filed with the application for enrollment in the Choctaw Nation.

Yours truly,

Acting Chairman.

Jackson I.T. Jan 23rd. 1900.

Hon Tims Bixby Chairman of Five Civilized Tribes Com.

Muskogee, Ind. Ter.

Dear Sir:

I herewith enclosed certifying that Edna Girtrude Murphy have been recognized as a full citizen by county court and ask same to be enrolled and send the certificate to Jackson I.T. address W. J. Belvin will deliver to the party the mother of the child's white woman.

Very respectfully,

W. J. Belvin.

MEMORANDA.

(Date)

1899.

25 Name Daniel Gardner

Choctaw? yes County Blount

Year 96 No. 4928

Chickasaw? County

Year Page 126

Citizen by blood? yes Mother's citizenship Choc

Intermarried citizen?

Married under what law?

License filed this day.

Wife's name,

Choctaw? County

Year No.

Chickasaw? County

Year Page

Citizen by blood? no Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

Raymond Gardner County

Year Page No.

County

Year Page No.

County

Year Page No.

County

Year Page No.

County

Year Page No.

County

Year Page No.

County

Year Page No.

County

Year Page No.

County

Year Page No.

County

Year Page No.

13806

Muskogee, Indian Territory, November 13, 1901.

Daniel H. Gardner,  
Academy, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Othana Gardner, the infant daughter of Daniel H. and Winnie Gardner, born April 30, 1901, and the same being in proper form has been duly filed with the records of this Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

7-2806

Washington, Indian Territory, September 3, 1903.

C. T. Mitchell,  
Attorney at Law,  
McCarthy, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of August 30th, enclosing a bill of divorce of Jennie Gardner from Daniel Gardner, which you request be filed with the papers in the matter of the application of Minnie Gardner for enrollment as an intermarried citizen of the Choctaw Nation.

You are advised that same has been filed with the record in the matter of the aforesaid application for the enrollment of Minnie Gardner as a citizen by intermarriage of the Choctaw Nation.

The Commissioner has not as yet determined that the evidence submitted conclusively demonstrates that the application was valid for the enrollment of Minnie Gardner as a citizen by intermarriage of the Choctaw Nation within the time prescribed by the act of Congress approved July 1, 1902.

Until the question of the recognition of the application is determined, no action will be taken upon the divorce of Mrs. Gardner's

(2)

claim to be enrolled as a citizen by intermarriage of the Chectaw Nation.

Respectfully,

Acting Commissioner.



7-3806

Muskogee, Indian Territory, January 17, 1906.

Chief Clerk,

Chickasaw Land Office,  
Ardmore, Indian Territory.

Dear Sir:

For your information there is inclosed herewith card showing name and information placed at No. 3 on Choctaw roll card No. 3806, David Gardner, et al.

You are therefore directed to make duplicate Choctaw card in your possession conform to this information and add the name of this person to your list of undetermined applicants for enrollment in the Choctaw Nation.

Respectfully,

Commissioner.

EB 6-17.

7-3806

Muskogee, Indian Territory, January 17, 1906.

Chief Clerk,  
Choctaw Land Office,  
Atoka, Indian Territory.

Dear Sir:

For your information there is inclosed herewith card showing name and information placed at No. 3 on Choctaw roll card No. 3806, David Gardner et al.

You are therefore directed to make duplicate Choctaw card in your possession conform to this information and add the names of this person to your list of undetermined applicants for enrollment in the Choctaw Nation.

Respectfully,

Commissioner.

FB 5-17.

7-3806.

Muskogee, Indian Territory, January 23, 1906.

Charles T. Mitchell,  
McCurtain, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 17, 1906, asking the status of the cases of Margaret Jane Cooper and Bessie Brashears, applicants for enrollment as citizens of the Choctaw Nation; you also ask a decision in the matter of the alleged application of Minnie Gardner for enrollment as a citizen of the Choctaw Nation.

In reply to your letter, you are advised that the names of Margaret Jane Cooper and Bessie Brashears are being placed upon a schedule of intermarried citizens of the Choctaw Nation prepared for forwarding to the Secretary of the Interior.

You are further advised that on January 11, 1906, an order was entered holding that an application was made for the enrollment of Minnie Gardner within the time provided by the Act of Congress approved July 1, 1902, and her case will now be considered upon its merits and as soon as a decision is reached, you will be notified of the action taken therein.

Respectfully,

Commissioner.

7-3806.

Muskogee, Indian Territory, February 6, 1906.

Minnie Gardner,

Bokchiton Indian Territory.

Dear Madam:

You are hereby notified that before any further action can be taken in the matter of your application for enrollment, as a citizen by intermarriage of the Choctaw Nation, it will be necessary for you to furnish this office with either the original or a certified copy of the decree of divorce granted your husband, Daniel H. Gardner, from his former wife, Jane Walker.

This matter should receive your immediate attention.

Respectfully,

Acting Commissioner.

7-3806.

Muskogee, Indian Territory, February 6, 1906.

C. T. Mitchell,  
Attorney at Law,  
McCurtain, Indian Territory.

Dear Sir:

You are hereby notified that before any further action can be taken in the matter of the application for the enrollment of Minnie Gardner as a citizen by intermarriage of the Choctaw Nation, it will be necessary that this office be furnished with either the original or a certified copy of the decree of divorce granted Daniel H. Gardner from his former wife, Jane Walker.

On the appearance of Daniel H. Gardner at this office on August 25, 1905, he testified that said divorce was granted by the District Court of Jackson County, Choctaw Nation.

Kindly give this matter your immediate attention.

Respectfully,

Acting Commissioner.

7-3806

*substitute*

Muskogee, Indian Territory, February 14, 1906.

C. T. Mitchell,  
Attorney at Law,  
McCurtain, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of February 6, 1906, in which you state that the decree of divorce of Janie Gardner from Daniel Gardner was forwarded by you to this office August 30, 1905, and receipt was acknowledged therefor on September 5, 1905.

In reply to your letter you are advised that the Bill of Divorce referred is filed with the records in this case, and was inadvertently overlooked when office letter of February 6, 1906, was addressed to you.

Respectfully,

Acting Commissioner.

7-3306

Muskogee, Indian Territory, July 24, 1906.

C. T. Mitchell,  
Attorney at Law,  
McCurtain, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of July 9, 1906, asking the status of the application of Minnie Gardner for enrollment as an intermarried citizen of the Choctaw Nation.

In reply you are advised that the name of Minnie Gardner has been placed upon a schedule of citizens by intermarriage of the Choctaw Nation which has been forwarded to the Secretary of the Interior, but this office has not yet been advised of any action thereon by the Department.

Respectfully,

Commissioner.

7-3106

Muskogee, Indian Territory, April 24, 1906.

COPY

Winnie Gardner,

Bokchito, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered April 24, 1906, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of the decision and have been allowed fifteen days from the date of this notice within which to file protest against your enrollment. If at the expiration of that time no protest has been filed, the name of Winnie Gardner will be placed upon the final roll of citizens by intermarriage of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

SIGNED

*Wm. O. Beall*  
Acting Commissioner.

Registered.

Incl. 7-3806



7-3806

Muskogee, Indian Territory, April 24, 1906.

COPY

C. T. Mitchell,  
Attorney at Law,  
McCurtain, Indian Territory,

Dear Sir:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on April 24, 1906, rendered his decision granting the application for the enrollment of Minnie Gardner as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of the decision and have been allowed fifteen days from the date of this notice within which to file protest against her enrollment. If at the expiration of that time no protest has been filed, the name of Minnie Gardner will be placed upon the final roll of citizens by intermarriage of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

SIGNED

Wm. O. Beall

Registered.

Acting Commissioner.

Registered.

Acting Commissioner.

Incl. 7-3806  
7-3806

Muskogee, Indian Territory, April 24, 1906.

COPY

Mansfield, McMurray & Cornish,  
Attorneys for Choctaw and Chickasaw Nations,  
South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered April 24, 1906, granting the application for the enrollment of Minnie Gardner as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from the date of this notice within which to file protest against her enrollment. If at the expiration of that time no protest has been filed, the name of Minnie Gardner will be placed upon the final roll of citizens by intermarriage of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

SIGNED

*Wm. C. Beahm*

Acting Commissioner.

Registered.

Incl. 7-3806

END  
OF  
ROLL

1031

12