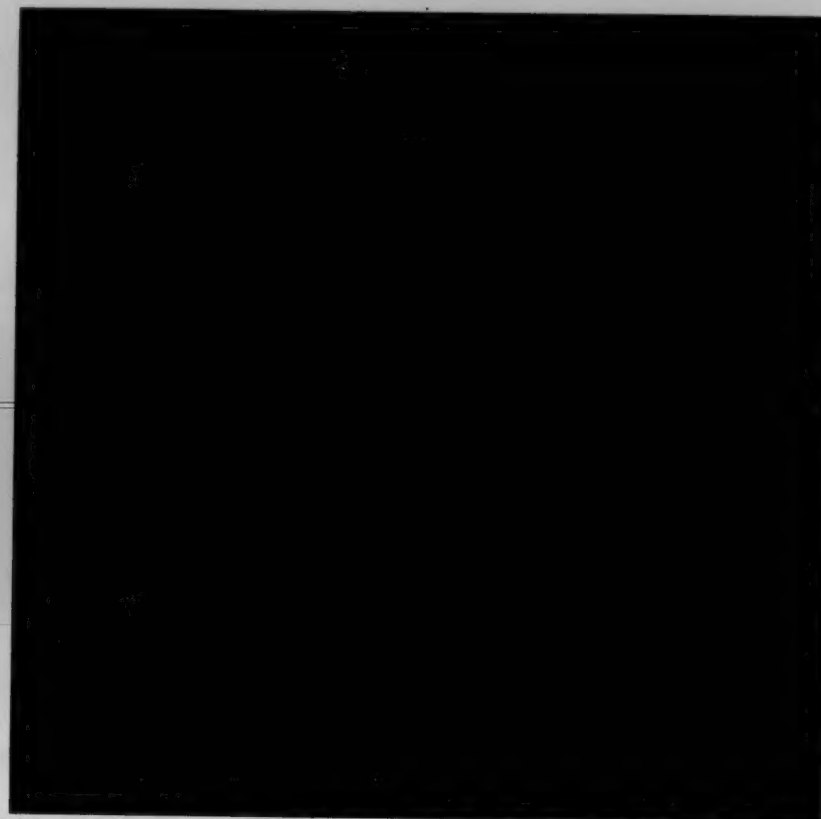
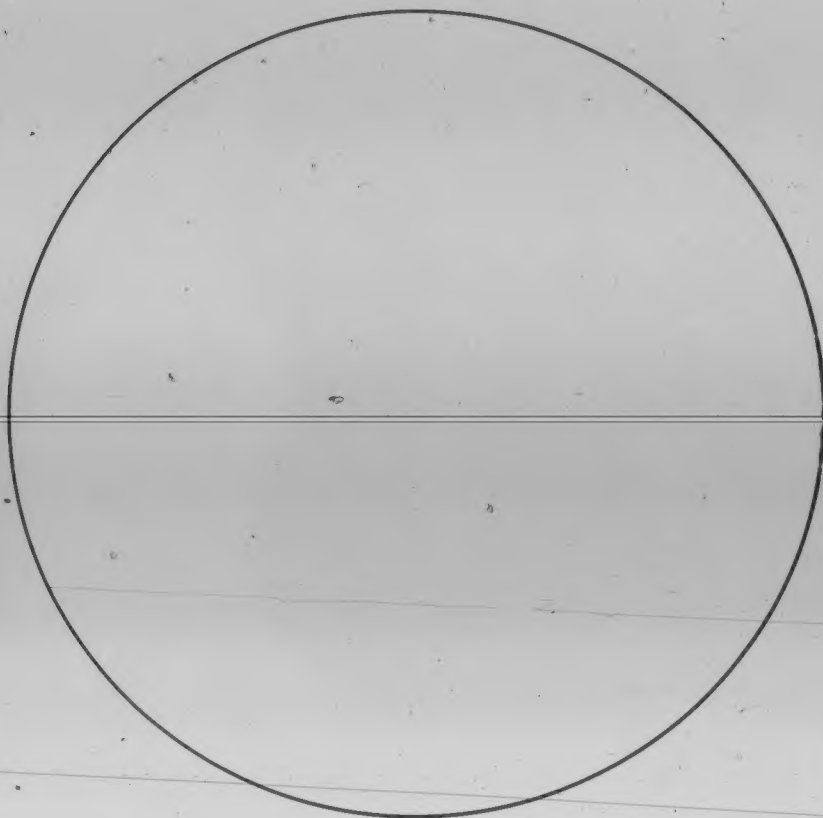
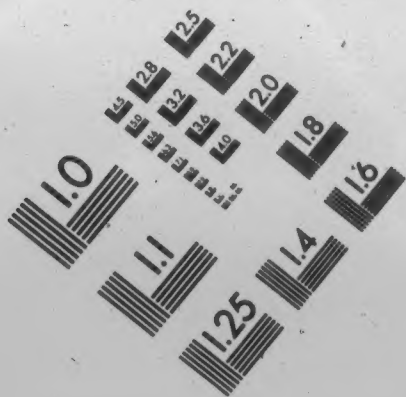


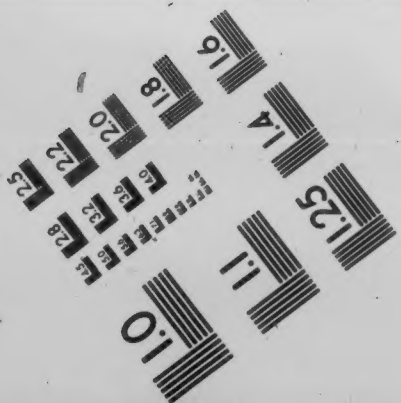
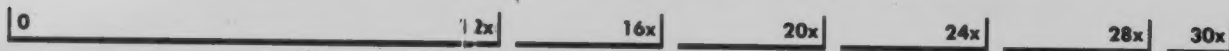


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APPLICATIONS FOR ENROLLMENT OF THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

1898 - 1914

Roll 26

Choctaw by Blood 43 - 45

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

WASHINGTON: 1983

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Lorenzo

Smallwood

4391

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 - -

Lola Seybold.

7-D-486.

DEPARTMENT OF THE INTERIOR.
 COMMISSION TO THE FIVE CIVILIZED TRIBES.
 Atoka, Indian Territory, March 3, 1905.

--cOo--

In the matter of the application for the enrollment of
 Lola Seybold as a citizen by intermarriage of the Choctaw Nation.

--Ooo--

Lola Finnell, being duly sworn, testified as follows:

EXAMINATION BY THE COMMISSION.

- Q What is your name? A Lola Finnell.
 Q How old are you? A Thirty-four.
 Q What is your post office address? A Roff, Indian Territory.
 Q What is your father's name? James Harden.
 Q What is your mother's name? A Mickey Harden.
 Q Are they both white people, citizens of the United States? A Yes, sir.
 Q Are they living? A No, sir; both dead.
 Q Do you claim the right to enrollment as a citizen by intermarriage of the Choctaw Nation? A Yes, sir.
 Q Through whom do you claim such right? A John Smallwood.
 Q Is John Smallwood a recognized and enrolled citizen of the Choctaw Nation? A He was never enrolled. He was killed in 1885, but his mother and sister recognized me.
 Q When were you married to him? A 1884.
 Q Did you procure a license to marry? A No, sir; did not issue licenses at that time.
 Q Who performed the marriage ceremony? A William Clark.
 Q In what capacity did William Clark act in performing that ceremony? A He was a minister of the Gospel.
 Q Is William Clark living? A No, sir; dead, so I have been told.
 Q And you and John Smallwood lived together continuously from the time of your marriage until he was killed in 1885? A Yes, sir.
 Q There was no separation, abandonment, or divorce during that time? A No, sir.
 Q In what nation were you a resident at the time of your marriage to John Smallwood? A Choctaw Nation, at Lehigh.
 Q Where was he living at that time? A Atoka, Choctaw Nation.
 Q Did you have any children by John Smallwood? A One.
 Q What is that child's name? A Lorenzo Smallwood.

The applicant's son, Lorenzo Smallwood, is identified on Choctaw card field No. 4391, final roll No. 12248.

- Q Were you ever married prior to your marriage to John Smallwood? A No, sir.
 Q He was your first husband? A He was my first husband.
 Q Was he ever married prior to his marriage to you? A Not, that I know of.
 Q You were his first wife? A I was his first wife.
 Q Since his death have you remarried? A Yes, sir.

Lola Seybold 2.

- Q How many times? A Two times.
- Q To whom? A Herman Seybold and E. O. Finnell.
- Q When were you married to Henry Seybold? A I think in 1894, I would not be positive. No, it was not 1894. I could not be positive when I married him.
- Q When were you married to E. O. Finnell? A 8th of last August.
- Q Are they both non citizen white men? A Yes, sir.
- Q And claim no right as citizens of the Choctaw Nation? A None whatever.
- Q Where have you been living since the death of your husband John Smallwood? A In the Choctaw and Chickasaw Nations.
- Q You have never made your home outside of these two Nations? A No, sir.
- Q During the time you lived together as husband and wife, ~~was~~ you and John Smallwood, did you live in the Choctaw nation? A Yes, sir.
- Q Have you any evidence of your marriage to John Smallwood? None whatever. I ran away to marry. I have no proof. The witnesses are both dead. John Neal and Nancy Neal were the only two witnesses I had and they are both dead.
- Q Did you get a marriage certificate? A No, sir; they did not issue any certificate at that time.
- Q You say that William Clark, the minister who married you, is dead too? A Yes, sir; that is my understanding.
- Q Where were you married? A Boggy Depot.
- Q Have you any witnesses who know that you and John Smallwood lived together as husband and wife? A I think I have plenty of them here.

It will be necessary, Mrs. Finnell, in the matter of your application for you to furnish the Commission with evidence of your marriage to John Smallwood. If you are unable to furnish a marriage certificate or a certified copy thereof you should furnish the personal testimony of at least two disinterested witnesses who know that you were married to John Smallwood, and that you lived together as husband and wife after such marriage.

- Q What is the exact date of your marriage to John Smallwood?
A 8th day of September, 1884.
- Q When were you married to E. O. Finnell? A 8th day of Last August--1904.
- Q Then your name on September 25, 1902, was Lola Seybold? A Yes, sir.

Witness excused.

Frank W. Plato, being duly sworn, testified as follows:

EXAMINATION BY THE COMMISSION.

- Q What is your name? A Frank W. Plato.
- Q How old are you? A I was born in 1852--going on 53.
- Q What is your post office address? A Chickasha, Indian Territory.
- Q Are you a citizen of either the Choctaw or Chickasaw Nation?
A Citizen of the Choctaw by intermarriage.
- Q Do you know Lola Finnell, formerly Seybold? A Yes, sir; I knew her as Lola Parden and as Lola Smallwood.

Lola Seybold 3.

- Q Is she an applicant for enrollment as a citizen by intermarriage of the Choctaw Nation? A Yes.
- Q Did you know John Smallwood? A Yes, sir.
- Q Is he the man through whom she claims her right? A Yes, sir.
- Q What do you know about the marriage of the applicant to John Smallwood? A Well I know that it was currently reported here in this county and in this neighborhood, this and Lehigh, that John Smallwood had married this woman, and I knew that they were living together at this time at Lehigh and out on Boggy. I lived over here near Rock Academy, but I lived in Atoka County.
- Q You were well acquainted with both of them? A Yes, I was well acquainted with John. We were chums.
- Q After their alleged marriage did they live together continuously as husband and wife from the date of said marriage until the death of John Smallwood? A They lived together until John Smallwood went to Kansas. Now I don't recollect how long he was gone. I don't recollect how long it was from the time he left here until he was reported killed. I don't think it was more than a week.
- Q But they had never been separated? A No, sir; not to my knowledge.
- Q During all this time they were regarded as husband and wife? A Yes, sir.
- Q Do you remember hearing of the wedding? A Yes, sir; I remember hearing of the wedding. This woman was considered a little fast, and I know among us young fellows we thought it was a slam on us, and we just side tracked John on account of it. She was considered pretty fast. She was a beautiful young woman. I don't think she was over fifteen at the time they married. I don't remember how old she was. She was pretty and that is why John got struck on her. I know they lived together as man and wife, and we gave him the sidetrack on account of it. I have a faint recollection that she came to Atoka to receive the corpse after John was shot or killed. I don't remember whether the corpse was ever returned to Atoka or not, but I do know that that woman came here to get it, and it seems to me there was a strike or something and I don't believe he was ever buried here.
- Q John Smallwood was a recognized citizen by blood of the Choctaw Nation? A Yes, sir; nephew of Governor Benj. F. Smallwood. He had two brothers. Mrs. Dillon was one of his sisters. Young Ben F. Smallwood was his brother. Dick was a brother. They both died.
- Q There is no question about their citizenship? A No.
- Q What degree of Choctaw blood do they possess? A At least half blood.

Witness excused.

Morris Cave, being duly sworn, testified as follows:

EXAMINATION BY THE COMMISSION.

- Q What is your name? A Morris Cave.
- Q How old are you? A 49.

Lola Seybold 4.

- Q What is your post office address? A Atoka, Indian Territory.
Q Are you a citizen of the United States? A Yes, sir.
Q Do you know the applicant Lola Seybold? A Yes, sir; I don't know her by that name, but I know her by the name of Smallwood, or by the name Harden.
Q Were you present at her marriage to John Smallwood? A No, sir.
Q Do you know that they were married? A I could not say, I was not there. He told me he was living on his farm with this woman.
Q Did he tell you that she was his wife? A Yes. I was well acquainted with him. I asked him one day where he was staying. He said he was married and staying on his farm. Told me that Lola Harden was his wife.
Q When was that? A I could not say the year. I was butchering in Savanna or Lehigh.
Q Did the applicant and John Smallwood live together as husband and wife? A That is what he told me.
Q All you know about it is that he told you that the applicant was his wife? A Yes.
Q Were they regarded in the neighborhood in which they lived as husband and wife? A I don't know, I did not live in the neighborhood. I knew the family. I asked John Where are you living now and he said I have quit gambling and got married and settled down on the farm.
Q Did you ask him his wife's name at that time? A I think so.
Q He told you anyway that Lola Harden was his wife? A Yes.
Q Was John Smallwood a recognized citizen by blood of the Choctaw Nation? A Yes, sir.
Q His citizenship was never disputed in any way? A No, sir. Ex-Governor Smallwood was his uncle.
Witness excused.

Robert E. Grunert, stenographer to the Commission to the Five Civilized Tribes, on oath states that he reported all the proceedings had in the above entitled case at Atoka, Indian Territory, on March 3, 1905, and that the foregoing is a full, true and correct transcript of his stenographic notes.

Robert E. Grunert

Subscribed and sworn to before me this 11th day of March, 1905.

Myron White
Notary Public.

1000

WILD

1805

UNITED STATES OF AMERICA,
Central
~~SOUTHERN~~ DISTRICT,
INDIAN TERRITORY.

John Stoops, after being duly
sworn, deposes and says that I am 35 years of age and reside at
Coalgate, Indian Territory, that I have known Lola
Fannell nee Lola Seybold nee Lola Smallwood for 27 years, that
she was married to John Smallwood about the year 1884, and that they
lived together as man and wife until John Smallwood's death.

Can White

John Stoops

Subscribed and sworn to before me, this the 12 day of June,
1905.

My Com Expires April 1898

Can White
Notary Public.

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UNITED STATES OF AMERICA,

Central
COUNTY DISTRICT,

INDIAN TERRITORY.

Martha Gold, after solemnly sworn, deposes and says that I am 36 years of age and reside at

Coalgate, Indian Territory, that I have known Lola Demellane Lola Reynolds nee Lola Smallwood for 28 or more years, that she was married to John Smallwood about the year 1846 and that they lived together as man and wife until John Smallwood's death, and

that John Smallwood was a Choctaw by blood.

Witnesses: Ollie Kestis.
Geo. A. Foshee.

Martha Gold
made

Subscribed and sworn to before me, this the 12 day of June,
1885.

Geo. A. Foshee.
Notary Public.

Offodant of ...
H.C.

1805

United States of America)
)
Central District) ss
)
Indian - - - - Territory)

On this the 13th day of June, 1905, personally appeared before me, Dwight Brown, a notary public in and for the Central District of the Indian Territory, John A. Kolb, personally known to me as a credible person, who being by me first duly sworn as the law directs on his oath deposes and says:

My name is John A. Kolb, I am 48 years old, a citizen of the United States and resident of the Town of Tahhigh, Indian Territory where I have resided for the last past twenty-two years. I am personally acquainted with Lola Kennell--nee Lola Seybold--Nee Lola Skallwood--nee Lola Hardin. I was well acquainted with John Samuel Ward before and after his marriage to Lola Hardin, and know them when they lived together as man and wife here in the town of Tahhigh, and know that they lived together as man and wife up until the time of John Skallwood's death.

John A. Kolb

Subscribed and sworn to before me on the 13th day of June, 1905

Dwight Brown

Notary Public

Offadarit of Lon Bon
and R. S. Whalen

1905

C. B.
7-D-486.

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

In the matter of the application of Lola Seybold 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 in the year 1884, the applicant, Lola Seybold, was lawfully married to John Smallwood, a recognized citizen by blood of the Choctaw Nation, the name of whose child by said marriage (Lorenzo Smallwood) appears as No. 12248 upon the lists 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 March 6, 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 in said Nation as husband and wife until the death of said John Smallwood in the year 1885; that thereafter the applicant was married to Henry Seybold, a non-citizen white man; that the applicant has been a resident in good faith of the Choctaw-Chickasaw country continuously since the date of her marriage to the said John Smallwood 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, Lola Seybold 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.

0012 1903

COPY.

7-D-486

Muskogee, Indian Territory, October 2, 1905.

Lola Finnell (Seybold),

Roff, 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 the application for your enrollment (as Lola Seybold), 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 said 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,

James B. Brey
Commissioner.

Registered.

Incl. 7-D-486

COPY.

7-D-486

Muskogee, Indian Territory, October 2, 1905.

George J. Humphreys,
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 Lola Seybold 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,

Lane Dinsby

Registered.

Commissioner.

7-D-486

COPY.

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 Lola Seybold 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

Commissioner.

Registered.

Incl. 7-D-486.

Commission to the Five Civilized Tribes,

South McAlester, Ind. Ter.

In the enrollment of Lola Seybold as an intermarried Choctaw ~~man~~ being sworn and examined by Com'r McKennon she states:

- Q What is your name? A Lola Seybold.
- Q How old are you? A Twenty-nine.
- Q Were you married to a Choctaw citizen? A Yes sir.
- Q When? A In 1884.
- Q What is his name? A John Smallwood.
- Q Did you live with him until his death? A Yes sir.
- Q When did he die? A He was killed in 1885.
- Q Since that time you have married a white man? A Yes sir. . .
- Q What is his name? A Henry Seybold.
- Q How were you married to Smallwood? A By a Choctaw preacher ~~named~~ named William Clark, at Boggy Depot, in the Choctaw Nation.

Alexander L. McCoy being sworn and examined states:

- Q What is your name? A Alexander L. McCoy.
- Q How old are you? A Sixty-three.
- Q Do you know Lola Seybold? A I knew her by the name of Smallwood, and by her maiden name.
- Q Were you present at her marriage to Smallwood? A No sir, all I know is I was living with him when he was killed; I went and fetched her things to her folks after he was killed.
- Q You didn't know anything about the marriage when it occurred, did you?
- A No sir, I didn't know anything about that; all I know is that she was living with him when he went off on a little trip, and ~~was~~ was killed.

Examined by Chick Com'r Capt. Peter Maytubby:

- Q Where did John Smallwood live when you married him? A In ~~the~~ Atoka.

lola Seybold #2)

Q You had a child by Smallwood?

A Yes sir.

Q What is its name?

A Lorenzo Smallwood. He has been enrolled by your Commission at Atoka.

Department of the Interior,
Commission to the Civilized Tribes.

I hereby depose and swear, under official oath as
steno-grapher to the Commission, that this
transcript is a true, full and correct translation of
my stenographic notes

M. D. ...

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.

Muscogee, Indian Territory,

August 18th, 1900.

Lola Seybold,

Lehigh, Indian Territory,

Dear Madam:

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-486. •

Muskogee, Indian Territory, September 18, 1900.

Lola Seybold,

Lehigh, Indian Territory.

Dear Madam:-

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.

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, September 18, 1900.

Lola Seybold,

Lehigh, Indian Territory.

Dear Madam:-

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,

Tamm Bixby
Acting Chairman.

Choctaw D-486

Muskogee, Indian Territory, February 26, 1903.

Lola Seybold,
Lehigh, 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.

41900
103

COMMISSIONERS

HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

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

REFER IN REPLY TO THE FOLLOWING

Choctaw D-486

ALLISON L. AYLESWORTH,
SECRETARY

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES, Muskogee, Indian Territory, February 26, 1903.

Lola Seybold,
Lehigh, 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-486.

Muskogee, Indian Territory, July 18, 1904.

E. O. Finnell,
Okemah, Indian Territory.

Dear Sir:

Your letter of July 5th, addressed to the United States Indian Agent has been by him referred to the Commission for appropriate action. You ask therein if the name of Lola Seabold appears on the Choctaw roll.

In reply to your letter, you are advised that Lola Seybold is an applicant for enrollment as an intermarried citizen of the Choctaw Nation; but her final right to such enrollment has not yet been determined; when a decision is reached in this case, she will be notified of the action taken therein.

Respectfully,

Commissioner in Charge.

7-D-486.

Muskogee, Indian Territory, August 16, 1904.

Lola Seybold,

Lehigh, 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.

7-D-486.

Muskogee, Indian Territory, October 13, 1904.

Lorenzo Smallwood,
Coalgate, Indian Territory,

Dear Sir:-

A number of letters have been written by this Commission to your mother, Lola Seybold, addressed to her at Lehigh, Indian Territory, all of which have been returned through the mails unclaimed.

Her application for enrollment as a citizen by intermarriage is pending, but before the same can be finally passed upon, it is necessary that she appear in person before the Commission to testify as to her intermarried status on September 25, 1902.

Will you kindly advise her that she must appear for this purpose at the office of the Commission in Muskogee, Indian Territory, as early as possible.

Respectfully,

Commissioner in Charge.

COMMISSIONERS
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE

WM. O. BEALL,
Secretary

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

REFER TO APPLY TO THE FOLLOWING

7-D-486

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, October 13, 1904.

Lorenzo Smallwood,
Coalgate, Indian Territory,

Dear Sir:-

A number of letters have been written by this Commission to your mother, Lola Seybold, addressed to her at Lehigh, Indian Territory, all of which have been returned through the mails unclaimed.

Her application for enrollment as a citizen by intermarriage is pending, but before the same can be finally passed upon, it is necessary that she appear in person before the Commission to testify as to her intermarried status on September 25, 1902.

Will you kindly advise her that she must appear for this purpose at the office of the Commission in Muskogee, Indian Territory, as early as possible.

Respectfully,



Commissioner in Charge.

7-D-486.

Muskogee, Indian Territory December 20, 1904.

E. O. Finnell,

Okemah, Indian Territory.

Dear Sir:

On July 18, 1904 the Commission acknowledged receipt of your letter of July 5, 1904 addressed to the United States Indian Agent and which was by him referred to the Commission for appropriate action. You ask therein if the name of Lola Seabold appears upon the Choctaw roll.

You are advised that it will be necessary, before the right of said Lola Seabold to enrollment as a citizen by intermarriage of the Choctaw Nation can be determined, for her to appear in person before the Commission at its office in Muskogee, Indian Territory for the purpose of giving her testimony relative to her right to enrollment as such citizen and as to her intermarried status on September 25, 1902.

Owing to the limited time within which the Commission must finish its work and complete the rolls of the Choctaw and Chickasaw Nations such appearance should be made at once.

Respectfully,

Chairman.

7-D-486.

Muskogee, Indian Territory, May 11, 1905.

A. J. Humphery,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 8, asking if Lola Finnell, or Lola Seybold has been listed for enrollment as an intermarried citizen of the Choctaw Nation.

In reply to your letter you are advised it appears from our records that Lola Seybold is an applicant to this Commission for enrollment as an intermarried citizen of the Choctaw Nation but no decision has yet been reached relative to her right to such enrollment.

Respectfully,

Chairman.

Muskogee, Indian Territory, June 7, 1905.

George J. Humphreys,
Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 17, 1905, stating that if further evidence is necessary in the matter of the application of Lola Finnell, formerly Seybold, for enrollment as an intermarried citizen of the Choctaw Nation, that you can furnish the same.

In reply to your letter you are advised that on March 3, 1905, when Lola Finnell appeared before the Commission to testify relative to her intermarried status she was informed that it would be necessary for her to furnish evidence of her marriage to John Smallwood; that if she was unable to furnish a marriage license or certificate or a certified copy thereof she should forward affidavits of two disinterested witnesses who knew of her marriage to John Smallwood and that they lived together as husband and wife. This testimony has not yet been received and no further consideration can be given the application for the enrollment of Lola Finnell (Seybold) until evidence of her marriage has been received.

Respectfully,

Commissioner in Charge.

Muskogee, Indian Territory, June 22, 1905.

George J. Humphreys,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 16, 1905, enclosing affidavits of Martha Gald, John A. Kolb, John Stoops and the joint affidavit of Lon Knox and R. S. Whalen which you offer in support of the application for the enrollment of Lola Finnell (Seybold) as an intermarried citizen of the Choctaw Nation and the same have been filed with the records in this case.

Respectfully,

Chairman.

Muskogee, Indian Territory, July 1, 1905.

George J. Humphreys,
Ardmore, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of June 23, inclosing affidavit of J. M. Harrison, which you offer in support of the application of Lola Finnell for enrollment as an intermarried citizen of the Choctaw Nation, and the same has been filed with the record in this case.

You are advised, however, that you were informed on June 7, 1905, that Mrs. Finnell had been notified to forward affidavits of two disinterested witnesses who knew of her marriage to John Smallwood, and the affidavit forwarded with your letter of June 23 only states that Lola Smallwood and John Smallwood lived together as man and wife for about five years, and makes no statement at all with reference to their marriage.

It will be necessary that the evidence requested in our letter of June 7, 1905, be forwarded in this case in order that disposition may be made thereof.

Respectfully,

Commissioner.

Muskogee, Indian Territory, July 14, 1905.

George J. Humphreys,
Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of July 10, 1905, asking if the affidavits of John Kalb, Martha Gold, John Stoops, John Harrison et al., have been received in the matter of the application of Lola Finnell or Lola Smallwood for enrollment as an intermarried citizen of the Choctaw Nation; you state that you forwarded these affidavits but have received no acknowledgment thereof.

In reply to your letter you are advised that on June 22, 1905, there were received at this office the affidavits of John Kalb, Martha Gold, John Stoops and joint affidavit of Lon Knox and R. S. Whalen and on July 1, 1905, the affidavit of J. M. Harrison filed in support of the application of Lola Finnell for enrollment as an intermarried citizen of the Choctaw Nation.

You will be notified in event further evidence is necessary in this case.

Respectfully,

Commissioner.

REFER IN REPLY TO THE FOLLOWING:

7-4391

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

Muskogee, Indian Territory, December 5, 1905.

Lola Finnell (Seybold),
Roff, Indian Territory,

Dear Madam:

You are hereby advised that on November 27, 1905, the Secretary of the Interior approved your enrollment as a citizen by intermarriage of the Choctaw Nation, and your name appears upon the roll of such citizens as No. 1503.

You are now entitled to an allotment, and application therefor should be made without delay at the Land Office for the Nation in which the prospective allotment is located.

Respectfully,

W. C. Beall

Acting Commissioner.

7-4391.

Substitute
Muskogee, Indian Territory, January 25, 1906.

Mrs. O. E. Fennell,
Pawhuska, Oklahoma.

Dear Madam:

Receipt is hereby acknowledged of your letter of January 17, 1906, in which you state you are enrolled as a citizen by intermarriage of the Choctaw Nation under the name of Lola Seybold and ask if you are now entitled to draw back moneys.

In reply to your letter you are advised that you have been enrolled as a citizen by intermarriage of the Choctaw Nation and your enrollment as such approved by the Secretary of the Interior, and your name appears upon said roll, opposite No. 1503.

You are further advised that the payment of moneys to citizens of the Choctaw and Chickasaw Nations is a matter within the jurisdiction of the United States Indian Agent and for information upon this subject, you should address him at Muskogee, Indian Territory.

Respectfully,

Acting Commissioner.

REFER IN REPLY TO THE FOLLOWING:

7-D-486

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

Muskogee, Indian Territory, October 2, 1905.

Lola Finnell (Seybold),
Roff, 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 the application for your enrollment (as Lola Seybold), 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 said 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,

Registered.

Incl. 7-D-486


Commissioner.

MEMORANDA.

(Date) July 1 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:

<i>Mr. ...</i>	County	<i>...</i>	Year	Page	<i>302</i>	No.	<i>116 89</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.	

9-439

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,.....

nc
39

Wife's name, *Lola*.....

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.....

II-486.

CORRECTION

THIS DOCUMENT
HAS BEEN
REPHOTOGRAPHED
TO ASSURE
LEGIBILITY

MEMORANDA.

(Date) Sept 12 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,

we
39

Wife's name, Lola

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:

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

II-486.

Choc 4392 Joel L.C. Pate
Soulie L. Pate

Refused Jan 31, 1907

See PETITION JACKET C-79

4392

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

JOEL L. C. PATE. . . . C-79.

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

In the enrollment of Joel L. C. Pate as an intermarried choctaw; being sworn and examined by Com'r McKennon he states:

- Q What is your name? A Joel L. C. Pate.
Q How old are you? A Fifty-eight.
Q Where have you been living? A In the Choctaw Nation.
Q How long? A Since 1886.
Q Continuously? A Yes sir.

Department of the Interior
Commission to the Five Civilized Tribes
I hereby certify that the foregoing as
stated by the stenographer to the said Commission, that this
transcript is a true, full and correct translation of
my stenographic notes.

M. J. McKennon

DEPARTMENT OF THE INTERIOR.
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

IN THE MATTER OF THE APPLICATION OF)
JOEL L. C. PATE TO BE ENROLLED AS AN) P E T I T I O N .
I N T E R M A R R I E D C H O C T A W)

Comes now your petitioner, Joel L. C. Pate and represents that he is a white man, sixty-five years old and a resident of the Choctaw Nation, residing in Caddo.

Your petitioner states that heretofore, to wit, in the year 1859, he was lawfully married to Miss Ella A. Lane, who was a Choctaw Indian woman by blood. That said marriage ceremony was solemnized in the state of Mississippi and that thereafter, to wit, in the year 1855-6 your petitioner, with his family removed to and settled in the Choctaw Nation, Indian Territory and your petitioner has resided here ever since said date, except one year, during which time your petitioner resided in the Chickasaw Nation. Your petitioner states that by said marriage certain children were born and that the names of those children living, are Olivia W. Folsom, nee Pate, Josie L. Pate, Sallie M. Clower, nee Pate, Ella A. Merrill, nee Pate, Soulie L. Finney, nee Pate and Lavinia W. Rutherford, nee Pate; that all of said children are duly enrolled as Choctaw Indians by blood and approved by the Secretary of the Interior and have selected their allotments.

Your petitioner states that prior to removing to the Choctaw Nation, his wife died, and died prior to the making of the rolls of the Choctaw Nation.

Your petitioner further states that in the year 1896 when Choctaw Commissioners were appointed for the purpose of making the rolls of the Choctaw citizens, were in session said Commissioners placed the name of your petitioner as J. L. C. Pate and as a citizen by marriage of the Choctaw Nation and your petitioner now states that his name now, or should now appear upon said rolls, upon the 1896 roll as well as the roll made in 1897.

Your petitioner further states that in the year 1885 the Choctaw Council passed an Act granting citizenship to his wife and children, together with other citizens and that upon removing to the Choctaw Nation in 1886 he was recognized as a member of the Nation by the officials of the Choctaw Nation and has continued to be recognized as such by said officials. He has voted at all elections and has been called and has served as a juror in the Choctaw Courts and has served as Clerk of the election of judges at Choctaw elections.

Your petitioner states that he is informed and believes that by virtue of the above facts that he should be enrolled as a citizen by marriage of the Choctaw Tribe of Indians and your petitioner states that he has heretofore made application to be enrolled as such under the Acts of 1896 and that said Commission denied the application of your petitioner but that your petitioner states that he is informed and believes that said Commission had no authority under such acts to hear and determine such application and that his rights should now be determined upon his status as appearing upon the roll of said Nation.

WHEREFORE, your petitioner prays that said Commission

proceed at this time to officially determine your petitioner's rights.

Joel L. C. Pate.

Subscribed and sworn to before me this the 14th day of February, A. D. 1906.

N. H. Moorman,
Notary Public.
(SEAL)

My Commission expires the 5th day of July, A. D. 1909.

UNITED STATES OF AMERICA
CENTRAL JUDICIAL DISTRICT
INDIAN TERRITORY

G. T. Ralls, having been first duly sworn, according to law, states upon his oath that he is over twenty-one years of age and a resident of Atoka, Indian Territory; that on the ____ day of February, A. D. 1906, he placed a true and correct copy of the petition hereto attached, in an envelope addressed to Mansfield, McMurray & Cornish, Attorneys-at-law, South McAlester, Indian Territory, and sealed the same and placed thereon the proper postage and delivered the same to the postmaster at Atoka, Indian Territory for transmission; that he caused the same to be registered and procured therefor a registry receipt which is hereto attached and marked "Exhibit A".

G. T. Ralls

Subscribed and sworn to before me this the ____ day of Feb.
(SEAL)
1906.

N. H. Moorman.

Notary Public.

My Commission expires July 5th, A. D. 1909.

(Registry receipt attached here)

DEPARTMENT OF THE INTERIOR.
COMMISSIONER TO THE FIVE CIVILIZED TRIBES
MUSKOGEE, INDIAN TERRITORY, OCTOBER 8, 1906.

-----oOo-----

In the matter of the application for the enrollment of
Joel L. C. Pate as a citizen by intermarriage of the Choctaw
Nation.

Under the regulations adopted by the Commissioner to
the Five Civilized Tribes, January 2, 1906, there was filed on
February 17, 1906, by Ralls Brothers, attorneys for the petitioners,
a petition for the enrollment of Joel L. C. Pate as a citizen by
intermarriage of the Choctaw Nation, it being alleged that the
said Joel L. C. Pate was married to Ella A. Lane, a Choctaw In-
dian woman, who died prior to the making of the rolls of the
Choctaw Nation.

On September 1, 1906, Joel L. C. Pate, Caddo, Indian
Territory, Ralls Brothers, attorneys for the petitioners, Atoka,
Indian Territory, and Mansfield, McMurray & Cornish, attorneys for
the Choctaw and Chickasaw Nations, South McAlester, Indian Ter-
ritory, were notified that the Commissioner would at his office
at Muskogee, Indian Territory, on Monday, September 24, 1906, at
nine o'clock, A. M., hear such testimony and receive such other
evidence as might be submitted in support of said petition.

On September 24, 1906, upon the request of the attorneys
for the petitioner, the hearing in said cause was continued until
Monday, October 8, 1906, at nine o'clock, A. M., and notice there-
of furnished the petitioner, his attorneys, and the attorneys for
the Choctaw and Chickasaw Nations.

Now on this 8th day of October, 1906, at nine o'clock,
A. M., the case being called for hearing, the following appearances
were entered and proceedings had:

The petitioner, Joel L. C. Pate;
G. T. Ralls of Ralls Brothers, attorney for petitioner;
G. Rosenwinkle, representing Mansfield, McMurray & Corn-
ish, attorneys for the Choctaw and Chickasaw Nations.

JOEL L. C. PATE, being first duly sworn by W. W. Chappell, tes-
tified as follows:

By Mr. Rosenwinkle:

The Nations object to any proceedings in this case, and state

Joel L. C. Pate----2.

that the right of the petitioner to enrollment as a citizen by intermarriage of the Choctaw Nation has been fully determined by the Choctaw and Chickasaw Citizenship Court.

Direct Examination.

(By the Commissioner)

- Q What is your name? A Joel L. C. Pate.
Q How old are you? A I am 65.
Q What is your post office address? A Caddo, Indian Territory.

(By Mr. Ralls)

- Q Mr. Pate, how long have you lived in the Choctaw Nation?
A Since February first, 1886. Well, I lived one year in the Chickasaw Nation.
Q What place in the Choctaw Nation did you reside most of the time? A Most of the time at Atoka.
Q Living at Caddo at this time? A Yes sir.
Q Where did you come from to this country? A I came from Mississippi.
Q Were you married in Mississippi? A Yes sir.
Q Whom did you marry? A I married Ella A. Lane.
Q What was her citizenship? A She was a Choctaw.
Q By blood? A Yes sir.
Q Did you ever make application to the Choctaw council?
A No sir, never applied to the council.
Q Was your wife ever admitted as a citizen of the Choctaw Nation by the council? A Well, her name was on the petition that was presented, with the balance of the family, but she had died previous to that. Her mother made the petition, and I suppose that when the petition was written that she was living.
Q Then the name of your wife and your children were on a petition to the Choctaw Council for admission as citizens in 1885?
A October, 1885.
Q And what action did the council take in the matter?
A They admitted them to citizenship.
Q Mr. Pate, during the time that you lived in the Choctaw Nation state whether or not you have been recognized as a Choctaw citizen.

(By Mr. Rosenwinkle)

That is objected to for the reason that the act of the Council and the tribal rolls are the only competent evidence to establish tribal recognition.

(By the Commissioner)

The objection will be sustained. It will be immaterial. The fact may be established by the tribal rolls and the acts of the Commission.

(By Mr. Ralls)

We want to prove by his own evidence that recognition, then prove his recognition by the Commission appointed by the Choctaw Council.

(By the Commissioner)

It would not be the best evidence as to his tribal enrollment.

(By Mr. Ralls)

Here is what I want to prove, whether or not they recognized him and what rights they have extended to him.

(By Mr. Rosenwinkle)

I have hardly got through with my objection-- I want to object for the further reason that it is immaterial whether he was recognized or not by the tribal authorities; the Secretary and the Commission have uniformly held in these suits that the only matters in issue in intermarried Choctaw cases were, first, whether the person claiming the right by intermarriage was married in accordance with the tribal laws, and secondly, whether the person by whom he was enrolled was a recognized and enrolled citizen of the Choctaw Nation, and these are the only two questions involved here. In other words, the Commissioner has always held that where an intermarried person's name has actually appeared on the tribal rolls that that does not prove anything for him, or against him.

(By Mr. Ralls)

This is a different case, it has a different principal involved all together. This is where he married in Mississippi and came out here and was then recognized, he and his family, as citizens, and then we are prepared to prove that after they admitted him he was permitted to vote at all the elections, acted as judge, or clerk of the election and was a juror, and I understand that the bill says that where they have been recognized by the different nations the evidence may go in, and that is the ground on which this case is brought. We can prove that he married a Choctaw and has been enrolled and we want this evidence; and now as to oral evidence we want it to go in as a matter of right and a matter of law and we want to offer these certificates in support of our contention.

(By the Commissioner)

The fact that he acted as judge of the elections and participate in the elections of the nation would not effect his right to be enrolled unless he was really married to a Choctaw Indian-- that is the real point in the case-- is whether he was married to a Choctaw Indian in accordance with the Choctaw laws.

(By Mr. Ralls)

He was married in Mississippi and that is why I say it is not the same. We think the evidence we are now asking to have admitted should go into the record. It gives us an opportunity to bring out our side of the case.

(By the Commissioner)

The Commissioner will hold that that would be immaterial.

(By Mr. Ralls)

I would like to have the facts appear, for if they were recognized by the Choctaw Council and if the Choctaw people have recognized them to the extent that they have all the rights and privileges of the Choctaws by blood, in the discretion of the Secretary they might be admitted.

(By Rosenwinkle)

I think the whole question in this case is simply whether the

Joel L. C. Pate-----4.

the fact that this man's children were admitted by the council as citizens subsequent to his marriage, whether that confers citizenship-- It seems that that is the whole question, isn't it, Mr. Ralls?

(By Mr. Ralls)

It is not necessarily, but the real question is whether when the council admitted them she may have died, but was living when the petition was made.

(By Mr. Pate)

I think she was, but could not say sure whether she was or not.

(By Mr. Ralls)

Of course it would be a question of intermarriage in the Indian Territory, it would be a different proposition, but you take those who were married before they came to this country, it presents a different question. It won't burden the record nor will it prejudice either side.

While the court is passing upon that I would like to offer here in evidence a certified copy of the act of the Choctaw Nation admitting to citizenship the children of the petitioner. And from the records of the Citizenship Court--

(By the Commissioner)

The Commissioner has uniformly declined to make the records of the Citizenship Court a part of the records in these cases.

(By Mr. Ralls)

Well, we would have to have permission to file certified copies of these then.

And here we want to offer a certificate of the Revisory Board admitting Mr. Pate to citizenship; a certificate from Green McCurtain, at that time Principal Chief of the Choctaw Nation we want to file, or a certified copy of it, at least, that is in the George A. Pate case which involves practically the same question that is in this. Then, we would like to have a certified copy of the marriage certificate of Joel L.C. Pate to Ellen A. Lane.

(By the Commissioner)

The Commissioner will have to hold that that would be immaterial as to recognition.

(By Mr. Ralls)

We want to except the ruling of the Commissioner in refusing to allow the petitioner to answer the question as to whether or not he has been recognized by the tribal authorities of the Choctaw Nation as a citizen, and whether or not he was allowed all the rights and privileges of a citizen, for the reason that we want to show by the petitioner that he was permitted to vote at all elections and that he was recognized and sworn in as a juror at the trial of cases in the Choctaw Courts, and that at no time did they ever require him to pay a permit to live in the Choctaw Nation.

(By Mr. Rosenwinkle)

With reference to the papers that have been offered by the plaintiff the nations object to the introduction of the certificate of the Revisory Board and state that the alleged action

Joel L. C. Pate----5.

of the Revisory Board was had at a time when the Choctaw Nation had no jurisdiction under the law to admit persons to citizenship; and, to the alleged letter of Governor McCurtain we object and state that the same is not in Governor McCurtain's writing and it does not appear to have been authorized by him. As to the Act of the Council and certificate of marriage we offer no objection.

(By Mr. Ralls)

What is your ruling on this question?

(By the Commissioner)

The objection will be noted.

(By Mr. Ralls)

We want further to have filed as part of this record a certified copy of the Act of the Choctaw Council, marked Exhibit B. Also like to have filed a certified copy of the record of the Special Master in Chancery, and a copy of the Judgment of the United States Court admitting the petitioner to citizenship.

(By Mr. Rosenwinkle)

Both of these papers are objected to on the ground that they are incompetent, irrelevant and immaterial.

(By Mr. Ralls)

Q Mr. Pate, have you married since the death of your wife?

A No sir.

Q I believe you were admitted by the United States Court as a citizen? A Yes sir.

Q Your children have all been admitted and on the roll?

A Yes sir.

(By Mr. Rosenwinkle)

Q At the time you married your wife she was not a citizen of the Choctaw Nation was she? A No sir.

Q You were never admitted by an act of the Choctaw Council yourself as an intermarried citizen? A No sir.

Q At the time your wife and children applied to the council your name didn't appear in that application? A No sir.

Q You never did formally comply with the Choctaw law relating to the marriage of white men with Choctaw women? A No sir, I married according to the laws of Mississippi.

(By Mr. Ralls)

Q You married according to the laws of Mississippi prior to your removal to this country? A Yes sir.

(By the Commissioner)

Q What is the date of the death of your wife, Mr. Pate?

A July.

Q What year? A '85.

Q July 1885. You were living with her at the time of her death?

A Yes sir.

Kate DeBord, stenographer to the Commissioner to the Five Civilized Tribes, being first duly affirmed, states that she cor-

Joel L. C. Pate----6.

rectly reported all proceedings had in the above entitled cause on the 8th day of October, 1906, and that the above and foregoing is a full, true and correct transcript of her stenographic notes taken therein on said date.

Kate D. Bore.

Subscribed and affirmed to before me this
9th day of October, 1906.

Walter M. Chappell.

Notary Public.

(COPY-DeB)

Exhibit A.

State of Mississippi)
)
Carroll County.)

I, Jas. L. Cain, Clerk
of the Circuit Court
in and for said County.

do hereby certify that there appears in Book C. on page 362 of the Record of Marriage Bonds and License of said County Now on file in my Office, the Record of the Marriage Bond and License of J. L. C. Pate to Ellen A. Lane. And that the return on said License shows that the Rites of Matrimony were performed between J. L. C. Pate and Ellen A. Lane on the 1st day of November 1859 by J. M. Hackworth a Minister of the Gospel.

Witness my hand and seal of said Court
at Carrollton, Miss. this Febraury 9th, 1885.

Jas. L. Cain, Circuit Clk.

(COPY-DeB)

(Exhibit B.)

Tuska Homma, C. N.

Oct. 20th, 1885.

To the General Council.

Your Committee to whom was referred the petition of Mrs. L. H. Pendleton claiming Choctaw citizenship by descent and praying that herself, children, grandchildren and sister be adopted as citizens of this Nation &c. have carefully examined the same and would respectfully ask the adoption of the following bill.

Be it enacted by the General Council of the Choctaw Nation assembled, that Mrs. L. H. Pendleton, and her children, Ellen A. Pate and Sallie Cunningham, and their children, Olivia W. Pate, Ella A. Pate, Josie L. Pate, James C. Pate, Sallie M. Pate, Lavinia Pate, Soulie Pate, John A. Cunningham and West L. Cunningham, and also Mrs. Amelia Thrall, a sister of the said Mrs. L. H. Pendleton, be and are hereby adopted as citizens of the Choctaw Nation by blood, and are entitled to all the rights and privileges as such; and that this act take effect and be in force from and after its passage.

Harris Franklin, Chm.

Committee on Petitions.

Bill No. 14.

Passed the Senate Oct 21st, 1885.

Charles Winston,

President.
of the Senate.

Passed the House and referred to Chief Oct. 21st, 1885.

A. C. Wright,

Speaker.

Approved Oct. 21st 1885.

Edmund McCurtain,

Principal Chief, C. N.

I hereby certify that the within act is a true and correct

copy from the original now on file in my office. Given under my hand and the great seal of the Choctaw Nation. Done at Tuska Homma this Oct. 21, 1885.

Thompson McKinney,
National Secretary Choctaw Nation.

This is to certify that G. A. Pate and J. L. C. Pate were enrolled as intermarried citizens of the Choctaw Nation by the Chief Commissioners sitting at Tuskahoma on the 6th day of Jan 1897. That is that the action of the County Commissioners for Atoka County, Leflore, Colsom and Charleston in enrolling these parties as intermarried citizens of the Choctaw Nation, and residents of Atoka County, was approved and ratified by the Board of Chief Commissioners appointed to review all cases of citizenship. Signed Jan. 14th, 1897.

Ben Watkins

Chf.Com'r 2nd Jud.Dist.

S. E. Lewis

Chf.Comr., 1st Dist.

A. R. Durant,

Chief Comr.3rd Dist.

C.N.

This is to certify that Ben Watkins, S. E. Lewis and A. R. Durant were the duly and legally appointed Commissioners on the Citizenship Revisory Board, under and in accordance with an Act passed and approved Oct. 30th, 1896, entitled "An Act Creating three Commissions to make a complete Roll of the Citizens of the Choctaw Nation.

In testimony whereof I have hereunto affixed my hand and the seal of the Choctaw Nation, this the 13th day of February 1897.
(SEAL)

Solomon J. Homer,
National Secretary
Choctaw Nation

(Endorsed--Filed June 9, 1897, E. J. Fannin).

In the United States Court for the Central District
of the Indian Territory.

J. L. C. Pate,
Plaintiff,

vs.

Report of Special Master in Chancery.

The Choctaw Nation,

defendant.

This cause was duly filed before the Dawes Commission September 7, 1896, plaintiff claiming citizenship by virtue of intermarriage with a Choctaw woman.

The defendant answered, or pleaded, denying the jurisdiction and authority of the Dawes Commission to hear and determine the cause and denying the legality of the rules and procedure of the Dawes Commission, and denying that the evidence adduced by the plaintiff was sufficient to establish his claim to citizenship and pleading that the wife of plaintiff was adopted by the Choctaw Nation after her marriage to the plaintiff, and that her adoption conferred no right on plaintiff.

The Dawes Commission gave judgment for the defendant December 2, 1896, from which plaintiff appealed January 23, 1897, assigning as error that the Dawes Commission erred in their judgment in not granting his application on his pleadings and the evidence adduced by him and under the law presented by him, and relying specifically on his long continuous residence and recognition as a Choctaw citizen by the Choctaw Nation, and on Sections 26 and 38 of the Treaty of 1866, and on the fact that he has been enrolled as a citizen of the Choctaw Nation, by the Choctaw Nation since the filing of his application with the Dawes Commission, the defendant answered saying it had not sufficient information to form a belief as to whether plaintiff was entitled to citizenship and referring to and making its original answer a part of this answer.

From the evidence adduced in the case I find that plaintiff was married in the state of Mississippi in November 1859 to a Choctaw woman by blood, who was adopted as such by the General Council of the Choctaw Nation October 21, 1885; that plaintiff has resided continuously in the Choctaw Nation since that time and has always been recognized by the Choctaw Nation as a member of the Choctaw Tribe or Nation, and has always been accorded all the rights of a Choctaw citizen by the Choctaw Nation since that time. And I further find from additional evidence filed in the case since the judgment of the Dawes Commission, that plaintiff has been duly and regularly enrolled by the Choctaw Nation as an intermarried citizen of the Choctaw Nation.

Respectfully submitted this 22nd day of June, 1897.

W. B. Rutherford,
Special Master in Chancery.

(Endorsed)

F I L E D

JUN 22 1897

E. J. Fannin, Clerk.

(COPY-DeB)

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

IN THE UNITED STATES COURT in the Indian Territory, Central District, at a term thereof begun and held at South McAlester, in the Indian Territory, on the 13th day of July, A. D. 1897. Present, the Honorable Wm. H. H. Clayton, Judge of said Court.

The following order was made and entered of record, to-wit:

J. L. C. Pate

vs.

No. 45.

Judgment.

Choctaw Nation.

This day came on to be heard this cause, and it appearing that the applicant herein has been regularly enrolled by the revisory board of the Choctaw Nation on the last roll made out since the rendition of judgment by the Commission to the Five Civilized Tribes, and it further appearing from the Special Master's report, that the applicant herein has married a Choctaw woman by blood, and his continuous residence in the Choctaw Nation entitles him to enrollment as a citizen of the Choctaw Nation by intermarriage. Said certificate being filed in this action.

It is therefore considered and adjudged by the Court that the applicant J. L. C. Pate be and he is hereby declared entitled to all the privileges and immunities of a member of the Choctaw Tribe or Nation of Indians by intermarriage.

It is further decreed and adjudged that the defendant, Choctaw Nation, recognize the rights and benefits herein granted, and treat the applicant as an intermarried citizen.

It is further ordered and adjudged that the Clerk of this Court make a certified copy of this judgment and send the same to

the Dawes Commission, and that said Commission enroll the applicant, J. L. C. Pate, on the rolls prepared or to be prepared by them of the citizens of the Choctaw Nation.

It is further ordered and decreed that the appellant have and recover of defendant, Choctaw Nation, his costs in this behalf expended, for which let execution issue.

United States of America)
 Indian Territory.) SS.
 District.)

I, E. J. Fannin, Clerk of the District Court of the United States for the Sent District of the Indian Territory, do hereby certify the foregoing to be a true copy of an order made by said Court on the 13 day of July 1897, 190__, as appears from the records of said Court now on file in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand, at my office in So. McAlester, in said District, this 20 day of March A. D. 1903.

E. J. Fannin, Clerk.
By I. M. Dodge, Deputy.

(SEAL)

(Endorsed on back)

COPY OF ORDER OF COURT.

This is to certify that I am the officer having custody of the records pertaining to the enrollment of the members of the Choctaw, Chickasaw, Cherokee, Creek and Seminole Tribes of Indians and the disposition of the land of said tribes, and that the foregoing is a true and correct copy of a certificate of Jas. L. Cain, Circuit Clerk of Carroll County, Mississippi, bearing date of February 9, 1885, as to the marriage of J. L. C. Pate to Ellen A. Lane: a certified copy of a certified copy of an act of the Choctaw Legislature, approved October 21, 1885, adopting Mrs. L. H. Pendleton, et al., as citizens of the Choctaw Nation: certificate of Solomon J. Homer, National Secretary of the Choctaw Nation, bearing date of February 13, 1897, certifying that G. A. Pate and J. L. C. Pate were enrolled as intermarried citizens by the Chief Commissioners sitting at Tuskahomma, on the 6th day of January, 1897: copy of the report of the Special Master in Chancery, W. B. Rutherford, submitted on June 22, 1897, in the case of J. L. C. Pate vs. Choctaw Nation; and copy of the judgment of the United States Court for the Central District of the Indian Territory, rendered on July 13, 1897, in the case of J. L. C. Pate vs. Choctaw Nation, case No. 45: said records being a part of the papers filed with the Choctaw-Chickasaw Citizenship Court in the case of J. L. C. Pate vs. Choctaw and Chickasaw Nations, Choctaw-Chickasaw Citizenship Court Case No. 113, on the South McAlester Pocket of said Court.

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

By _____ Clerk.

C-79.
7-4392.

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

In the matter of the application for the enrollment of
Joel L. C. Pate as a citizen by intermarriage of the Choctaw
Nation.

-: D E C I S I O N :-

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 at Atoka, Indian Territory, September 1, 1899, by Joel
L. C. Pate for the enrollment of himself as a citizen by inter-
marriage of the Choctaw Nation.

It further appears 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 Septem-
ber 7, 1896, for the admission of Joel L. C. Pate (as J. L. C.
Pate), as a citizen by intermarriage of the Choctaw Nation under
the provisions of the Act of Congress approved June 10, 1896 (29
Stats., 321): that said application was denied by the Commission
on December 2, 1896, (1896 Choctaw Citizenship Case, No. 567):
that from this decision an appeal was taken to the United States
Court for the Central District of Indian Territory, which Court on
January 23, 1897, reversed the decision of the Commission and ad-
mitted said applicant as a citizen by intermarriage of the Choctaw
Nation.

Said judgment 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."

Said cause was subsequently certified to the Choctaw-
Chickasaw Citizenship Court created under the provisions of the
Act of Congress approved July 1, 1902 (32 Stats., 641), for a
trial de novo, and on March 28, 1904, in the case entitled "J. L. C.
Pate vs. Choctaw and Chickasaw Nations" (Choctaw-Chickasaw Citizen-
ship Court Case No. 113, South McAlester Docket), said Citizenship
Court rendered a judgment therein wherein it was "ordered, adjudged
and decreed that the petition of the plaintiff, J. L. C. Pate, be
denied; that he be not deemed a citizen by intermarriage of the
Choctaw Nation, and that he is not entitled to enrollment as such,
or to any rights whatever flowing therefrom."

Under the regulations adopted by the Commissioner to the
Five Civilized Tribes, January 2, 1906, there was filed on Febru-
ary 17, 1906, by J. G. Balls, attorney at law, Atoka, Indian Ter-
ritory, a petition praying for the enrollment of Joel L. C. Pate
as a citizen by intermarriage of the Choctaw Nation. Said peti-
tioner is identical with Joel L. C. Pate for whose enrollment as

a citizen by intermarriage of the Choctaw Nation application was made under the provisions of the Act of Congress approved June 28, 1898 (30 Stats., 495).

The record herein shows that the applicant, Joel L. C. Pate, was married in the State of Mississippi on November 1, 1859, to Ellen A. Lane, who died in July, 1885, and who was admitted as a citizen of the Choctaw Nation by an act of the Choctaw National Council, approved October 21, 1885; that the said applicant moved to the Choctaw Nation in 1886.

Soulie L. Pate, Lavinia W. Pate, Josie L. Pate, Elinor A. Merrill and Sallie M. Clower, children of said Joel L. C. Pate and Ellen A. Pate, have been enrolled as citizens by blood of the Choctaw Nation, and their names appear upon the final roll of citizens by blood of the Choctaw Nation opposite Nos. 12249, 12250, 12283, 12251 and 12253, respectively.

It does not appear from the records in the possession of the Commissioner to the Five Civilized Tribes that the applicant, Joel L. C. Pate, has ever been recognized and enrolled as a citizen of the Choctaw Nation by the Tribal Authorities of said nation. His name does not appear upon any of the tribal rolls of said nation in the possession of this office; nor does it appear that he was ever married to his Choctaw wife in accordance with the laws of the Choctaw Nation.

I am of the opinion that inasmuch as Ellen A. Lane was not a recognized citizen by blood of the Choctaw Nation on the date of her marriage to the applicant, Joel L. C. Pate, and inasmuch as said applicant was never married to his Choctaw wife in accordance with the Choctaw laws, said applicant is not entitled to enrollment as a citizen by intermarriage of the Choctaw Nation; that the action of the Choctaw-Chickasaw Citizenship Court of March 28, 1906, is final; that the application for the enrollment of Joel L. C. Pate as a citizen by intermarriage of the Choctaw Nation and the petition filed March 17, 1906, should be denied under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 41), and it is so ordered.



Commissioner.

Muskogee, Indian Territory,

JAN 31 1907

C-79
7-4392

COPY

Muskogee, Indian Territory, January 31, 1907.

Joel L. C. Pate,
Caddo, Indian Territory.

Dear Sir:

~~Inclosed herewith you will find a copy of the decision of~~
the Commissioner to the Five Civilized Tribes, rendered January 31,
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

James Bibb

Commissioner.

Registered.

Inc. C-79

C-79
7-4392

COPY

Muskogee, Indian Territory, January 31, 1907.

Halls Brothers,

Attorneys at law.

Atoka, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered January 31, 1907, denying the application and petition for the enrollment of Joel L. C. Pate 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,

James Bixby

Commissioner.

Registered.

Incl. C-79

C-79

COPY

Muskogee, Indian Territory, January 31, 1907 .

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 Commissioner to the Five Civilized Tribes, rendered January 31, 1907, denying the application and petition for the enrollment of Joel L. C. Pate 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 *Jarne Dixby*

Commissioner.

Incl. C-79

COPY

Muskogee, Indian Territory, January 31, 1907.

The Honorable,

The Secretary of the Interior:

Sir:

There is transmitted herewith record of proceedings in the matter of the application and petition for the enrollment of Joel E. J. Pate as a citizen by intermarriage of the Choctaw Nation, including the decision of the Commissioner to the Five Civilized Tribes, dated January 31, 1907, denying said application and petition.

Respectfully,

SIGNED *Jame Bixby*

Commissioner.

2 Incl.

Through the
Commissioner of Indian Affairs.

DEPARTMENT OF THE INTERIOR
WASHINGTON

GR
O.K.

D.C. 12327-1907.
I.T.D. 5316-1907.

March 1, 1907.

LRS

Direct.

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

In conformity with the opinion of the Attorney General of the United States, of February 19, 1907, (I.T.D. 4564), in the consolidated case of Myrtie Randolph et al., and in accordance with the recommendation of the Indian Office of February 26, 1907, a copy whereof is enclosed, your decision of January 31,,1907, denying the application of Joel L. C. Pate, as an intermarried citizen of the Choctaw Nation, is hereby affirmed.

You will advise applicant and his attorney of this
action.

The records have been returned to the files of the Indian Office, together with a copy hereof.

Respectfully,

Jesse E. Wilson,

Assistant Secretary.

1 inc. and 2 inc. for
Indian Office.

A.F.Mc.
31-07.

Copy.

Land
11681-1907.

DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS
WASHINGTON

February 26, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed the record of proceedings in the matter of the petition for the enrollment of Joel L. C. Pate as a citizen by intermarriage of the Choctaw Nation, including the decision of the Commissioner to the Five Civilized Tribes dated January 31, 1907, adverse to the applicant.

The record shows that on February 17, 1906, a petition was filed with the Commissioner to the Five Civilized Tribes praying for the enrollment of Joel L. C. Pate as a citizen by intermarriage of the Choctaw Nation.

The record further shows that the applicant was married in the State of Mississippi on November 1, 1859, to Ellen A. Lane, who died in July, 1885, and who was admitted as a citizen of the Choctaw Nation by an act of the Choctaw National Council approved October 21, 1885, and that the applicant moved to the Choctaw Nation in 1886.

Commissioner Bixby reports that it does not appear from the records of his office that the applicant has ever been recognized and enrolled as a citizen of the Choctaw Nation

by the tribal authorities, and that his name does not appear on any of the tribal rolls of the Choctaw Nation in the possession of his office; nor does it appear that he was ever married to his Choctaw wife in accordance with the laws of the Choctaw Nation.

Therefore, by reason of the provisions of the Act of July 1, 1902 (32 Stat. L., 641) the Office concurs in the decision of Commissioner Bixby denying the enrollment of Joel L. C. Pate as a citizen by intermarriage of the Choctaw Nation.

Very respectfully,

C. F. LARRABEE,
Acting Commissioner.

EBM.Ph.

C-79

Muskogee, Indian Territory, April 22, 1907.

Joel L. C. Pate,

Caddo, Indian Territory.

Dear Sir:

You are hereby advised that on March 1, 1907, the Secretary of the Interior affirmed the decision of this office of January 31, 1907, denying the application and petition for your enrollment as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

Commissioner.

C-79

Muskogee, Indian Territory, April 22, 1907.

Ralls Brothers,
Attorneys at Law,
Atoka, Indian Territory.

Gentlemen:

You are hereby advised that on March 1, 1907, the Secretary of the Interior affirmed the decision of this office of January 31, 1907, denying the application and petition for the enrollment of Joel L. C. Pate as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

Commissioner.

C-79

Muskogee, Indian Territory, April 22, 1907.

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

Gentlemen:

You are hereby advised that on March 1, 1907, the Secretary of the Interior affirmed the decision of this office of January 31, 1907, denying the application and petition for the enrollment of Joel L. C. Pate as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

Commissioner.

Choctaw 4392

Muskogee, Indian Territory, November 26, 1902.

J. L. C. Pate,

Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 20th instant, in which you desire to be advised if certain persons are enrolled as citizens by blood of the Choctaw Nation.

In reply to your letter you are advised that it appears from our records that Josie L. Pate and her children, Arden and Milton Pate are listed for enrollment as citizens by blood of the Choctaw Nation.

Soulie L. Pate and her child, Lavinia W. Pate are listed upon our records as citizens by blood of the Choctaw Nation and Ella A. Merrill and her daughter, Soulie Miriam Merrill are also listed for enrollment as citizens by blood of the Choctaw nation.

Respectfully,

Acting Chairman.

7-4692

Muskogee, Indian Territory, October 20, 1906.

Halls Brothers,

Attorneys at Law,

Atoka, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of October 18, 1906, asking to be advised if the name of Joel E. C. Pate appears upon the 1896 roll of Choctaw citizens.

In reply to your letter you are advised that the name of Joel E. C. Pate is not found upon the 1896 roll of citizens of the Choctaw Nation.

Respectfully,

Commissioner.

DEPARTMENT OF THE INTERIOR
WASHINGTON

ER
O.K.

D.C. 12327-1907.
I.T.D. 5316-1907.

March 1, 1907.

LRS

Direct.

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

In conformity with the opinion of the Attorney General of the United States, of February 19, 1907, (I.T.D. 4564), in the consolidated case of Myrtle Randolph et al., and in accordance with the recommendation of the Indian Office of February 26, 1907, a copy whereof is enclosed, your decision of January 31, 1907, denying the application of Joel L. C. Pate, as an intermarried citizen of the Choctaw Nation, is hereby affirmed.

You will advise applicant and his attorney of this action.

The records have been returned to the files of the Indian Office, together with a copy hereof.

Respectfully,

Jesse E. Wilson,
Assistant Secretary.

1 inc. and 2 inc. for
Indian Office.

A.F.Mc.
31-07.

Copy.

Land
11681-1907.

DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS
WASHINGTON

February 26, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed the record of proceedings in the matter of the petition for the enrollment of Joel L. C. Pate as a citizen by intermarriage of the Choctaw Nation, including the decision of the Commissioner to the Five Civilized Tribes dated January 31, 1907, adverse to the applicant.

The record shows that on February 17, 1906, a petition was filed with the Commissioner to the Five Civilized Tribes praying for the enrollment of Joel L. C. Pate as a citizen by intermarriage of the Choctaw Nation.

The record further shows that the applicant was married in the State of Mississippi on November 1, 1859, to Ellen A. Lane, who died in July, 1885, and who was admitted as a citizen of the Choctaw Nation by an act of the Choctaw National Council approved October 21, 1885, and that the applicant moved to the Choctaw Nation in 1886.

Commissioner Bixby reports that it does not appear from the records of his office that the applicant has ever been recognized and enrolled as a citizen of the Choctaw Nation

by the tribal authorities, and that his name does not appear on any of the tribal rolls of the Choctaw Nation in the possession of his office; nor does it appear that he was ever married to his Choctaw wife in accordance with the laws of the Choctaw Nation.

Therefore, by reason of the provisions of the Act of July 1, 1902 (32 Stat. L., 641) the Office concurs in the decision of Commissioner Bixby denying the enrollment of Joel L. C. Pate as a citizen by intermarriage of the Choctaw Nation.

Very respectfully,

C. F. LARRABEE,
Acting Commissioner.

EBM.Ph.

MEMORANDA.

(Date) _____ 1899.

58 ✓

Name *James C. Pate*

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:

21 *Lavinia Pate* County _____ Year _____ Page _____ No. _____

18x *Lavinia* County _____ Year _____ Page _____ No. _____

33# *James C.* County _____ Year _____ Page _____ No. *10539*

County _____ Year _____ Page _____ No. _____

County _____ Year _____ Page _____ No. _____

County _____ Year _____ Page _____ No. _____

County _____ Year _____ Page _____ No. _____

County _____ Year _____ Page _____ No. _____

County _____ Year _____ Page _____ No. _____

County _____ Year _____ Page _____ No. _____

✓

*15x ...
2x ...
x ...
...*

[Handwritten signature/initials]

7-4392

INDEXED

32

IN RE
THE DEATH OF

James White
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 #4392

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

In the matter of the death of James Pat
(Here insert name of deceased.)

a citizen of the Choctaw Nation, who formerly resided at or near
Atoka, Ind. Ter., and died on the 5 day of

January, 1900
(Here insert name of postoffice.)

AFFIDAVIT OF RELATIVE.

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

I, J. C. Pat, on oath state that I am 61
years of age and a citizen, by marriage of the Choctaw Nation;
that my post office address is Caddo, Ind. Ter.; that I am

father of James Pat,
(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 James Pat died on the 5 day of

January, 1900
(Here insert name of deceased.)
WITNESSES TO MARK: J. C. Pat

(Must be Two Witnesses.)

Subscribed and sworn to before me this 18 day of Nov, 1900
R. H. Smebaugh
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

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

I, L. C. Leflore, 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 Caddo, Ind. Ter.;

that I was personally acquainted with James Pat,
(Here insert name of deceased.)

who was a citizen, by Blood, of the Choctaw Nation;
and that said James Pat died on the 5 day of

January, 1900
(Here insert name of deceased.)
WITNESSES TO MARK: L. C. Leflore

(Must be Two Witnesses.)

Subscribed and sworn to before me this 18 day of Nov, 1900
R. H. Smebaugh
Notary Public.

Choc 4393 Ella A. Merrill
Elinor

4393

Muskogee, Indian Territory, August 23, 1901.

Mr. Ambrose M. Merrill,
Wagoner, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Seale Miriam Merrill, the infant daughter of Ambrose M. and Kliner A. Merrill, born August 11, 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.

It is noted by this office that your wife now signs her name Kliner A. You are informed that she was listed as Ella A.

Yours truly,

Commissioner in Charge.

7-4393

MEMORANDA.

(Date) Sept 1 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.

30 Wife's name, Ella M. Merrill

Choctaw? 1/20 County Atoka Year 96 No. 105-36

Chickasaw? County Year Page 76A

Citizen by blood? 1/20 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.

✓ Ella Merrill 2/20 1/20

4395

CHOCTAW.

20

IN RE

Application for Enrollment of

INFANT CHILD

Soulie Miriam Merrill

as a citizen of

Choctaw

Nation

Approved.

AUG 23 1901

1901

[Signature]
Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

AUG 23 1901

CHOCTAW.

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

Soulie

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,
of *Soulie Miriam Merrill*, born on the *11th* day of *August*, 1901
(Here insert name of child)
Name of Father: *Ambrose M. Merrill*, a citizen of the *United States* Nation.
Name of Mother: *Elinor A Merrill*, a citizen of the *Choctaw* Nation.
Post-office, *Wagoner I. I.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Northern District.

I, *Elinor A Merrill*, 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 *Ambrose M. Merrill*, who is a citizen, by
United States Nation, that a *female* child was
(male or female)
born to me on the *11th* day of *August*, 1901; that said child has been
named *Soulie Miriam Merrill*, and is now living.

WITNESSES TO MARK
(Must be Two Witnesses)

Elinor A Merrill

Subscribed and sworn to before me this *20th* day of *August*, 1901.
my Com Exp May 20 1903
Charles W. Hatfield NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Northern District.

I, *Garret R. Bice*, a *Proctor* Physician, on oath state that I
attended on Mrs. *Elinor A Merrill* wife of *Ambrose M. Merrill*
on the *11th* day of *August*, 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 *Soulie Miriam Merrill*.

WITNESSES TO MARK:
(Must be Two Witnesses)

G. R. Bice

Subscribed and sworn to before me this *20th* day of *August*, 1901.
my Com Exp May 20 1903
Charles W. Hatfield NOTARY PUBLIC.

Choc 4394 Walter F. Clower
Sallie M. Clower

4394

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 --

WALTER F. CLOWER, ----- 7-4394

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

7-4394

In the matter of the application of Walter F. Clower for enrollment as an inter-married citizen of the Choctaw nation.

Walter F. Clower being duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Walter F. Clower.
Q How old are you? A Forty six.
Q What is your post office address? A Gaddo.
Q How long have you been a resident of the Choctaw nation? A About 14 years I think.
Q Have you lived here continuously for the past 14 years? A Yes sir.
Q Do you claim inter married rights in the Choctaw nation? A Yes sir.
Q What is the name of your Choctaw wife through whom you claim these rights? A Sallie M. Clower.
Q Is she a recognized and enrolled citizen of the Choctaw nation? A Yes sir.
Q Her rights have never been disputed? A No sir.
Q When were you married to her? A In '92.
Q Where was this marriage ceremony performed? A Here in Atoka.
Q Were both you and your wife residents of the Choctaw Nation at that time? A Yes sir.
Q Since your marriage to Sallie M. Clower have you lived together as husband and wife up to the present time? A Yes sir.
Q There has been no separation, abandonment or divorce of any kind? A No sir.
Q Were you an applicant to this Commission in 1896 for admission to citizenship in the Choctaw nation? A Yes sir/
Q Did you apply as an inter-married citizen? A Yes sir.
Q What action was taken upon your case at that time? A Granted to citizenship.
Q Was your case appealed to the United States Court? A No sir.

Henry G. Hains being sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings in the above entitled cause on November 21, 1902, 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 15 day of December, 1902.

J. C. Berger

Notary Public.

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

In the matter of the application for the enrollment of
Walter F. Clower as a citizen by intermarriage of the Choctaw
Nation.

DECISION.

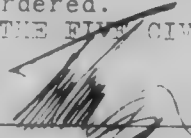
It appears from the record herein that Walter F. Clower
appeared before the Commission and made personal application for
enrollment as a citizen by intermarriage of the Choctaw Nation,
claiming his right thereto by reason of his marriage to Sallie V.
Clower, a recognized and enrolled citizen by blood of the Choctaw
Nation, whose name appears as No. 14263 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 March 6, 1903.


It further appears from the records of the Commission
that on September 7, 1896, in the case entitled "W. F. Clower vs.
Choctaw Nation", (1896 Choctaw Citizenship Docket, case No. 770),
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
by virtue of his marriage to the said Sallie V. Clower, and on De-
cember 3, 1896, the said Walter F. Clower was by this Commission
admitted to citizenship in the Choctaw Nation as a citizen by inter-
marriage, from which decision of the Commission no appeal was taken.

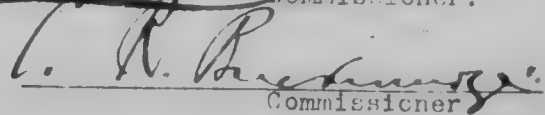
It further appears from the evidence in this case that
the applicant herein was a resident in good faith of Indian Terri-
tory on June 25, 1898, and that his status as an intermarried citi-
zen has remained unchanged from the date of his said admission in
1896 up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that
Walter F. Clower 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,

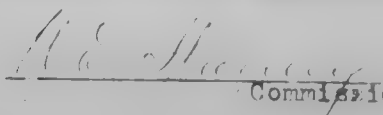

Chairman.


Commissioner.


Commissioner.

Muskogee, Indian Territory,

JUL 25 1903


Commissioner.

COPY.

Choctaw 4394

Muskogee, Indian Territory, July 25, 1903.

Walter A. Chower,
Okmulgee, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 21, 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) -

F. D. J. Woodlee.

Commissioner in Charge.

Registered.

Enc 1210 7/25

COPY,

Chectaw 4394

Muskogee, Indian Territory, July 25, 1903.

Mansfield, Murray & Cornish,

Attorneys for the Chectaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 15, 1903, granting the application of Walter E. Clower for enrollment as a citizen by intermarriage of the Chectaw 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 Chectaw 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 Chectaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

T. D. Needles.

Commissioner in Charge.

Registered.

Enc 137C 8/25

Muskegee, Indian Territory, February 4, 1901.

Walter F. Clower,
Caddo, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 29th ultimo in which you desire to be informed if the Commission received the application for enrollment of your infant daughter as a citizen of the Choctaw Nation.

You are informed that a careful search of the records of the Commission does not show that any application for the enrollment of this child has ever been received. On November 22nd, 1900, however, a blank application was sent to you.

There is enclosed you herewith a new application for the enrollment of this child, which when filled out in proper form and returned to the Commission will receive due consideration.

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 the mother or attending physician or nurse making affidavit to the birth of the child are unable to write their signatures are by mark, that such signatures are attested by two disinterested parties as witnesses thereto. The Notary Public taking the acknowledgements of the mother and attending physician or nurse, must affix his notarial jurat and seal to each separate affidavit.

Yours truly,

Muskogee, Indian Territory, February 13, 1901.

W. F. Clower,

Caddo, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 11th instant in which you state that your post-office address is now Caddo, Indian Territory, and enclosing the application for enrollment as a citizen of the Choctaw Nation of Anna H. Clower, the infant daughter of Walter F. and Sallie M. Clower, born October 18th, 1900.

The change in your post-office address has been made a matter of record with the Commission and the application for the enrollment of Anna H. Clower 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.

7-4394

7-4394

McJagoe, Indian Territory, July 23, 1908.

Commissioner in Charge,
Chickasaw Land Office,
Tishomingo, Indian Territory.

Dear Sir:

Referring to original Choctaw enrollment card, No. 4394, you are advised that the relationship and sex of No. 3 appearing thereon is incorrect and the same has been corrected as follows:

In the relationship column the word "Son" has been changed to "Dau", and in the sex column the letter "M" changed to "F"; you are therefore, requested to make like corrections upon the duplicate card in your possession.

Respectfully,

Commissioner in Charge.

7-1301

Atoka, Indian Territory, July 31, 1908.

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

Dear Sir:

Referring to original Cheetaw enrollment card, No. 4394, you are advised that the relationship and sex of No. 3 appearing thereon is incorrect and the same has been corrected as follows:

In the relationship column the word "Son" has been changed to "Dau", and in the sex column the letter "M" changed to "F"; you are therefore, requested to make like corrections upon the duplicate card in your possession.

Respectfully,

Commissioner in Charge.

Choctaw 4394

Muskogee, Indian Territory, September 18, 1902.

D. C. McCurtain,

South McAlester, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 15th instant, in which you desire to be informed if the names of W. F. Clower and family appear upon the Choctaw roll and whether there is any question as to their citizenship.

In reply to your letter you are advised that it appears from our records that on September 1, 1899, Walter F. Clower, 42 years of age, of Atoka, Indian Territory, and his family, were listed for enrollment by this Commission as citizens of the Choctaw Nation having been identified from the 1896 census roll of the Choctaw Nation, Walter F. Clower as a resident of Jackson County and his wife and children as residents of Blue County.

It does not appear from our records that any objection has been made to the final enrollment of these persons as citizens of the Choctaw Nation, by the legal representatives of the Choctaw and Chickasaw Nations.

Yours truly,

Acting Chairman

CHOCTAW.

20

74394

IN RE

Application for Enrollment of

INFANT CHILD

Anna H. Bowen

as a citizen of

Choctaw

Nation.

Approved *W. H. Merritt* FEB 13 1901 190

Commissioner.

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

FILED

FEB 13 1901

W. H. Merritt
ACTING CHAIRMAN

CHOCTAW.

4394

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

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Anna F. Brown, born on the 18 day of October, 1900
(Here insert name of child)
Name of Father: Allen F. Brown, a citizen of the Choctaw Nation.
Name of Mother: Sarah M. Brown, a citizen of the Choctaw Nation.
Post-office, Jobbo St

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.

Ottawa District.

I, Sarah M. Brown, on oath state that I am 32
years of age and a citizen, by marriage, of the Choctaw Nation;
that I am the lawful wife of Allen F. Brown, who is a citizen, by
marriage, of the Choctaw Nation, that a female child was
(male or female)
born to me on the 18 day of October, 1900; that said child has been
named Anna F. Brown, and is now living.

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 11th day of February, 1901.

[Signature]
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.

District.

I, Dr. Lottie McCain, a Physician, on oath state that I
attended on Mrs. Sarah M. Brown, wife of Allen F. Brown,
on the 18 day of October, 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 Anna F. Brown.

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 9th day of February, 1901.

my commission
expires Nov 30 1902

J. B. Bakers
NOTARY PUBLIC.

DEPARTMENT OF THE INTERIOR,
Commission to the Five Civilized Tribes,
CHOCTAW LAND OFFICE,
Atoka, Indian Territory, July 17, 1903.

Choc. R. 12254.

-:-

In the matter of the enrollment of Joe E. Clower, Choctaw card field No. 4394, Choctaw Roll No. 12254.

-:-

Sallie M. Clower being sworn testifies.

Examination by the Commission:

- Q What is your name? A Sallie M. Clower.
Q What is the name of your father? A Joel L. C. Pate.
Q What is the name of your mother? A Ella A. Pate.
Q Have you a child by the name of Joe E. Clower? A Yes, sir.
Q What is the name of the father of this child? A Walter F. Clower.
Q Walter F. Clower? A Yes.
Q What is the sex of Joe E. Clower? A Girl.
Q How old is Joe E.? A She is about ten years old now.

This witness is identified as Sallie M. Clower whose name appears as No. 2 on Choctaw card field No. 4394, approved Choctaw Roll No. 12253.

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 17, 1903; that the above and foregoing is a true, full and correct translation of his stenographic notes as taken therein on said date.

Subscribed and sworn to before me this July 20, 1903.

Fred V. Kinkade
Walter H. Shelby
Notary Public.

Choc. En. # 4394 A.B.

IN RE

Application for Enrollment of
INFANT CHILD.

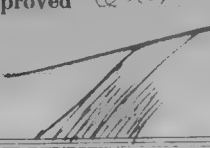
Dividant Blower

As a citizen of the

State

Nation.

Approved Oct 26 1877



Commissioner.

4394

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
 of Olivia Maude Colver born on the 29 day of November, 1897
 Name of father: Walter J Colver, a citizen of the Choctaw Nation.
 Name of mother: Sallie M Colver, a citizen of the Choctaw Nation.
 Post Office: Atoka

AFFIDAVIT OF MOTHER.

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

I, Sallie M Colver, 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 Walter J Colver, who is a citizen, by Marriage, of the
Choctaw Nation; that a girl child was born to me on the 29 day
 of November, 1897; that said child has been named Olivia Maude Colver
 and is now living.

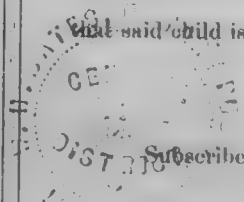
Subscribed and sworn to before me this 12 day of Sept, 1899.
W. H. Bates
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, Leroy Long, a Physician, on oath, state that I
 attended on Mrs. Sallie M Colver, wife of Walter J Colver
 on the 29 day of November, 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 Olivia Maude

Subscribed and sworn to before me this 31st day of August, 1899.
W. H. Bates
 Notary Public.



MEMORANDA.

(Date) Dec 11 1899

Name Walter H. Clower

Choctaw? Yes County W. Jackson Year 91 No. 11111

Chickasaw? County Year Page 380

Citizen by blood? Mother's citizenship Yes

Intermarried citizen?

Married under what law?

License filed this day,

30 Wife's name, Beatrice M. Clower

Choctaw? Yes County Blaine Year 11 No. 5544

Chickasaw? County Year Page 68

Citizen by blood? Mother's citizenship Yes

Intermarried citizen?

Married under what law?

License filed this day,

Names of children:

- 6 x Lucy E. Clower County Blaine Year 11 Page 68 No. 7845
- 4 = Walter H. County Year Page No. 2846
- 2 Charles M. County Year Page No.
- County Year Page No.
- County Year Page No.
- County Year Page No.
- County Year Page No.
- County Year Page No.
- County Year Page No.

W. H. Clower
Walter H. Clower
George
11/3/11

Certificate taken out of annual advertising # 2 to citizenship filed with Com in 96 in case W. H. Clower vs Choc. Na.

Choc 4395 James W. Standley

4395

7 - 4395

Muskogee, Indian Territory, September 11, 1903.

James W. Standley,
Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 6th inst. requesting to be advised whether or not Maggie C. Standley is on the Choctaw rolls.

You are informed that it appears from our records that Maggie C. Standley and her brother, James W. Standley, were admitted to citizenship in the Choctaw Nation by this Commission in 1896, in Choctaw citizenship case number 1068. It does not appear, however, that any application has ever been made to this Commission for the enrollment of Maggie C. Standley as a citizen by blood of the Choctaw Nation.

Respectfully,

Chairman.

7-4395
7-5570
7-5571
7-3436
7-5536

Muskogee, Indian Territory, September 16, 1903.

Honorable J. George Wright,
U. S. Indian Inspector,
Muskogee, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 9th instant, requesting this office to furnish you a report as to the Choctaw citizenship of R. F. Wilson, J. W. Standley, W. W. Wilson, E. H. Wilson and W. J. Belvin.

You are informed it appears from our records that Raphael F. Wilson, thirty-one years of age, of Clear Creek, Indian Territory, has been enrolled by this Commission as a citizen by blood of the Choctaw Nation, and his enrollment as such approved by the Secretary of the Interior March 19, 1903.

It further appears from our records that James W. Standley, thirty years of age, of Caddo, Indian Territory, has been enrolled by this Commission as a citizen by blood of the Choctaw Nation, and his enrollment as such approved by the Secretary of the Interior April 11, 1903.

It further appears from our records that W. W. Wilson, forty-five years of age, of Doakville, Indian Territory, has been

J.G.W.

-2-

enrolled by this Commission as a citizen by blood of the Choctaw Nation, and his enrollment as such approved by the Secretary of the Interior March 19, 1903.

It further appears from our records that Edward H. Wilson, thirty-three years of age, of Garvin, Indian Territory, has been enrolled by this Commission as a citizen by blood of the Choctaw Nation and his enrollment as such approved by the Secretary of the Interior March 19, 1903.

It also appears from our records that Watson Belvin, thirty-four years of age of Boswell, Indian Territory, has been enrolled by this Commission as a citizen by blood of the Choctaw Nation and his enrollment as such approved by the Secretary of the Interior February 4, 1903.

You are further advised it appears from our records that Watson Belvin also signs his name W. J. Belvin.

Respectfully,

Chairman.

7-4395

Muskogee, Indian Territory, September 16, 1903.

V. O'Bryan,
Supt. Electricity & Machinery Building,
Worlds Fair Site, Saint Louis, Missouri.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 4th instant, stating that your wife, who was formerly Maggie C. Standley, was enrolled before the Dawes Commission in 1896 as a Mississippi Choctaw; that she was also enrolled at Atoka, Indian Territory, with her brother, James W. Standley, in 1898. You state further that her brother, James W. Standley, has received his allotment of land and you request to be advised what steps will be necessary for your wife, Maggie C. O'Bryan, to take in order to secure her allotment of land.

You are informed it appears from our records that Maggie C. Standley and James W. Standley were admitted to citizenship in the Choctaw Nation by this Commission in 1896, in Choctaw citizenship case number 1068.

It further appears from our records that James W. Standley made application for enrollment as a citizen by blood of the Choctaw Nation September 1, 1899, but it does not appear from our records

V.O'B.

that Maggie C. Standley ever made any application for enrollment, nor is there any record of her personal appearance before the Commission at Atoka, Indian Territory, in 1898, as stated in your letter.

Under the provisions of the Act of Congress, approved July 1, 1902 (32 Stats., 641), which was ratified by the citizens of the Choctaw and Chickasaw Nations, September 25, 1902, no person will be entitled to share in the allotment of lands or the distribution of other tribal property in the Choctaw and Chickasaw Nations, except such as have been duly enrolled by this Commission as citizens of the Choctaw or Chickasaw Nation, and their enrollment as such approved by the Secretary of the Interior.

You are further advised that under the provisions of the said Act of Congress, approved July 1, 1902, this Commission is now without authority to receive or consider the original application of any person whomever for enrollment as a citizen of the Choctaw or Chickasaw Nation.

Respectfully,

Chairman.

7-4395

Muskogee, Indian Territory, September 16, 1903.

James W. Standley,
Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 6th instant, requesting to be advised whether or not Maggie C. Standley is on the Choctaw rolls.

You are informed that the records of the Choctaw Nation, now in the possession of the Commission, have been carefully examined and the name of Maggie C. Standley is not found thereon.

You are further informed that it appears from our records that Maggie C. Standley and her brother, James W. Standley, were admitted to citizenship in the Choctaw Nation by this Commission in 1896, in Choctaw citizenship case number 1068.

It does not appear, however, that any application has ever been made to this Commission for the enrollment of Maggie C. Standley as a citizen by blood of the Choctaw Nation.

Respectfully,

Chairman.

MEMORANDA.

27

(Date) Sept 1 1899.

Name James M. Stanley

Choctaw? no 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.
County	Year	Page	No.

Handwritten notes and scribbles at the bottom of the page.

Handwritten signature or initials, possibly "H. B. ..."

Choc 4396 Peter Homer

4396

MEMORANDA.

(Date) Sept 1 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:

<u>8 ✓ Peter</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.
.....	County	Year	Page	No.

as Peter Kelley

11/3/99

Choc 4397 Greenwood Jackson

4397

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 -

BELLE Z. JACKSON, - - - 7-4397

7-4397.

Department of the Interior,
Commission to the Five Civilized Tribes.
Atoka, Indian Territory,
March 11, 1903.

In the matter of the application of Belle Z. Jackson for enrollment as an intermarried citizen of the Choctaw Nation.

Belle Z. Jackson being duly sworn on oath testifies as follows:

Examination by the Commission.

- Q What is your name? A Belle Z. Jackson.
Q How old are you? A Twenty-nine.
Q What is your post office address? A Globe.
Q What Nation is that in? A Choctaw.
Q How long have you resided in the Choctaw Nation? A 11 years.
Q Have you lived here continuously for the past 11 years? A Lived one year in the Chickasaw, and then come here to the Choctaw.
Q And lived here ever since? A Yes sir.
Q ~~Are you a white woman? A Yes sir.~~
Q Do you claim the right to enrollment as an intermarried citizen of the Choctaw Nation? A Yes sir.
Q What is the name of your Choctaw husband through whom you claim this right? A Greenwood Jackson.
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 In 1892.
Q Where was this marriage ceremony performed? A In Sacred Heart Mission, Oklahoma.
Q Where were you living at that time? A Oklahoma.
Q Where was your husband, Greenwood Jackson, living? A In Oklahoma.
Q How long did you live in Oklahoma after this marriage? A About two weeks.
Q Then where did you go? A Moved to the Chickasaw.
Q How long did you live in the Chickasaw Nation? A One year.
Q And then removed to the Choctaw Nation? A Yes sir.
Q Under what law were you married to this man? A Under the Oklahoma law.
Q Were you ever married previous to your marriage to Greenwood Jackson? A No sir.
Q Was he ever married before his marriage to you? A No sir.
Q Since your 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.

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 Atoka, Indian Territory on the 11th day of March, 1903, 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 30 day of March, 1903.

W. H. Martin
Charles H. Sawyer

Notary Public.

Recorded in Book 1.

Page 21.

W A Rygg
Notary Public

TERRITORY OF OKLAHOMA.
POTTAWATOMIE COUNTY.

To the Probate Judge of Pottawatomie County:

This Certifies, That on the ³¹ twenty first day of July, A. D., 1892, at Sacra heart in said County, according to law and by authority, I duly joined in marriage Mr. Greenwood Harrison and Miss Belle Y. Thompson and there were present as witnesses James Thompson
Given under my hand the fourth day of July, A. D., 1896

W. H. Harrison

Witnesses.

James Thompson
Greenwood Harrison

Parties.

Belle Y. Thompson
James Thompson

*Names in full; and must be signed at bottom by the parties and witnesses.

360
J.R.R.
7 - 4397

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

In the matter of the application for the enrollment of Belle Z. Jackson as a citizen by intermarriage of the Choctaw Nation.

DECISION.

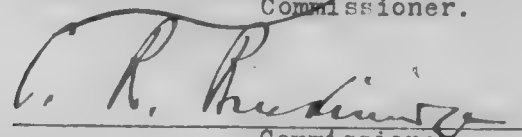
It appears from the record herein that Belle Z. Jackson, (nee Thompson), on July 24, 1892, was lawfully married to Greenwood Jackson; a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as No. 12259 upon the lists prepared by this Commission under the act of Congress 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 March 6, 1903; that at the time of said marriage both persons above mentioned were residents of the Territory of Oklahoma, and that since 1893 they have been residents in good faith of Indian Territory and have lived together 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 Belle Z. Jackson 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,

JUL 25 1903


Commissioner.

COPY.

Choctaw 4397

Muskogee, Indian Territory, July 25, 1903.

Belle Z. Jackson,
Globe, Indian Territory.

~~Dear Madam:~~

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 25, 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 MYC 5/25

COPY.

Choctaw 4397

Muskogee, Indian Territory, July 25, 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 25, 1903, granting the application of Belle E. Jackson 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 6/25

43

IN RE

Application for Enrollment of

INFANT CHILD.

Alfred Jackson

As a citizen of the

Whelan

Nation.

Approved

Oct 26

1

899

Commissioner.

Z 4397

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
 of Alfred Jackson, born on the 23 day of January, 1899.
 Name of father: Greenwood Jackson, a citizen of the Choctaw Nation.
 Name of mother: Bell Jackson, a citizen of the U. S. Nation.
 Post Office: Globe, Ar.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Central District.

I Bell Jackson, 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 Greenwood Jackson, who is a citizen, by Rite, of the
Choctaw Nation; that a Male child was born to me on the 23 day
 of January, 1899; that said child has been named Alfred Jackson
 and is now living.

Subscribed and sworn to before me this 27 day of Sept, 1899.

J. R. Perry
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Central District.

I, Lucinda Adcock, a Midwife, on oath, state that I
 attended on Mrs. Bell Jackson, wife of Greenwood Jackson
 on the 23 day of January, 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 Alfred Jackson.

Subscribed and sworn to before me this 27 day of Sept, 1899.

J. R. Perry
 Notary Public.

CHOCTAW.

20

IN RE

Application for Enrollment of

INFANT CHILD

Samia Adeline Jackson
as a citizen of the

Choctaw Nation.

Approved, JUN - 4 1901 190

[Signature]
Commissioner.

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

FILED
JUN 4 1901

[Signature]
ACTING CHAIRMAN.

CHOCTAW.

4397

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

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of James Ardell Jackson, born on the 19 day of Feb, 1901.
(Here insert name of child.)
Name of Father: Brown Wood Jackson, a citizen of the Choctaw Nation Nation.
Name of Mother: Bell E. Jackson, a citizen of the Choctaw Nation Nation.
Post-office, Globe Ind. T.

AFFIDAVIT OF MOTHER.

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

I, Bell E. Jackson, on oath state that I am 27
years of age and a citizen, by marriage, of the Choctaw Nation;
that I am the lawful wife of Brown Wood Jackson, who is a citizen, by
Blood of the Choctaw Nation; that a Girl child was
born to me on the 19 day of Feb, 1901; that said child has been
named Laura Ardell Jackson, and is now living.

WITNESSES TO MARK:

Bell E. Jackson

(Must be Two Witnesses.)

Subscribed and sworn to before me this 27 day of May, 1901.
A. F. M. Kerner

NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Lucinda Pulliam, a Midwife, on oath state that I
attended on Mrs. Bell E. Jackson, wife of Bell E. Jackson,
on the 19 day of Feb, 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 Laura Ardell Jackson.

WITNESSES TO MARK

Lucinda Pulliam

(Must be Two Witnesses.)

Subscribed and sworn to before me this 27 day of May, 1901.
A. F. M. Kerner

NOTARY PUBLIC.

MEMORANDA.

(Date) Sept 1 1899.

58 Name Greenwood Jackson
 Choctaw? yes County Blue Year 96 No. 7 2 3 3
 Chickasaw? County Year Page 178
 Citizen by blood? yes Mother's citizenship Choc
 Intermarried citizen?
 Married under what law?
 License filed this day,

76 Wife's name, Belle Jackson
 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 yes

Names of children:

6 ✓ Leona Jackson County Blue Year 96 Page 178 No. 7 2 3 4
 4 Cora County Year Page No. 7 2 3 5
 7^m Alfred County Year Page No.
 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 Linnie Jackson

7-4137M

Muskegee, Indian Territory, June 4, 1901.

Greenwood Jackson,

Glebe, Indian Territory.

Dear Sir:

The Commission is in receipt of the application for enrollment as a citizen of the Cheetaw Nation of Laura Ardelia Jackson, the infant daughter of Greenwood and Belle Z. Jackson, born February 19, 1901 and the same being in proper form has been accepted and filed with the records of this Commission and the child listed for enrollment as a citizen by blood of the Cheetaw Nation.

Yours truly,

Acting Chairman.

7-4397

Muskogee, Indian Territory, February 28, 1903.

Belle Z. Jackson,
Globe, 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.

7-4397.

Muskogee, Indian Territory, December 24, 1902.

Brunson & Montgomery,
Attorneys at Law,

Coalgate, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 13th instant, in which you state that Greenwood Jackson, a citizen of the Choctaw Nation, has married a white woman, and you wish to be informed whether he and his wife, Bell Z. Jackson, and their minor children, Margrett L., Cora B., Alfred and Laura A. Jackson, have been properly enrolled.

You state that Bell Z. Jackson was sick at the time the Commission was at Atoka, and was consequently unable to appear, and you ask if it will be necessary for her to make such personal appearance.

In reply you are advised that it appears from the records of the Commission that Greenwood Jackson and his minor children, Leona, Cora, Alfred and Laura A. Jackson, have been listed for enrollment as citizens by blood of the Choctaw Nation, and that Bell Z. Jackson has been listed for enrollment as an intermarried citizen of said Nation.

You are informed that the Commission is now preparing rolls

B. & M. -----2.

of the citizens and freedmen of the Choctaw and Chickasaw Nations for submission to the Secretary of the Interior according to the provisions of the act of Congress approved July 1, 1902, and 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 as such intermarried citizens.

You are further advised that it is not absolutely necessary that such personal appearance be made prior to December 25, 1902, but it is desirable that this testimony be secured at the earliest possible date, as no further consideration can be given the application for enrollment as an intermarried citizen of the Choctaw Nation of Bell Z. Jackson until her testimony has been taken therein.

Respectfully,

Acting Chairman.

Choc 4398 David C. BETTS

4398

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 -

EMMA BETTS, - - - - - 7-4398

Department of the Interior,
Commission to the Five Civilized Tribes,
Atoka, Indian Territory,
March 10, 1903.

Choctaw 4398:

--:

In the matter of the application for the enrollment of
Emma Betts as an intermarried citizen of the Choctaw Nation.

--:

EMMA BETTS being first duly sworn testifies:

EXAMINATION BY THE COMMISSION:

- Q What is your name ? A Emma Betts.
Q How old are you ? A Twenty seven years old.
Q What is your post office address ? A Atoka, Indian Territory.
Q How long have you been residing in the Choctaw Nation ? A
About fourteen years.
Q Have you lived here continuously for the past fourteen years ?
A Yes, sir.
Q You have never made your home any where else during this time ?
A No, sir.
Q Are you a white woman ? A Yes, sir.
Q Do you claim the right to enrollment as an intermarried citizen
of the Choctaw Nation ? A Yes, sir.
Q What is the name of your Choctaw husband through whom you
claim this right ? A David C. Betts.
Q Is he a recognized and enrolled citizen of the Choctaw Nation ?
A Yes, sir.
Q Have his rights as such ever been disputed ? A No, sir.
Q When were you married to this man ? A Was married to him in
1896.
Q Where was this marriage ceremony performed ? A About five
miles below Caddo.
Q In the Choctaw Nation ? A Yes, sir.
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 that marriage ceremony ? A Judge C. M. Omby.
Q Was he a Choctaw Official ? A Yes, sir, he was a Choctaw minister.
Q Was he County Judge ? A Yes, sir, I reckon he was -- I always
heard them call him Judge.
Q Was he also a Minister of the Gospel ? A Yes, sir, I reckon
he was, Judge.
Q He was also a Minister of the Gospel ? A Yes, sir.
Q Were you ever married before you were married to David C. Betts ?
A No, sir.

Emma Betts 2

- Q Was he ever married before he was married 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 the present time living together as actual and bona fide residents of the Choctaw Nation ? A Yes, sir.

The Commission has in its possession a marriage certificate issued to David Betts and Emma Baxter:

- Q Are you and your husband the identical persons referred to in that certificate ? A Yes, sir.
- Q Your maiden name was Baxter ? A Yes, sir.

--

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 above entitled cause at Atoka, Indian Territory, March 10, 1903; that the above and foregoing transcript is a true, full and correct translation of his stenographic notes as taken in said cause on said date.

Fred V. Kinkade

Subscribed and sworn to before me this 9 day of April 1903.

Charles McSawyer

Notary Public.

INDIAN TERRITORY.

Blue County, Choctaw Nation.

88

I, *H. C. Tolson*, Clerk of the County court of said county, do hereby certify that the foregoing instrument of writing, dated the *15* day of *Jan*, 189*6*, with its Certificate of Authentication, was filed for record in my office the *15* day of *Jan*, 189*6*, at *10* o'clock *A.*M., and duly recorded this *15* day of *Jan*, 189*6*, at *10* o'clock *A.*M., in the records of said County, in Volume *1*, on Pages *1*. WITNESS my hand and seal of the county court of said county, at office in Chado, the day and year last above mentioned.

Clerk County Court, Blue County.

This is to Certify that
C. M. Armbey Minister of the
Gospel of W. C. Church South
I have this 15 day of Jan A. D.
1896. the right of solemnizations
of matrimony between David
Bollman & Emma Baxter
Given under my hand
this 15 day of Jan 1896
at Blue County, C. N.
C. M. Armbey

7-4398

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


In the matter of the application for the enrollment of
Emma Betts as a citizen by intermarriage of the Choctaw Nation.

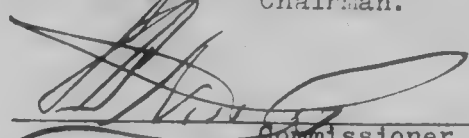
D E C I S I O N .

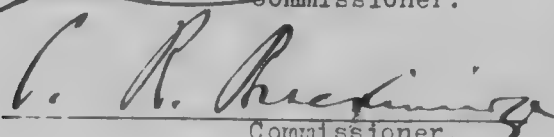
It appears from the record herein that Emma Betts (nee Baxter), on January 15, 1896, was lawfully married to David C. Betts, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as No. 12264 upon the lists prepared by this Commission under the act of Congress approved 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 March 6, 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 Emma Betts 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,

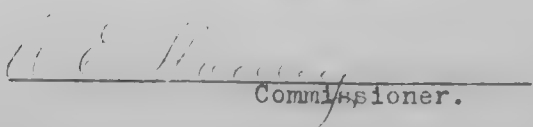

Chairman.


Commissioner.


Commissioner.

Muskogee, Indian Territory,

JUL 28 1903


Commissioner.

COPY.

Chectaw 4398

Muskogee, Indian Territory, July 28, 1903.

Emma Betts,

Atoka, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 28, 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 Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

W. H. C. H.

Commissioner in Charge.

Register.

Enc. NEW 7/28.

COPY.

Choctaw 4398

Muskogee, Indian Territory, July 28, 1903.

Mansfield, McMurray and 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 July 28, 1903, granting the application of Emma Betts 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. D. Maddox

Commissioner in Charge.

Register.

Enc. NEW 8/28

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

FILED

MAY 9 1901



ACTING CHAIRMAN

F. E. FOLSOM,
County Clerk and Treasurer,
BLUE COUNTY, CHOCTAW NATION.

CADDO, I. T., 1901

This is to certify that J. C. McArmbly
Minister of the Gospel of M. E. Church
South this 13th day of Jan 1896
the Rights of Sole use of Male in
Between - David H. To and Ammer Bapler
Being under my hand and seal this
15th day of Jan 1896

done at Blue County Ct

J. C. McArmbly

This is to certify that this is a true
and correct copy taken from Vol
A Page 362

Being under my hand and
Seal of Office this 6th day of May
1901

F. E. Folsom -

County and Probate Clerk
Blue County Ct

98

IN RE
Application for Enrollment of
INFANT CHILD.

Ada M B Betts

As a citizen of the
United States Nation.

Approved *Nov 2* 1899

 Commissioner.

7-4398

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,
of Ada Maud Beulah, born on the 14 day of January, 1889.
Name of father: David C. Bealls, a citizen of the Cherokee Nation.
Name of mother: Emma V. Bealls, a citizen of the Cherokee Nation.
Post Office: Stoka Ind. Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Emma V. Bealls, on oath, state that I am 24 years of age and a
citizen, by Int. marriage, of the Cherokee Nation; that I am the
lawful wife of David C. Bealls who is a citizen, by blood, of the
Cherokee Nation; that a female child was born to me on the 14th day
of January, 1889; that said child has been named Ada Maud Beulah Bealls
and is now living.

Subscribed and sworn to before me this 16th day of Sept, 1889.

Joseph W. Ralls
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Emma V. Bealls, a Physician, on oath, state that I
attended on Mrs. Bealls, wife of David C. Bealls
on the 14th day of January, 1889; 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 Ada Maud Beulah Bealls

Subscribed and sworn to before me this 5th day of Oct, 1889.

Joseph W. Ralls
Notary Public.

IN RE

Application for Enrollment of

INFANT CHILD

Charles Walker Betts
as a citizen of

Choctaw Nation.

Approved, APR 10 1901 190



Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
APR 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 Charlie Walker Betts, born on the 22nd day of January, 1901
(Here insert name of child)
Name of Father: David C. Betts, a citizen of the Choctaw Nation.
Name of Mother: Emma V. Betts, a citizen of the Choctaw Nation.
Post-office, Atoke, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Emma V. Betts, 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 David C. Betts, who is a citizen, by
blood, of the Choctaw Nation, that a male child was
(male or female)
born to me on the 22nd day of January, 1901; that said child has been
named Charlie Walker Betts, and is now living.

WITNESSES TO MARK

Emma V. Betts

(Must be Two Witnesses)

Subscribed and sworn to before me this 6th day of April, 1901.

J. S. Ralls

NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Emeline Betts, a midwife, on oath state that I
attended on Mrs. Emma V. Betts, wife of David C. Betts,
on the 22nd 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
(male or female)
named Charlie Walker Betts.

WITNESSES TO MARK:

Emeline Betts

(Must be Two Witnesses)

James W. Rogers

Subscribed and sworn to before me this 8th day of April, 1901.

J. S. Ralls

NOTARY PUBLIC.

MEMORANDA.

(Date) 1899.

32

Name David C. E.

Choctaw? 75 County Blin Year 75 No. 1654

Chickasaw? County Year Page 11

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day,

33

Wife's name, E. E.

Choctaw? County Blin Year 75 No. 1655

Chickasaw? County Year Page 25

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

3

David C. E. County Year Page No. 6

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

72

Miss 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.

11/25/18

Muskogee, Indian Territory, April 11, 1901.

Mr. David C. Betts,
Atoka, Indian Territory,

Dear Sir:-

The Commission is in receipt of the application for enrollment as a citizen of the Choctaw Nation of Charlie Walker, Betts, the infant son of David C. and Emma V. Betts, born January 22, 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.

The records of the Commission do not show that any evidence of marriage between David C. and Emma V. Betts has ever been filed and you are now requested to furnish the Commission with either the original marriage license and certificate or a certified copy thereof, or other substantial evidence of your marriage.

Yours truly,

Acting Chairman.

Muskogee, Indian Territory, April 24, 1901.

Mr. D. C. Betts,
Atoka, Indian Territory,

Dear Sir:-

Receipt is hereby acknowledged of your letter of the 19th inst., in which you state that your marriage certificate was filed with the records of this Commission at Atoka, Indian Territory, on or about August 15, 1899.

You are informed that a careful examination of the papers and records in your case does not disclose the fact that there is any evidence of marriage between yourself and your wife, Emma, and you are requested to give this matter your early attention.

Yours truly,

Acting Chairman.

7-4398

Muskogee, Indian Territory, May 9, 1901.

Mr. David C. Betts,

Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of April 30, 1901, enclosing certified copy of marriage certificate between D. C. Betts and Erma V. Betts, and the same has been duly filed with the records of the Commission. Your prompt attention to the request of the Commission in this matter is duly appreciated.

Yours truly,

Acting Chairman.

7-4398.

Muskogee, Indian Territory, February 28, 1903.

Emma Betts,

Atoka, 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-D- 341
7 - 4368
7 - 4398

Muskogee, Indian Territory, December 15, 1902.

David T. Betts,

Caldo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 27th ultimo, giving the names of your father and mother as David C. Betts and Mary Ann Darron respectively; and stating that you appeared before the Commission at Atoka, Indian Territory, in 1898 or 1899 and made application for citizenship in the Choctaw Nation under article thirty-eight of the treaty of 1866; that you have a brother named John W. Betts, who applied at the same time also.

You are advised that it appears from our records that Mary Ann Darron, 56 years of age, daughter of Charles and Polly Saugee, has been listed among the doubtful claimants to enrollment as an intermarried citizen of the Choctaw Nation.

No decision has yet been rendered in her case.

You are further advised that it appears from our records that Ramsey D. Betts, son of David C. and Nancy Betts, has been listed for enrollment as a citizen of the Choctaw Nation.

If you and your brother, John W. Betts, have appeared

D T B

before the Commission as applicants for enrollment as citizens of the Choctaw Nation, please state the names under which such application were made, the character thereof, and any other information you may possess which will enable the Commission to identify you as applicants.

Upon receipt of the information requested, the matter will receive further consideration.

Respectfully,

Acting Chairman.

Choc 4399 Sam Carnes

4399

Choctaw 4399

Muskogee, Indian Territory, July 3, 1902.

Sam Carnes,

Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Edmund Carnes, the infant son of Sam and Elsie Carnes, born August 11, 1901, and the same is returned to you herewith for further information regarding the mother of the child.

It is stated in the affidavit of the mother that her name is Elsie Carnes, and that she is a citizen by blood of the Choctaw Nation. 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 concerning her enrollment. 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 certificate.

You are advised that at the time you were listed for enrollment by this Commission as a citizen of the Choctaw Nation, your wife, Silvey Carnes, was also listed for enrollment as a

S C 2

citizen of the Choctaw Nation. You are requested to advise the Commission whether Silvey Carnes is living or dead.

Upon receipt of the information requested above and the return of the application, the matter will be given further consideration.

Yours truly,

Commissioner in Charge.

Enc Y 114

Muskogee, Indian Territory, December 9, 1902.

Sam Carnes,

Atoka, Indian Territory.

Dear Sir:

On July 3, 1902, the Commission returned to you the application for enrollment as a citizen of the Choctaw Nation of Edmund Carnes, infant son of Sam and Elsie Carnes, for further information regarding the mother of the child, to which no response has been made by you.

If this child is still living and you desire to have him enrolled as a citizen of the Choctaw Nation, you should immediately return to the Commission the application for his enrollment, together with the information requested. You should state the maiden name of Elsie Carnes, the time and place application was made for her enrollment and the names of other members of her family, and if she has been married to you since she was so listed you should forward either the original or the certified copy of your marriage certificate. When you were listed for enrollment as a citizen of the Choctaw Nation your wife, Silvey Carnes, was listed with you. You are therefore requested to advise the Commission whether Silvey Carnes is living or dead, and if living whether you have been divorced from her. If you have been divorced from her you should

S. C. 2.

forward evidence of the divorce.

This matter should receive your immediate attention as until the information requested is received your wife and child will not be enrolled as citizens of the Choctaw Nation.

In case you may have lost the blank application which was returned to you, another one is enclosed herewith.

Respectfully,

Acting Chairman.

B.C.
Env.

Choctaw-4399

Muskogee, Indian Territory, July 15, 1903.

Silvay Carnes,

Calloway, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of July 11, asking why your enrollment has not been approved by the Secretary of the Interior.

In reply to your letter you are informed that it appears from our records that you have been listed for enrollment as a citizen by blood of the Choctaw Nation, but your 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,

Commissioner in Charge.

Muskogee, Indian Territory, February 13, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

On October 9, 1902, the Commission to the Five Civilized Tribes transmitted for Departmental consideration the schedule constituting part of the final roll of citizens by blood of the Choctaw Nation, Nos. 4001 to 4991 inclusive, copies of which have been heretofore returned approved by the Secretary of the Interior, December 17, 1902.

Referring to the name of Eli McKinney which appears thereon opposite No. 4880, I have the honor to report that the enrollment of this child is erroneous and should be cancelled.

On December 16, 1905, at the Choctaw Land Office, Atoka, Indian Territory, the testimony of Lee Allison and Austin Jacob was taken from which it developed that Eli McKinney, whose name appears at No. 4880 upon the schedule of citizens by blood of the Choctaw Nation above referred to, is identical with Eli Nelson, whose name appears upon the approved roll of citizens by blood of said Nation, opposite No. 12849.

I have the honor to inclose herewith copies of the testimony of Lee Allison and Austin Jacob of December 16, 1905, and

to recommend inasmuch as selection of allotment has heretofore been made for Eli Wilson at No. 18269 upon the approved roll of citizens by blood of the Choctaw Nation, that the enrollment of Eli Wilson be cancelled at No. 4680 upon the schedules of citizens by blood of the Choctaw Nation in the possession of the Department and the Indian Office, and the letter of transmittal of October 5, 1908, and I be authorized to make like changes upon the schedules and letters of transmittal in this office.

Respectfully,

CLARENCE JAMES BROWN

Special Agent.

Through the Commissioner
of Indian Affairs.

October 1908.

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES,
CHOCTAW LAND OFFICE.

Atoka, Indian Territory, December 16, 1905.

In the matter of a duplicate enrollment of Eli McKinney, Choctaw by blood, Card No. 1655, Approved Roll No. 4680, and Eli Nelson, Choctaw by blood, Card No. 4399, Approved Roll No. 12269.

Lee Allison, being first duly sworn, testified as follows:

EXAMINATION BY THE COMMISSIONER.

- Q. What is your name ?
A. Lee Allison.
Q. What is your post office address ?
A. Bentley.
Q. How old are you ?
A. About 40 I believe.
Q. Are you a duly enrolled citizen by blood of the Choctaw Nation ?
A. Yes, sir.
Q. What is the name of your father ?
A. John Allison.
Q. What is the name of your mother ?
A. I don't know exactly, I believe it was Alissie.

The name of Lee Allison appears as No. 12106 upon the approved Choctaw roll by blood, Card No. 4326.

- Q. Do you know a boy named Eli Nelson ?
A. Yes, sir; I know him.
Q. Does he live with you ?
A. Yes, sir; he is now at my house.
Q. How long has he lived with you ?
A. About two years.
Q. Are you any kin to Eli Nelson ?
A. No.
Q. How old is this boy, Eli Nelson ?
A. I don't know, but I believe he is now about 21 years old.
Q. What is the name of his father ?
A. He was sometimes called Solomon Tontubbee and sometimes Nelson.
Q. What was the name of this boy's mother ?
A. Lucy.
Q. Lucy Nelson ?
A. Yes, sir.
Q. Was Eli Nelson ever known by any other name ?
A. His uncle went by the name of McKinney sometimes.
Q. What was his uncle's first name ?
A. Edmund McFinney.
Q. And did this boy, Eli Nelson, at one time live with Edmund McKinney ?
A. Yes, sir.
Q. Was Eli Nelson sometimes known by the name of Eli McKinney ?
A. Yes, sir; he was sometimes called that name.

- Q. How many children did Solomon Tontubbee or Solomon Nelson have ?
A. There is two now living.
Q. What is the name of the other child, Eli's brother ?
A. Isaac McKinney.
Q. You state that the father of this boy was named Solomon Tontubbee but was sometimes called Solomon Nelson, is that correct ?
A. Yes, sir.
Q. And he at one time lived with Edmund McKinney ?
A. Yes, sir.
Q. You state that he is a brother of Isaac McKinney ?
A. Yes, sir.
Q. These two children, Isaac and Eli are the only children now living of Solomon Tontubbee's ?
A. That is all alive.
Q. Is Eli Nelson living ?
A. Yes, sir.
Q. Has an allotment of land been selected for him ?
A. Yes, sir.
Q. This boy now lives with you does he ?
A. Yes, sir.
Q. Did Eli McKinney or Eli Nelson ever live with Sam Carnes ?
A. Yes, sir.
Q. Are both the father of Eli McKinney or Eli Nelson dead ?
A. Yes, sir.

The name of Eli Nelson, son of Solomon Nelson and Lucy Nelson, appears as No. 12269 upon the approved Choctaw roll by blood, Field Card No. 4399, and he appears to have had an allotment heretofore selected for him.

The name of Eli McKinney, son of Solomon Tontubbee, appears as No. 4680 upon the approved choctaw roll by blood, Field Card No. 1655, and it appears that no selection has yet been selected in his name.

Austin Jacob, being first duly sworn, testified as follows:

- Q. What is your name ?
A. Austin Jacob.
Q. How old are you, Austin ?
A. More than 60 years.
Q. What is your post office address ?
A. Atoka.
Q. Are you a duly enrolled citizen by blood of the Choctaw Nation ?
A. Yes, sir.
Q. Did you know one Solomon Tontubbee during his live time ?
A. Yes, sir.
Q. Was Solomon Tontubbee ever known by any other name ?
A. Yes, sir.
Q. What was he named ?
A. Solomon Tontubbee and Solomon Nelson.
Q. Do you know how many children Solomon Tontubbee or Solomon Nelson had ?
A. There is two living.
Q. Do you know their names ?
A. Yes, sir; Isaac Tontubbee or McKinney and Eli Nelson.
Q. Do you know the name of the mother of Eli Nelson ?
A. Lucy.
Q. Was Eli Nelson ever known by the name of Eli McKinney ?
A. After his father's death he went to live with his father's brother and was called that sometimes.

- Q. What was his father's brother's name ?
A. Edmund McKinney.
Q. This boy, Eli Nelson, at one time lived with Edmund McKinney and was sometimes known by the name of Eli McKinney ?
A. Yes, sir.
Q. Did this boy, Eli, at one time also live with Sam Carnes ?
A. Yes, sir.
Q. With whom does Eli Nelson or Eli McKinney live at this time ?
A. Lee Allisen.

Wm. L. Martin, stenographer to the Commissioner to the Five Civilized Tribes, upon oath states that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

Wm. L. Martin

Subscribed and sworn to before me this the 18th day of December, 1905.

W. J. Russell
Notary Public.

Muskogee, Indian Territory, February 24, 1906.

Chief Clerk,
Choctaw Land Office,
Atoka, Indian Territory.

Dear Sir:

There is enclosed herewith for the information of your office copy of letter of February 12, 1906 addressed to the Secretary of the Interior recommending the cancellation of the enrollment of Eli McKinney at No. 4680 upon the approved roll of citizens by blood of the Choctaw Nation. You will therefore withhold the issuance of citizenship certificate or the making of an allotment to this citizen until otherwise further advised.

Respectfully,

Acting Commissioner.

MB 1-24.

Muskogee, Indian Territory, February 24, 1906.

Chief Clerk,

Chickasaw Land Office,

Ardmore, Indian Territory.

Dear Sir:

There is enclosed herewith for the information of your office copy of letter of February 12, 1906 addressed to the Secretary of the Interior recommending the cancellation of the enrollment of Eli McKinney at No. 4680 upon the approved roll of citizens by blood of the Choctaw Nation. You will therefore withhold the issuance of citizenship certificate or the making of an allotment to this citizen until otherwise further advised.

Respectfully,

BB 2-24.

Acting Commissioner.

DEPARTMENT OF THE INTERIOR.

Washington.

I. T. D. 5252-1906.

April 5, 1906.

D. C. 13102-1906
LRS

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

It is shown from the testimony submitted with your letter of February 12, 1906, that Eli McKinney, whose name appears on the approved partial roll of citizens by blood of the Choctaw Nation, opposite No. 4680, is identical with Eli Nelson, whose name appears on the approved, partial roll at No. 12269.

As an allotment has been made for Eli Nelson, at No. 12267, you recommend that the enrollment of Eli McKinney be cancelled at No. 4680, on the partial roll, and the letter of transmittal of October 9, 1902.

The Indian Office submitting your report March 29, 1906, concurs in your recommendation.

The cancellation has been made accordingly, and you are authorized to make like changes.

A copy of the Indian Office letter is inclosed.

Respectfully,

Thos. Ryan,

1 inclosure.

First Assistant Secretary.

(COPY)

DEPARTMENT OF THE INTERIOR.

Ladd Office of Indian Affairs.
17395-1906. Washington.

March 29, 1906.

The Honorable,
The Secretary of the Interior.

Sir:

There is enclosed a report from the Commissioner to the Five Civilized Tribes dated February 12, 1906, saying that the name of Eli McKinney, which appears on the approved roll of citizens by blood of the Choctaw Nation, opposite No. 4680, should be cancelled. He reports that on December 15, 1905, the testimony of Lee Allison and Austin Jacob was taken at the Choctaw Land Office, at Atoka; that it developed that Eli McKinney, whose name appears at the number mentioned, is identical with Eli Nelson, whose name is found on the roll at No. 12269. He enclosed a copy of the testimony of Allison and Jacob, and says that an allotment has been selected by Eli Nelson, No. 12269. He recommends that authority for the cancellation of the enrollment of Eli McKinney, No. 4680, be granted, and that proper correction be made on the roll on file with the Department and the one in the files of this Office.

From the papers transmitted by the Commissioner and the contents of his report it is evident that this is a duplicate en-

enrollment, and his recommendation is concurred in.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

CAW-GH

MEMORANDA.

(Date) Sept 1 1899.

360 Name Sam County Atoka Year 96 No. 3928
 Choctaw? County Atoka Year 96 No. 3928
 Chickasaw? County Year Page 27
 Citizen by blood? Mother's citizenship White
 Intermarried citizen?
 Married under what law?
 License filed this day,
 22 Wife's name, Susan Corbin
 Choctaw? County Atoka Year No. 4005
 Chickasaw? County Year Page 143
 Citizen by blood? Mother's citizenship

Intermarried citizen?
 Married under what law?
 License filed this day

Names of children:

16# *[Handwritten 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.

4.
 x
 # *[Handwritten Name]* *[Handwritten Name]*
 Nelson - *[Handwritten Name]*
 Haker
 4314

IN RE

Application for Enrollment of

INFANT CHILD.

Sally Barnes

As a citizen of the

Whelan Nation.

Approved

[Signature]
1
Commissioner.

4599

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
 of Sally Barnes, born on the 21 day of Sept, 1899
 Name of father: Sam Barnes, a citizen of the Choctaw Nation.
 Name of mother: Silva Barnes, a citizen of the Choctaw Nation.
 Post Office: Atoka, Okla.

AFFIDAVIT OF MOTHER.

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

I, Silva Barnes, on oath, state that I am 20 years of age and a citizen, by Choctaw Blood, of the Choctaw Nation; that I am the lawful wife of Sam Barnes, who is a citizen, by Blood, of the Choctaw Nation; that a Female child was born to me on the 21 day of Sept, 1899; that said child has been named Sally Barnes, and is now living.

Subscribed and sworn to before me this 5th day of Jan, 1900.
Silva Barnes
D C Blossom
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, Louisa James, a Midwife, on oath, state that I attended on Mrs. Silva Barnes, wife of Sam Barnes on the 21 day of Sept, 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 Sally Barnes.

Witnesses
Sam Downing
Louisa James
 Subscribed and sworn to before me this 5th day of Jan, 1900.
D C Blossom
 Notary Public.

7 4399 ✓

INDEXED

IN RE
THE DEATH OF

Sally Carnis

a citizen of the

Choctaw

Nation.

Approved _____ 190

C. H. Beckwith
Commissioner.

CHOCTA

4399

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

In the matter of the death of Sally Cairnes
(Here insert name of deceased.)
a citizen of the Choctaw Nation, who formerly resided at or near
Atoka, Ind. Ter., and died on the _____ day of
June, 1902.
(Here insert name of postoffice.)

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Sam Cairnes, on oath state that I am 77
years of age and a citizen, by blood, of the Choctaw Nation;
that my post office address is Calloway, Ind. Ter.; that I am
father of Sally Cairnes,
(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 Sally Cairnes died on the _____ day of
June, 1902 Sambour

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 21 day of November 1902.
R. Stonebaugh
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Green Wesley, on oath state that I am 36
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 Sally Cairnes,
(Here insert name of deceased.)
who was a citizen, by blood, of the Choctaw Nation;
and that said Sally Cairnes died on the _____ day of
June, 1902 Green Wesley

WITNESSES TO MARK

(Must be Two Witnesses.)

Subscribed and sworn to before me this 21 day of November 1902.
R. Stonebaugh
Notary Public.

Choc 4400 Warneta F. Williams

4400

Muskogee, Indian Territory, February 5, 1930.

Mr. T. R. Williams,

Chado, Indian Territory,

Dear Sir:

In the matter of the application for enrollment of Effie H., infant child of T. R. Williams and Wanetta F. Williams, the Commission is unable to identify Wanetta F. Williams as being upon any of the rolls of the Chickasaw or Choctaw Nation. If Mrs. Williams has been enrolled, when, where and under what name was she enrolled? It will be necessary, before the Commission can identify her, to know her maiden name, and the names of the other members of her family with whom she was enrolled. The birth certificate is returned herewith for the reason that the signature of Eveline Bette, being by mark, it will be necessary to have the signature of the witnesses thereto. Kindly return the affidavit with the information desired and the matter will receive further attention.

Yours truly,

Acting Chairman.

Inclosure-3-5.

Muskogee, Indian Territory, February 23, 1906.

Mr. T. R. Williams,
Caddo, Indian Territory,

Dear Sir:

The Commission is in receipt of your letter of February 19, inclosing an application for the enrollment as a citizen of the Choctaw Nation of Effie H. Williams, infant daughter of T. R. and Warrata P. Williams, and the same has been duly filed with the records of the Commission.

You state in your letter that at the time Mrs. Williams appeared before the Commission, it was suggested that she change the spelling of her name from Warrata to Juaneta. You are informed that all the records of this Commission have the name of Mrs. Williams as Warrata.

Yours truly,

Acting Chairman.

Muskogee, Indian Territory, December 22, 1902.

T. R. Williams,

Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of December 11, in which you ask if it is necessary for you to appear before the Commission in the matter of the enrollment of your wife, Warneta F. Williams, and your children, Jessie F. and Effie H. Williams.

In reply to your letter you are advised that it appears from our records that Warnita F. Williams, wife of T. R. Williams, and her children, Jesse F. and Effie H. Williams, have been listed for enrollment as citizens by blood 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 approved July 1, 1902, which was ratified by the Choctaw and Chickasaw Nations on September 25, 1902, and it is desired that all heads

T.R.W. 2

of families appear before the Commission for the purpose of checking up the names of the members of their family with the records of the Commission. For this purpose the Commission will be at South McAlester, Indian Territory, from December 20 to December 24, inclusive.

Respectfully,

Acting Chairman.

MEMORANDA.

(Date) 2 11 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.

19. Wife's name, Wanneta F. ...

Choctaw? County Blue Year 12 No. 10 16

Chickasaw? County Year Page 37

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

18. Josephina County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

24400

48

IN RE

Application for Enrollment of
INFANT CHILD.

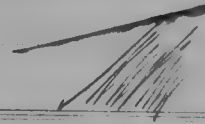
Jose S. Miquelans

As citizen of the

United States

Nation.

Approved *Nov. 2* 1899



Commissioner.

Nov 12 1899

7-4600

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
 of Jesse Franklin Williams, born on the 12 day of July, 1898.
 Name of father: J. R. Williams, a citizen of the U. S. Nation.
 Name of mother: Wanneta J. Williams, a citizen of the Choctaw Nation.
 Post Office: Atoka I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Central District.

I, Wanneta J. Williams, on oath, state that I am 19 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of Thomas R. Williams who is a citizen, of the United States Nation; that a male child was born to me on the 12th day of July, 1898; that said child has been named Jesse Franklin Williams and is now living.

Subscribed and sworn to before me this 4th day of August, 1899.
Wanneta J. Williams
W. C. Pitt
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Central District.

I, Mrs. Eunice Betts, a midwife, on oath, state that I attended on Mrs. Wanneta J. Williams, wife of Thomas R. Williams on the 12 day of July, 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 Jesse Franklin Williams
Witness Eunice Betts
mark

Subscribed and sworn to before me this 20th day of Oct., 1899.
W. C. Pitt
 Notary Public.

3-5

IN RE

Application for Enrollment of

INFANT CHILD.

Effie N. Williams

As a citizen of the

Choctaw Nation.

Approved

MAY 24 1901

[Signature]

Commissioner.

MAY 24 1901

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
 of Effie H Williams, born on the 18 day of January, 1900
 Name of father: T. R. Williams, a citizen of the U.S. Nation.
 Name of mother: Wanneta F Williams, a citizen of the Choctaw Nation.
 Post Office: Sudds A T

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Cent District.

I, Wanneta F Williams, 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 T R Williams who is a citizen, by marriage, of the
Choctaw Nation; that a girl child was born to me on the 18 day
 of Jan, 1900; that said child has been named Effie H Williams
 and is now living.

Wanneta F. Williams

Subscribed and sworn to before me this 31 day of Jan, 1900

J. H. Pappeler
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Cent District.

I, Emiline Betts, a midwife, on oath, state that I
 attended on Mrs. Wanneta F Williams, wife of T R Williams
 on the 18 day of Jan, 1900; 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 Effie H Williams.

Emiline Betts

Subscribed and sworn to before me this 31 day of Jan, 1900

J. H. Pappeler
Notary Public.

C. J. Walker

J. H. Pappeler

Choc 440/ Henry Marshall

Robert L. Marshall transferred from Choctaw
card # D599 OCT 31, 1904

Nancy Marshall transferred from Choc # D-600
May 15, 1905

440/

In the matter of the application for the enrollment of
Robert L. Marshall as a citizen by blood of the Choctaw Nation.

7-D-599.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Atoka, I.T. December 11th, 1900.

In the matter of the application of Robert Lee Marshall
for enrollment as a citizen by blood of the Choctaw Nation.

The said Robert Lee Marshall, being sworn by Acting Chairman
Bixby, was examined by Mr. J. G. Ralls, attorney for applicant,
and testified as follows:

- Q State your full name? A Robert Lee Marshall.
Q How old are you? A I will be twenty-one the twenty-fifth
of this coming January.
Q Where do you live? A I live about twelve miles north of
here and five miles east of Coalgate.
Q What is your post office address? A Coalgate.
Q How long have you lived in the Choctaw Nation? A I was born
there.
Q You have lived here ever since, have you? A Yes, sir.
Q What is the name of your father? A Henry Marshall.
Q What nationality is he? A Choctaw.
Q Is he enrolled by the Choctaws and the Commission as a
Choctaw? A Yes, sir.
Q Have you been enrolled by the Choctaws as a Choctaw by blood
on any roll? A Yes, sir.
Q What rolls? A The school rolls.
Q What other rolls, the leased district? A Yes, sir.
Q Well, are you on the roll of 1896? A Yes, sir.
Q Your father was admitted by the Choctaw Council in 1884,
as a Choctaw Indian by blood? A Yes, sir.
Q Have you ever received any notice from any authorities
that there would be any steps taken to strike your name from the
Choctaw rolls? A No, sir.
Q Have you lived in the Choctaw Nation ever since you were born?
A Yes, sir.
Q Are you married or a single man? A Single.
Q Do you own property in the Choctaw Nation? A Yes, sir.
Q You own a farm, do you? A Yes, sir.
Q Have the Choctaws always recognized you as a member of
the Choctaw Nation so far as you remember? A Yes, sir.
Q What is the name of your mother? A Nancy Marshall.
Q What is her Nationality, India or white woman? A White
woman.
Q Is she still living? A Yes, sir.
Q You have lived with your father all the time up to this time,
have you? A Yes, sir.
Q And your mother has lived with him? A Yes, sir.
Q You have voted at the Choctaw elections, have you? A Yes,
sir.

EXAMINATION -----By Mr. BIXBY, Acting Chairman.

- Q What proportion of Choctaw blood do you claim to have in
your veins? A One fourth.
Q By what right do you claim citizenship in the Choctaw nation?
A Through my father. I am his son.
Q Do you know how your name came to be placed on the
Choctaw rolls? A Why, when I was going to school my name was
registered then for the drawing of the payment money.
Q Why did they put your name on the rolls? A Because I
was a Choctaw.
Q How did they know you were a Choctaw? A Because my father
was admitted by the Council. At that time the head of the family
was considered all that was necessary.
Q That is your opinion? A Yes, sir.
Q Your father secured his rights as a citizen of the Choctaw

Robert Lee Marshall-----2.

Nation through an Act of the Council, did he? A Yes, sir.
Q Do you know when that Act was passed? A In 1884, I believe.
Q You were then living, were you not? A Yes, sir.
Q Did your name appear in the Act of the Choctaw Council admitting your father? A I don't know. I don't think it did.
Q You base your claim to citizenship in the Choctaw Nation upon the fact that your father was admitted to citizenship in the Choctaw Nation by an Act of the Council? A Yes, sir.
Q You have never been admitted by name yourself, have you?
A Yes, sir.
Q By the Council? A No, not by the Council.
Witness excused.

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The undersigned, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the proceedings in this application had at the time and place above mentioned, and that the foregoing is a true, correct and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this *14th* day of *January* 1901.
~~A. D. 1888, 14th day of December~~

W. S. McWhorter
W. L. Emerson
Acting Chairman. Notary Public.

4 Original application of William Henry Marshall, et al.
4 in Robert Lee Marshall.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Atoka, I. T. December 11th, 1900.

In the matter of the application of Henry Marshall for the enrollment of his wife, Wandy, as a citizen by intermarriage of the Choctaw Nation.

That said Henry Marshall, being sworn by Acting Notary Dixie, was examined by Mr. J. S. Halls, Attorney for applicant, and testified as follows:

Question. What is your name?

Answer. Henry Marshall.

Q. How do you do, Mr. Marshall? A. Well.

Q. What nationality are you, Mr. Marshall? Are you a white man or a Choctaw? A. Well, I suppose I am a Choctaw--I am a white man too--I hardly know how to answer that question.

Q. You are a recognized member of the Choctaw Nation, are you, Mr. Marshall? A. Yes, sir.

Q. You were admitted by an act of the Council of the Choctaw Nation in 1882? A. Well, yes, I was admitted by the Choctaw Council. I think there is a mistake in the date. I think it was in 1880, in October 1880.

Q. At the time you were admitted, were you married, were you? A. Yes, sir.

Q. What was the name of your wife? A. Wandy.

Q. Was she a white woman? A. Yes, sir.

Q. Did she and you have any children at the time you were admitted? A. Yes, sir.

Q. What were their names? A. William Henry Marshall and Robert Lee Marshall.

Q. They are in your petition, have they been before the Commission, are they? A. Yes, sir.

Q. Were they living at that time? A. Yes, sir.

Q. Were you living in the Choctaw Nation? A. Yes, sir.

Q. How long have you lived in the Choctaw Nation? A. I have been living in this country since 1887. I came to this country in 1877.

Q. From what county did you come from to the Choctaw Nation? A. From the Chickasaw Nation in Pickens County.

Q. How long did you live in the Chickasaw Nation? A. I lived in the Chickasaw Nation for a year.

Q. What proportion of Choctaw blood do you claim? I claim only one-fourth of Choctaw blood.

Q. One-fourth? A. Yes, sir.

Q. Is your wife still living? A. Yes, sir.

Q. She has lived with you since you were admitted, is that correct? A. Yes, sir.

Q. Those boys were with you in the Choctaw Nation at the time you were admitted? A. Yes, sir.

Q. The act admitting you here, I believe, I suppose so, yes, sir.

Q. Do you know of any laws or rules as used and your children's names and name of your wife omitted?--by it was they did not insert the names of your children and your wife? A. Oh, at the time when I put in my petition I was talking something about it, and I was advised by several different ones that the head of the family was all that was necessary--all that was required; that the head of the family ruled the family, and of course in putting in the petition

Henry Marshall-----2.

or in making out the bill when I was admitted why there was only my individual name that was placed on the roll or in the bill.

Q. You had an attorney looking after the matter for you? A. Yes, sir.

Q. Have you and your children and your wife been recognized as members of the Choctaw Nation ever since that act was passed?

A. Well, I suppose so. I haven't heard any complaint at all. My children has always been recognized, I suppose, as Choctaws. They have had the same privilege as Choctaw children all along.

Q. Including you? A. Well, in the schools. They have had the benefit of the Choctaw schools; they had the benefit of the leased district payment; they have been placed on all of the rolls from the school roll up until this present roll,---

Q. That is being made by the Commission? A. Yes, sir. They were never rejected at all until last September.

Q. Who was it rejected them? A. It was the Dawes Commission which one of the Commissioners? A. Well, I can't know.

I wasn't acquainted with any of them, and I don't know their names. Do you know whether or not it was Mr. McKeon? I do not.

I couldn't say positive. I can't know him.

Q. What is the condition of your wife's health at this time? A. It is poor.

Q. Is she able to come here now? A. No, sir, she is not.

Q. Have you your marriage license and marriage certificate?

A. No, I haven't. I was married. I went for my marriage license and marriage certificate, but I got an answer that the office had been burned, the court house had been burned, and the clerk's office of course, and the marriage license and everything of the kind had been destroyed. I got all over that effect.

Q. Where were you married? A. I was married in Whitesboro, Wood County, Texas.

Q. Who married you? A. A minister of the name of Kay.

Q. What year was that you were married? A. That was 1888.

Q. Your wife never claimed to be a member of any nation by blood or otherwise prior to your marriage, is that right? A. Yes, sir; she never did.

Q. Her mother and father are white persons? A. Yes, sir; they were white people.

Q. And you are now asking for your wife to be enrolled as an intermarried citizen? A. Yes, sir.

A. SAIS: (Counsel for applicant) I desire to have copied of the testimony of Mr. Marshall filed in the case of his two sons, William Henry Marshall, for the enrollment of himself, his wife and child, and Robert Lee Marshall for the enrollment of himself.

A. SAIS: (Counsel for Commission) All right.

Q. What is the name of your wife's father? A. My wife's father is Allen Crow.

Q. What was her mother's name? A. Barbara Crow.

The undersigned, being sworn, deposes that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings in his application at the time and place above mentioned and that the foregoing is a true correct and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 14th day of January 1901.

W. J. Emerson
Notary Public

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskegee, Indian Territory, April 14, 1902.

.....
:: In the matter of the application ::
:: of Robert L. Marshall for enroll- :: D-599.
:: ment as a citizen by blood of the ::
:: Choctaw Nation. ::
.....

Now on this 14th day of April, 1902, the applicant in the above entitled cause appears by his attorney, J. G. Ralls, and offeres in this case a certified copy of the evidence taken in the case of James M. Buckholts, and asks that the same be considered in this case so far as applicable herein. This applicant will be found on the leased district pay roll of Atoka County, Choctaw Nation; his name will also be found on the Choctaw census roll of 1896, Atoka County, as the son of Henry Marshall a Choctaw and Nancy Marshall a white woman. The applicant asks that these records be considered in his case. This case will now be considered by the Commission upon the evidence and record as made up.

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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 14, 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 14 day of April, 1902.

Hal Belford
Carroll Hillwood
Notary Public.

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 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, 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 When, as I understood

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.

Q Then, 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 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. F. James, and John Null, 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 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, say yes; Palmer'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 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 dependants 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~~ ^{these cases that I single out of know of personally.} in answering that question; 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 ~~my~~ ^{they} 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 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 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 Buckholt case, the Marshall case and the Plumar 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.

ALBENTON PHILLIS, Daily sworn by Acting Chairman,

BIRBY, testified as follows:-

By Mr. Ralls:

Q State your name? A A. Yelle.

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~~ ^{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~~ ^{or} 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. 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 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 Now, being acquainted with the laws and customs of the Choctaw Nation, Mr. Telle, 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. They 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 out 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. CORWISH.

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 1896? 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 ~~name~~ ^{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 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 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, along about the year 1657, 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 ~~Council~~ 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 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 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 1864 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 1864.

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.

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 knew 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 an act 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. Cornish: 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 her 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 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 1883, I think.

Q Considerably later than that? A Yes, sir.

Q Then you stated as a matter of law and fact that this Buckhelts, 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, that 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 came 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 correct 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 1872. That's the law. Right to Choctaw citizenship prior to the act of 1872.*

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 Buckhelts, 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.

Q 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. Halls: 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 Choctaw Council, or the Choctaw authorities, conferring citizenship upon specific persons, upon persons naming them? A No, sir, it is not. There are these exceptions I speak 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?

A I couldn't 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 ~~are some~~ ^{were} 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 These Bilukshas you speak of? A Yes, sir, these were specific acts,

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

A Who? Q Those people that were permitted to stay here.

A You mean the Bilukshas?

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. Just heads of families.

Q Is this a clear recollection of the law, or just as you remem-

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

Q Now, those Bilukshas you speak 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 Chestaw 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. RALLS:

Q As I understand, you stated, Mr. Telle, that law of 1872 was the first act of Chestaw 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 Chestaw council had passed some specific acts in regard to persons residing in the Chestaw Nation permitting them to remain, or recognizing them to that extent? A Yes, sir.

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

Mr. Ralls:-

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

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

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

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

A I have held a good many.

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

Q You have

Q You have acted as one of the Commissioners of the Choctaws 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 Tusshahama.

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 Buckholts, R. T. Jones, or John Full? A Yes, sir.

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

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

Q And W. 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 1893 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 Wadkins, married Campbell Leflore's sister, and his family. Puryea 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 Wadkins, that is the 1896 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 McCurtain was the Treasurer. I am not certain.

they changed hands about that time. National Attorney, I don't remember who ^{that} was ~~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 Backholts, 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} ~~Choctaw~~ 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. CORNISH.

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 Came direct from the old Choctaw Nation to this country?

A Yes, sir.

Q These Backholts people; where did they come from? A I don't know; I wasn't acquainted with them until 1886.

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

I have heard some of the witnesses state that

JOSEPH R. KIL 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 eldest 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 his~~ 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 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 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. RAILS.

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 Kiamatia 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 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, 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 E. 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, W. 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)

W. Beadles.

Notary Public aforesaid.

United States of America,
Indian Territory,
Central District.

I W. S. Farmer, 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 W. 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

3rd day of March A. D., 1902.

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

599

Robert L. Marshall

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

FILED
APR 14 1902



ACTING CHAIRMAN

719

7-D-599.

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

In the matter of the application for the enrollment of Robert L. Marshall as a citizen 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 Robert L. Marshall appeared before the Commission on December 11, 1900, and made personal application for the enrollment of himself as a citizen by blood of the Choctaw Nation.

It further appears from the record herein and the census card record that the applicant, Robert L. Marshall, is a son of Henry Marshall, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 12273 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 March 6, 1903, and Nancy Marshall, a white woman having no rights of Choctaw citizenship by blood; that said Henry Marshall was admitted to citizenship in the Choctaw Nation by an Act of the General Council of said nation approved November 4, 1886; that the name of the applicant, Robert L. Marshall is not mentioned in said Act of admission although he was living at the time, having been born in the year 1880; that the said Robert L. Marshall claims rights as a citizen by blood of the Choctaw Nation by virtue of the said admission of said Henry Marshall to citizenship in the Choctaw Nation, and of the subsequent recognition of the said Henry Marshall and his descendants as citizens of the Choctaw Nation by the tribal authorities of said nation.

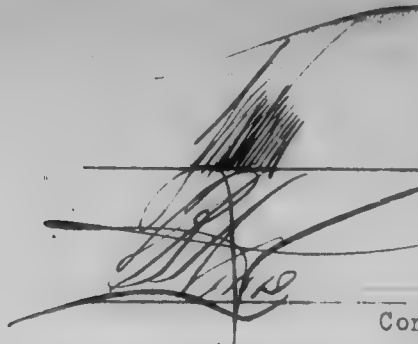
Upon an examination of the tribal rolls in the possession of the Commission the applicant is identified upon

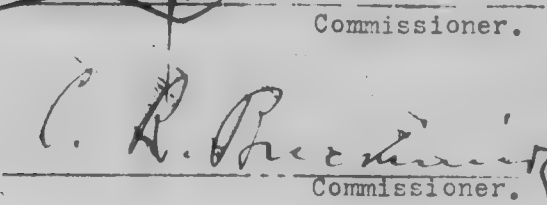
the 1893 Choctaw Leased District payment Roll, Atoka County, page 74, number 772, and upon the 1896 Choctaw Census Roll, Atoka County, number 8817, enrolled on said rolls as a citizen by blood of said nation.

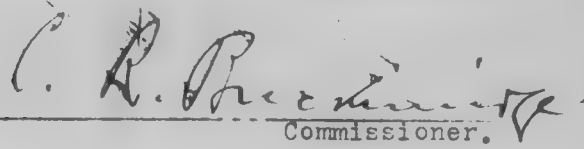
It further appears from the record herein that the applicant was a resident in good faith of the Choctaw Nation on June 28, 1898.

It is, therefore, the opinion of this Commission that, following the ruling of the Department in the case of James M. Buckholts, et al., (I.T.D. 8490-1903), Robert L. Marshall 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.

Muskogee, Indian Territory,

067 15 1904

Muskegee, Indian Territory, October 15, 1904.

COPY.

Robert L. Marshall,
Coalgate, Indian Territory.

Dear Sir:

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,

James D. Doby

Chairman.

Registered.

Incl. 7-D-599.

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 Robert L. Marshall 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 Robert L. Marshall 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,

Tamo Linby

Chairman.

Registered.

Muskogee, Indian Territory, October 15, 1904.

OPY.

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 Robert L. Marshall 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,

Tamo Dixby.

Chairman.

Registered.

Incl. 7-D-599.
See 7-D-4 for registry receipt for this letter.

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-

NANCY MARSHALL

7-D-600

4 in application of William Henry Marshall, et al.
4 in Robert Lee Marshall.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Atoka, I. T., December 11th, 1900.

In the matter of the application of Henry Marshall for the enrollment of his wife, Nancy, as a citizen by intermarriage of the Choctaw Nation.

The said Henry Marshall, being sworn by Acting Chairman Sixty, was examined by W. L. G. Kalls, attorney for applicant, and testified as follows:

Question. What is your name?

Answer. Henry Marshall.

Q. How old are you, Mr. Marshall? A. Sixty.

Q. What nationality are you, Mr. Marshall? Are you a white man or a Choctaw? A. Well, I suppose I am a Choctaw--I am a white man too---I hardly know how to answer that question.

Q. You were a recognized member of the Choctaw Nation, are you, Mr. Marshall? A. Yes, sir.

Q. You were admitted by an act of the Council of the Choctaw Nation in 1848? A. Well, sir, I was admitted by the Choctaw Council. I think it was admitted a right here. I think it was in 1848, in October 1848.

Q. At the time you were admitted you were married, were you? A. Yes, sir.

Q. What is the name of your wife? A. Nancy.

Q. What color was she? A. White, sir.

Q. How old was she and you were married at the time you were admitted? A. Yes, sir.

Q. What was her maiden name? A. William Henry Marshall and Robert Lee Marshall.

Q. How many other persons who have been before the Commission, are there? A. Yes, sir.

Q. Were they living with you at the time? A. Yes, sir.

Q. Where you living in the Choctaw Nation? A. Yes, sir.

Q. How long have you lived in the Choctaw Nation? A. I have been living in this county since 1877. I came to this county in 1877.

Q. From what county did you come from to the Choctaw Nation? A. From the Chickasaw Nation in Chickasaw County.

Q. How long did you live in the Chickasaw Nation? A. I lived in the Chickasaw Nation three years.

Q. What proportion of Choctaw blood do you claim? I claim only one-fourth myself of Choctaw blood.

Q. One-fourth? A. Yes, sir.

Q. Is your wife still living? A. Yes, sir.

Q. She has lived with you all the time since you were married? A. Yes, sir.

Q. These boys were admitted in the Choctaw Nation at the time you were admitted? A. Yes, sir.

Q. The act admitting you named your children? A. I suppose so, yes, sir.

Q. Do you not suppose that names was used and your children's names were omitted?--why it was they did not insert the names of your children and your wife? A. Why, at the time when I put in my petition I was talking something about it, and I was advised by several different ones that the head of the family was all that was necessary--all that was required; that the head of the family ruled the family, and of course in putting in the petition

Henry Marshall-----2.

or in making out the bill when I was admitted why there was only my individual name that was placed on the roll or in the bill.

Q You had an attorney looking after the matter for you? A Yes, sir.

Q Have you and your children and your wife been recognized as members of the Choctaw Nation ever since that act was passed?

A Well, I suppose so. I haven't heard any complaint at all. My children has always been recognized, I suppose, as Choctaws. They have had the same privilege as Choctaw children all along.

Q In what way? A Well, in the schools. They have had the benefit of the Choctaw schools; they had the benefit of the leased district payment; they have been placed on all of the rolls from the school roll up until this present roll,---

Q That is being made by the Commission? A Yes, sir. They were never rejected at all until last September.

Q Who was it rejected them then? A It was the Dawes Commission.

Q Which one of the Commissioners? A Well, I don't know. I wasn't acquainted with any of them, and I don't know their names.

Q Do you know whether or not it was Mr. McKennon? I do not. I couldn't say positive. I don't know him.

Q What is the condition of your wife's health at this time? A It is poor.

Q Is she able to come here now? A No, sir; she is not. I have your marriage license and marriage certificate?

A I haven't. I was married. I went for my marriage license and marriage certificate, but I got an answer that the office had been burned, the court house had been burned, and the clerk's office of course, and the marriage license and everything of the kind had been destroyed. I got a letter of that effect.

Q Where were you married? A I was married in Whittman, Wood County, Texas.

Q Who married you? A A man by the name of Ray.

Q What year was that you were married? A That was 1866.

Q Your wife never claimed to be member of any nation by blood or otherwise prior to your marriage with her? A No, sir; she never did.

Q Her mother and father are white persons? A Yes, sir; they were white people.

Q And you are now asking for your wife to be enrolled as an intermarried citizen? A Yes, sir.

Mr. LAILS: (Counsel for applicant) I desire to have copied of the testimony of Mr. Marshall filed in the cases of his two sons, William Henry Marshall, for the enrollment of himself, his wife and child, and Robert Lee Marshall for the enrollment of himself.

Mr. BERRY: (Chairman of Commission) All right.

Q What was the name of your wife's father? A My wife's father Allen Screw.

Q What was her mother's name? A Barbara Screw.

The undersigned, being sworn, states that as stenographer to the Commission to Organize Civilized Tribes he reported in full all proceedings in this application at the time and place abovementioned and that the foregoing is a true correct and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 14th day of December A. D. 1900.

Ray L. V. Emerson
Acting Chairman. Notary Public.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, Indian Territory, April 14, 1902.

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

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Now on this 14th day of April, 1902, the applicant in the above entitled cause appears by her attorney, J. G. Ralls, and offers in evidence a certified copy of the evidence taken in the case of James M. Buckholts, and asks that the same be considered as evidence in this case so far as applicable herein. This applicant will be found on the Choctaw census roll of 1896 Atoka County, as an intermarried citizen, being the wife of Henry Marshall. The applicant asks that that record be considered in her behalf as evidence in this case.

This case will now be considered upon the evidence and record as made up and on file.

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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 14, 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 15 day of April, 1902.

Hal Belford
Clara Mitchell Wood
Notary Public.

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

Mr. A. Telle, Attorney for the applicants: Gapt. Standley, I will ask you 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, 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. F. 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.

Q Then, 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 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 Hull, 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 Hull 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. CORNISH: 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 enquiring 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 Buskholt? 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 dependants 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 300? A Yes, I don't know how many.

Q Something, perhaps 100 and 300? 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; *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 of ~~families~~, and their might have been all the family.

Q Since Mr. Telle 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 ^{they} 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 custom? A I wouldn't say that; I don't know that there has been any custom 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 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 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 Buckholt case, the Marshall case and the Plymer 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 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.



ALBERTON 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~~ ^{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~~ ^{or} 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. Velle, 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 1895? 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. Velle, 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 what we enrolled them. That 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 put out four or five.

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

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CROSS-EXAMINATION, By MR. GORNISH.

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 1897? 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~~ 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 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 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 stopped up in the Gado country, and what is known as the Leased

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 ~~seventy~~ 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 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 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 1864 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 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 1864.

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.

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 Cheetaws.

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 Cheetaw 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 any act 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. Cornish: 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 her 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 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 1883, 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, that 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 came 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 correct 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 1872. That's the law to Choctaw citizenship prior to the act of 1872.*

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 those exceptions did not apply.

Q As I understood you to state a minute ago, this was the first act of Chestaw 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 up at all. If you understand English, you will understand this.

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

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

Q Then there are acts of the Chestaw 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 statute at that time.

Q I will amend the word. A There ^{will} are 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 These Bilukahas you speak of? A Yes, sir, those were specific acts,

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

A Who? Q Those people that were permitted to stay here.

A You mean the Bilukahas?

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. Just heads of families.

Q Is this a clear recollection of the law, or just as you remem-

ber it. A My recollection, and I have seen them. One of the old descendants is living up here in Tebuesky County, by the name of Tola Pasa; 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. RALLS:

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.

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

Mr. Ralls:-

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

Q How old are you Judge? 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 Choctaws 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 Tusshkahoma.

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 Buckholts, R. T. Jones, of John Null? A Yes, sir.

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

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

Q And W. 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 1893 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 its 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 knew of two families, down by Skullyville since the war I know never was admitted.

Q What are their names? A Wadkins, married Campbell Leflere's sister, and his family. Paryea 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 Wadkins, that is the 1896 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 McCurtain was the Treasurer. I am not certain.

they changed hands about that time. National Attorney, I don't remember who ^{that} was 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 ^{Chickasaw} up in the ~~Choctaw~~ 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. CORNISH.

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 Came 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 1866.

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

I have heard some of the witnesses state that

JOSEPH R. HILL PLUMER, being duly sworn by Acting Chairman, HENRY, 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 1893.

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 eldest 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. Plummer, and Mollie G. Ragan.

Q. And her children? A. Yes, sir.

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

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

Q. And 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 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 1893? A. '94 or '96.

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 Telfers told me to have my children recognized as soon as I could.

Q By the Council? A Yes, sir.

Q And in obedience to his 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 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 Seale, 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 get 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. Y. 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 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, 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. RAILS.

TRIPLE & CHAMBERS,

Attorneys for Applicants.

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

I, Jasper W. 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 by 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 W. S. Tanner, 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

3rd day of March A. D., 1902.

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

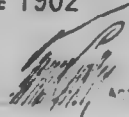
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Nancy Marshall

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

FILED

APR 14 1902



ACTING CHAIRMAN.

7-D-600.

Department of the Interior,
Commission to the Five Civilized Tribes.
Atoka, Indian Territory,
March 12, 1903.

In the matter of the application of Nancy Marshall for enrollment as an intermarried citizen of the Choctaw Nation.

J. G. Ralls, attorney for applicant.

Nancy Marshall being duly sworn testifies as follows:

Examination by the Commission.

- Q What is your name? A Nancy Marshall.
Q What is your age? A Sixty-four.
Q What is your post office address? A Coalgate.
Q That is in the Choctaw Nation? A Yes sir.
Q How long have you lived in the Choctaw Nation? A We have lived here 35 Years I think.
Q Have you lived here continuously for the past 35 years? A Yes sir.
Q Have you 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 intermarried citizen of the Choctaw Nation? A Yes sir.
Q What is the name of your Choctaw husband through whom you claim this right? A Henry Marshall.
Q Is he a recognized and enrolled citizen by blood of the Choctaw Nation? A Yes sir.
Q When were you married to Henry Marshall? A In '66.
Q What time in 1866? A 28th of March.
Q Where was this marriage ceremony performed? A Wood County, Texas.
Q At that time were you living in Texas? A Yes sir.
Q Your husband was living there too? A Yes sir.
Q Have you got any evidence of your marriage? A No sir, it all got burned.
Q The papers were all burned? A Yes sir, the papers were all burned.
Q Did you have your marriage recorded in Texas? A Yes sir.
Q Were the county records destroyed where it was recorded? A Yes sir, all of them was burned.
Q Both the original that you possessed and the records on file with the county both burned? A Yes sir, all burned.
Q Are there any living witnesses to that marriage? A I dont know; you see we moved away from there and it has been so long ago I dont know whether any of them is living or not; we were married in Texas and come to the Territory a few years after we were married, and I have never been back to know whether the witnesses are dead or alive.
Q How soon after this marriage did you remove to the Choctaw Nation? A About fo r years I believe.

Nancy Marshall-----2

- Q You have lived here ever since? A Yes sir.
Q Were you ever married before your marriage to Henry Marshall?
A Yes sir, I was a widow when he married me; my husband died in the Civil War.
Q Was he ever married before his marriage to you? A No sir.
was , never
Q Since your 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, never has.
Q Was your husband admitted to citizenship by the Choctaw General Council? A Yes sir.
Q Do you know what year that was? A No sir, I do not.
Q Was your name included in that act of admission? A I dont know exactly; no sir, my name wasn't in it.

The Commission will have to have some evidence of your marriage to your Choctaw husband. If the records are destroyed and you are unable to get a copy of them you should prove the marriage by the testimony of the affidavits of at least two disinterested parties who know that you were married to him.

Henry Marshall being called as a witness after being duly sworn testifies with reference to this application as follows:

Examination by the Commission.

- Q What is your name? A Henry Marshall.
Q How old are you? A Sixty-two.
Q What is your post office address? A Coalgate.
Q Are you a citizen by blood of the Choctaw Nation? A Yes sir, I claim to be.
Q What is the name of your wife? A Screw.
Q Full name? A Nancy Screw.
Q She is a white woman? A Yes sir.
Q She is now an applicant before this Commission for enrollment as an intermarried citizen of the Choctaw Nation under the name of Nancy Marshall? A Yes sir.
Q When were you married to her? A In '66.
Q Where was this marriage ceremony performed? A Wood County? Texas.
Q At that time were you living in Texas? A Yes sir.
Q That was your wife's home also? A Yes sir.
Q Who performed the marriage ceremony? A A man named J. L. Ray.
Q Were you married under a license? A Yes sir.
Q Texas license? A Yes sir, county license.
Q Have you got any evidence of your marriage to this woman?
A None at all, not present.
Q What became of your marriage license and certificate? A I got a license, and after I was married I turned the license in to the Justice of the Peace that married us, and he turned them into the Clerks office and they were recorded in the Clerk's office; and I dont remember just what year now, I did know, that the court house--- I written down there for the certificate of the license, and the Clerk wrote back that the court house at a certain date was burned and all the papers destroyed, and there couldn't anything be introduced in evidence of our marriage.

Nancy Marshall-----3

- Q You didn't have this license in your possession then? A No sir, I turned in the license to the Justice of the Peace who married us, and he kept the license and and took them and recorded them in the Clerk's office.
- Q This license and certificate were burned with the records of the County? A Yes sir, that is what the clerk writes back.
- Q Who were present at your marriage? A A man named Wren, and Burleson, and Burleson's wife.
- Q Are any of those persons living? A No sir, they are all dead; yes, there was another man present, and he is dead also, J. C. Gibson.
- Q When did you remove to the Choctaw Nation? A I moved to the Choctaw Nation in '77, in the Spring of '77, in Atoka County.
- Q Were you admitted to citizenship in the Choctaw Nation by the Choctaw General Council? A Yes sir.
- Q Was your wife's name included in that act? A No sir, I suppose not; I was informed at the time that the head of the family were all that was necessary; that one name, the head of the family, would carry the family through.
- Q There is no one living at the present time, besides yourself and your wife, who was present at your marriage? A No one except one of her children; he is a grown man now; he is living here in the Choctaw Nation.
- Q He was not very old at that time? A No sir, he was just merely a child; he was too young then to make any statement now I suppose; as a matter of course he remembers all about this circumstance.
- Witness excused.

A. J. Harkins being called as a witness after being duly sworn testifies with reference to this application as follows:

Examination by the Commission.

- Q What is your name? A A. J. Harkins.
- Q How old are you? A Forty-three years old.
- Q What is your post office address? A Atoka.
- Q Are you a citizen by blood of the Choctaw Nation? A Yes sir.
- Q Are you acquainted with Henry Marshall and his wife, Nancy Marshall? A Yes sir.
- Q Henry Marshall is a citizen by blood of the Choctaw Nation? A I think so; I think he was admitted by an act of Council.
- Q His wife is a white woman? A Yes sir.
- Q They are both applicants for enrollment as citizens of the Choctaw Nation, the first by blood and the second by inter-marriage? A Yes sir.
- Q How long have you known these parties? A Why, I suppose about fifteen years, possibly longer.
- Q During all that time have they lived in the Choctaw Nation? A Yes sir.
- Q Do you know anything regarding their marriage? A No sir, I do not.
- Q During the time you have known them have they lived together continuously as husband and wife? A So far as I know, yes sir.
- Q They have held themselves out to the world as husband and wife? A Yes sir, I have been to their house several times.
- By Mr Ralls, attorney for applicant:
- Q Have they any children? A I think so, yes sir.
- Q Did they raise those children; would you see them at the house when you would be at their house? A Yes sir, I have.
- Q Were they regarded by their neighbors as husband and wife? A Yes sir.

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- Q They lived near Atoka, here for some time? A Yes sir, they used to live out here about three miles of Atoka.
- Q You have seen Mr Marshall frequently? S Yes sir.
- Q And seen Mrs Marshall frequently? A Yes sir.
- Q Did you ever hear any suggestion or any statement that they were not husband and wife by anybody that knew them? A No sir.

Witness excused.

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 Atoka, Indian Territory, on the 12th day of March, 1903, and that the within and foregoing is a full, true, and correct transcript of his stenographic notes in the same.

W H Martin

Subscribed and sworn to before me this 30 day of March, 1903.

Charles H. Sawyer

Notary Public.

A. D. 1867.

RECEIVED

W. M. ...

W. M. ...

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

~~NOV 2 1867~~

Faint, mostly illegible text, possibly a letter or report, located in the lower half of the page.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In re Nancy Marshall to be
enrolled as an intermarried
Choctaw, No. 7-D 600.

AFFIDAVIT OF.....W. A. McBride.

On this the 7th day of November, A. D. 1904, personally ap-
peared before me at my office in Atoka in the Central Judicial Dis-
trict of the Indian Territory, W. A. McBride,
to me personally well known to be a person entitled to credit, and
who having been by me first duly sworn according to law states on
his oath that he is 50 years of age and that he has resided at
Atoka, Indian Territory during the last past 34 years, and that he
is now and has been for the last past 15 years personally acquainted
with the above applicant, Nancy Marshall, and her husband, Henry
Marshall, and that they resided about three miles from Atoka during
the last past 15 years and resided there until about five years ago;
that all this time affiant frequently saw them and was well acquaint-
ed with them and their family which consisted of two sons, and af-
fiant states that he knows Henry Marshall and Nancy Marshall lived
together as husband and wife and were known and regarded by all the
people who knew them to be husband and wife; that they continually
lived together as such and that the said Henry Marshall was a Choc-
taw Indian by blood and the applicant, Nancy Marshall, was a white
person.

Affiant further states that he is not related to the applicant
or her husband and has no interest in the matter of their enrollment.

W. A. McBride

Subscribed and sworn to before me this 7th day of November,
A. D. 1904.

C. J. Bogart

Notary Public.

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

~~NOV 2 1904~~

J. CHARM

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In re Nancy Marshall to be
enrolled as an intermarried
Choctaw, No. 7-D 600.

AFFIDAVIT OF NORMA E. SMISER.

On this the 8 day of November, A. D. 1904, personally ap-
peared before me at my office in Atoka in the Central Judicial Dis-
trict of the Indian Territory, Norma E. Smiser,
to me personally well known to be a person entitled to credit, and
~~who having been by me first duly sworn according to law states on~~
~~his oath that~~ he is 39 years of age and that he has resided at
Atoka, Indian Territory during the last past 25 years, and that he
is now and has been for the last past 21 years personally acquainted
with the above applicant, Nancy Marshall, and her husband, Henry
Marshall, and that they resided about three miles from Atoka during
the last past 16 years and resided there until about five years ago;
that all this time affiant frequently saw them and was well acquaint-
ed with them and their family which consisted of two sons, and af-
fiant states that he knows Henry Marshall and Nancy Marshall lived
together as husband and wife and were known and regarded by all the
people who knew them to be husband and wife; that they continually
lived together as such and that the said Henry Marshall was a Chec-
taw Indian by blood and the applicant, Nancy Marshall, was a white
person.

Affiant further states that he is not related to the applicant
or her husband and has no interest in the matter of their enrollment.

Norma E. Smiser

Subscribed and sworn to before me this 8th day of November,
A. D. 1904.

C. S. Bgath
Notary Public.

MS
7-D-600

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

In the matter of the application for the enrollment of Nancy Marshall 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 March 25, 1866, the applicant, Nancy Marshall, a white woman, was lawfully married to Henry Marshall; that at the time of said marriage both persons above mentioned were residents of the State of Texas; that in 1870 or 1871 said parties removed to the Chickasaw Nation; that in 1877 they removed to the Choctaw Nation, and that since their removal to the Choctaw Nation in 1877, said parties have continuously resided in said nation, and have lived together continuously as husband and wife from the date of their said marriage on March 25, 1866, up to and including September 25, 1902.

It further appears from the record herein that at the time of said marriage the said Henry Marshall, through

whom the applicant claims her right as a citizen by intermarriage of the Choctaw Nation, was not a citizen of said nation; nor was he a citizen of the Choctaw Nation until his admission as such by an Act of the General Council of said nation approved in October 1886.

It further appears from the record herein that since the said admission of the said Henry Marshall to citizenship in the Choctaw Nation in 1886 he has been recognized as a citizen of the Choctaw Nation by the tribal authorities of said nation, and that his name appears as number 12273 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 March 6, 1903.

It does not appear from the evidence herein that the applicant was ever remarried to the said Henry Marshall since his said admission to citizenship in 1886.

In the case of "Lula B. Trahern, alias Lula E. Trahern, Appellant, vs. the Choctaw and Chickasaw Nations, Appellees," No. 40 upon the South McAlester docket of the Choctaw and Chickasaw Citizenship Court, in which case the facts are identical with the facts in this case, Associate Judge Henry S. Foote in his opinion, which was concurred in by Chief Judge Spencer B. Adams and Associate Judge Walter L. Weaver, held that:

"A white woman can be validly married to a Choctaw man in any jurisdiction outside the Nation, and by then residing in said nation in the marital state with her Choctaw husband, be deemed from such marriage and residence a member of that Nation.

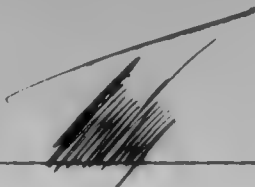
I can not see how a marriage, valid before her husband, a Choctaw by blood, became identified and entitled to enrollment in the respective Nation, and valid thereafter, and followed by her residence continuously after his recognition and identification, does not entitle the white wife to be deemed a member of the Nation

of which her husband is a member.

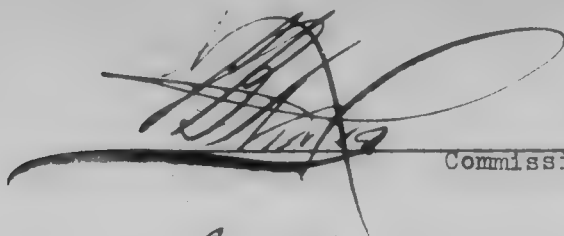
This conclusion, it seems to me, is according to the letter and spirit of Section 38 of the treaty of 1866, and in accordance with the laws and regulations of the Choctaw Nation."

It is, therefore, the opinion of this Commission that Nancy Marshall 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 24 1905

7-D-600

COPY,

Muskogee, Indian Territory, March 29, 1905.

Nancy Marshall,

Coalgate, 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,

R. G. HEDDEN

Wm. B. ...

Registered.

Chairman.

Incl. 7-D-600

7-D-600

COPIE,

Muskogee, Indian Territory, March 29, 1906.

James H. Chambers,
Attorney at Law,
Atoka, Indian Territory.

Dear Sir:

You are hereby notified that the Commission to the Five Civilized Tribes, on March 29, 1906, rendered its decision, granting the application for the enrollment of Nancy Marshall 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, 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,

EDMUNDSON

James B. ...

Chairman.

Registered.

7-D-600

COPY

Muskogee, Indian Territory, March 29, 1905.

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

Dear Sir:

You are hereby notified that the Commission to the Five Civilized Tribes, on March 29, 1905, rendered its decision granting the application for the enrollment of Nancy Marshall 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, 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 L. ...

Registered.

Chairman.

copy,
Muskogee, Indian Territory, March 29, 1900.

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, 1900, granting the application for the enrollment of Nancy Marshall as a citizen by inter-marriage 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:

Jame Bixby

Registered.

Chairman.

Incl. 7-D-600

See 7-3547 for registry receipt for this letter.

COPY.

Muskogee, Indian Territory, April 17, 1901.

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

Gentlemen:-

Receipt is hereby acknowledged of your letter of March 22, 1901, referring to the matter of the cases of Rebecca C. Harris et al, Eugene R. Benson et al, Nancy Marshall et al and Nancy Lee Cundiff vs the Commission to the Five Civilized Tribes, pending in the United States Court for the Central District of Indian Territory at South McAlester, Indian Territory.

You advise the Commission that these cases were, some months ago, argued before Judge Clayton upon demurrers to the petitions of plaintiffs for writ of mandamus, which, at that time, was overruled by the Court, but no formal orders were made.

It is stated in your letter that you called these cases up March 22, 1901, with a view of perfecting the record, so that appeals might be taken to the higher courts; that in the Harris case the demurrer was overruled and that you declined to plead further and that an appeal was prayed and allowed to the higher court, the Court of Appeals for Indian Territory, the Benson and Cundiff cases remaining in the same condition. In the Marshall case your demurrer was sustained and plaintiffs allowed further time to amend their petition. You further state that you will, at once, perfect the appeals and prepare the cases for submission to the Indian Territory Court of Appeals.

You are informed that copies of your said letter of March

Mansfield, McMurray & Gornish-----2

22, 1901, have been filed with each of the cases mentioned therein.

Yours truly,

Acting Chairman.

7-R-121
7-D-325
7-D-600
7-R-62

Muskogee, Indian Territory, July 31, 1901.

Mr. J. C. Ralls,
Attorney at Law,
Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 28th instant, in which you state that you desire permission to file copies, which you will furnish, of the evidence taken in the case of the Choctaw Nation vs. John M. Buckholts et al., in the cases of Mr. Marshall's two sons and Mr. Marshall's wife.

It is believed that you refer to the case of William H. Marshall et al. vs. the Choctaw Nation, No. D 598, and the case of Robert L. Marshall vs. the Choctaw Nation, No. D 599.

You are informed that if these are the cases referred to by you, upon receipt of such copies, the matter of filing the same will be given due consideration.

Yours truly,

7-D 598
7-D 599

Acting Chairman.

Muskogee, Indian Territory, July 31, 1901.

Mr. J. C. Ralls,
Attorney at Law,
Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 29th instant, in which you state that you desire permission to file copies, which you will furnish, of the evidence taken in the case of the Choctaw Nation vs. John M. Buckholts et al., in the cases of Mr. Marshall's two sons and Mr. Marshall's wife.

It is believed that you refer to the case of William H. Marshall et al. vs. the Choctaw Nation, No. D 598, and the case of Robert I. Marshall vs. the Choctaw Nation, No. D 599.

You are informed that if these are the cases referred to by you, upon receipt of such copies, the matter of filing the same will be given due consideration.

Yours truly,

Acting Chairman.

7-D 598
7-D 599

Choctaw 4401

Muskogee, Indian Territory, August 1, 1902.

G. C. Tibbs,

Coalgate, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of July 30, 1902, in which you desire to be advised if Henry Marshall is recognized as a Choctaw citizen.

Replying to your letter you are advised that it appears from the records of this office that on September 1, 1899, Henry Marshall, 59 years of age, of Coalgate, Indian Territory, was listed for enrollment by this Commission as a citizen by blood of the Choctaw Nation, having been identified from the 1896 census roll of the citizens of the Choctaw Nation as a resident of Atoka County.

Yours truly,

Acting Chairman.

Choctaw-D-600

Muskogee, Indian Territory, February 26, 1903.

Nancy Marshall,
Coalgate, 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.

7-4401
7-D-600

Muskogee, Indian Territory, July 3, 1903.

J. C. Falls,
Attorney at Law,
Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 1, asking the status of the enrollment of Nancy Marshall, wife of Henry Marshall, and her two sons, daughters-in-law and grand-children whose claim is based on practically the same question as the James M. Buckholts case.

In reply to your letter you are informed that it appears from our records that Henry Marshall has been enrolled by this Commission as a citizen by blood of the Choctaw Nation and on March 1, 1903, his enrollment was approved by the Secretary of the Interior.

It further appears from our records that Nancy Marshall, wife of Henry Marshall, 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 in her case she will be notified of the action of the Commission.

You do not mention the names of the children and grand-children of Henry Marshall to whom you refer and it is therefore

J G R -2

impossible to give you any information relative to their enrollment.

Respectfully,

Commissioner in charge.

72599

Joseph G. Ralls,
Attorney and Counselor,
Atoka, Ind. Ter.

July 16th, 1903.

Nancy Marshall, Intermarried Choctaw,
Robert L. Marshall, et al., Citizens by blood,
Anna Palmer Marshall, intermarried Choctaw.
William H. Marshall, et al., Choctaws by blood.

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

Gentlemen:

Referring to our correspondence with regard to the cases of the above-named parties, I beg to say that Henry Marshall, whose enrollment has been approved, is the father of William H. and Robert L. Marshall, and the husband of Nancy. Anna Palmer Marshall is the wife of Robert L. and the evidence shows in these cases, that Nancy Marshall is on the Choctaw Census Roll as an intermarried citizen; that her sons, William H. and Robert L. are also on the Choctaw Census Roll, but as Choctaws by blood. A copy of the evidence taken in the James M. Buckholts' case has been filed in this cause, in behalf of the descendants of Henry Marshall, as the same question is involved, Henry Marshall having been admitted

#2-

by the Choctaw Council, but nothing being said about his wife or children. We have proved by the evidence that x it was the custom, in admitting persons to citizenship, to name the heads of families only; in later years sometimes all the family is mentioned, and sometimes only the heads. It is our contention that these children being minors the admission of Henry Marshall would ipso facto admit them, and, further, that all their names having been placed on the Choctaw Census Roll by the Choctaws, and no steps having been taken to remove their names therefrom, their enrollment has been practically affirmed by the Congress of June 7, 1897.

Very respectfully,

(Signed) J.G. Ralls.

7-D-598-599-600
7-4401

Muskogee, Indian Territory, July 20, 1903.

J. O. Ralls,

Attorney At Law,

Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of July 16, relative to the right to enrollment as citizens of the Choctaw Nation of Nancy Marshall, Robert L. Marshall, et al., Anna Palmer Marshall and William H. Marshall, et al.

The information contained therein has been made a matter of record in these cases.

Respectfully,

Commissioner in Charge.

7-D600

Muskogee, Indian Territory, October 19, 1903.

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

Dear Sir:

Receipt is hereby acknowledged of your letter of October 14, asking if final judgment has been rendered in the case of Mrs. Nancy Marshall, wife of Henry Marshall.

In reply to your letter, you are informed that it appears from our records that the Commission has not yet passed upon the application of Nancy Marshall for enrollment as an intermarried Choctaw citizen. As soon as a decision is reached in this case she will be notified of the action of the Commission.

Respectfully,

Commissioner in Charge.

Muskogee, Indian Territory, May 17, 1904.

J. S. Hall,

Attorney-at-Law,

Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 10, in which you ask the status of the enrollment of Nancy Marshall, the wife of Henry Marshall, who has been duly approved by the Secretary of the Interior.

In reply to your letter you are informed that the Commission has not yet passed upon the application of Nancy Marshall for enrollment as an intermarried citizen of the Choctaw Nation. This case will, however, be taken up for consideration and determination as early as practicable, and as soon as a decision is reached therein, you and the applicant will be notified of the action taken.

Respectfully,

Chairman.

Muskogee, Indian Territory, September 29, 1904.

Nancy Marshall,
Coalgate, 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 your rights as such citizen can be determined, for you to furnish the Commission with further evidence as to your marriage to Henry Marshall, the Choctaw Indian through whom you claim your right to enrollment.

It appears from your testimony that the marriage license and certificate were destroyed by fire and that the Court House where the same were recorded was burned together with the records of marriages, and that all of the witnesses who were present at said marriage are now dead.

It further appears from your testimony that you removed, with your husband, to the Choctaw-Chickasaw country in 1870 or 1871, if possible you should furnish the Commission with the affidavits of at least two disinterested parties who know that you and your said husband, Henry Marshall, have lived together continuously as husband and wife since your re-

Nancy Marshall---2

move to the Choctaw-Chickasaw country.

Please give this matter your prompt attention as the evidence requested is necessary in the matter of your enrollment.

Respectfully,

Chairman.

7800

7-D-600.

Muskogee, Indian Territory. November 4, 1904.

J. G. Ralls,

Attorney at Law,

Atoka, Indian Territory.

Dear Sir:

In the matter of the application for the enrollment of Nancy Marshall as a citizen by intermarriage of the Choctaw Nation, it appears that you are attorney of record for said applicant.

On September 29, 1904, she was advised that, before her rights as a citizen by intermarriage of the Choctaw Nation could be determined, it would be necessary for her to furnish the Commission with further evidence as to her marriage to Henry Marshall, the Choctaw Indian through whom she claims the right to enrollment. To said letter no response has been received.

It further appears, from the testimony in this case, that the marriage license and certificate between the applicant and Henry Marshall were destroyed by fire, and that the Court House, where the same were recorded, was burned, together with the record of marriages, and that all the witnesses who were present at said marriage are dead.

J. G. R. -----#2.

It further appears that the applicant and Henry Marshall removed to the Choctaw-Chickasaw country in 1870 or 1871.

If possible, the Commission should be furnished with the affidavits of, at least, two disinterested parties who know that the applicant and Henry Marshall have lived together continuously as husband and wife since their removal to the Choctaw-Chickasaw country.

Respectfully,

Chairman.

Dict. W.F.

7-D-600

Muskogee, Indian Territory, November 12, 1904.

J. G. Ralls,

Attorney at Law.

Atoka, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of November 9, 1904, enclosing affidavits of Norman E. Smiser and W. A. McBride, relative to the marriage between Nancy Marshall and her husband Henry Marshall and the same have been filed with the records of the Commission in the matter of the application of Nancy Marshall for enrollment as a citizen of the Choctaw Nation.

Respectfully,

Chairman.

Choctaw 4401
Choctaw 5866

Muskogee, Indian Territory, March 8, 1905.

Commission to the Five Civilized Tribes,
Creek Enrollment Division,
General Office,

Gentlemen:

There are inclosed herewith original and one copy of the testimony of Henry Marshall and William H. Marshall, of February 16, 1905, in the matter of the enrollment of Henry Marshall, et al. as citizens of the Creek Nation.

It appears from the records of the Choctaw-Chickasaw Division that Henry Marshall and his sons, William Henry Marshall and Robert L. Marshall, have been enrolled as citizens by blood of the Choctaw Nation and their enrollment as such has been approved by the Secretary of the Interior.

It further appears that Henry Marshall, for himself and his son, Robert L. Marshall, and William H. Marshall for himself, have relinquished all right, title and interest in and to the lands of the Creek Nation.

Respectfully,

AB 5-8

MEMORANDA.

N

(Date) Sept 1 1899.

59

Name Henry Marshall

Choctaw? Yes County Ottawa Year 96 No. 8815

Chickasaw? County Year Page 221

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.

Handwritten notes at the bottom of the page.

Handwritten signature or stamp in the bottom right corner.

Choc 4402 Sarah Wright

4402

MEMORANDA.

(Date) Sept 1 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. Sarah Wright County Gaines Year 76 Page 340 No. 2978

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

4402

Choc 4403 Dora E. McGahey

see Choctaw #D-501

see Choctaw D837

4403

Muskogee, Indian Territory, March 28, 1900.

Mr. J. W. McCarley,

Oakland, Indian Territory,

Dear Sir:

The Commission is in receipt of your letter of March 24, in which you desire to be informed whether the names of Arthur, Effie and Walter McGahy appear upon the Choctaw or Chickasaw rolls. You are informed that the records of this Commission show that Arthur E. McGahy, eighteen years of age, Elijah W. McGahy, his brother, fifteen years of age, and Effie McGahy, five years of age, are duly listed for enrollment by this Commission as Choctaws. The name of Walter does not appear upon the records of this Commission, but from the inquiry in your letter, the Commission is led to suppose that the Elijah W. above named is the party of whom you inquire.

Yours truly,

Acting Chairman.

In replying to this letter,
please refer to Choctaw 2403.

Muskogee, Indian Territory, April 30, 1900.

Messrs. Cruce, Cruce & Cruce,

Attorneys at Law,

Armore, Indian Territory,

Gentlemen:

~~The Commission is in receipt of your letter of April 25th,~~
in which you advise that you have a suit pending in which the citizenship of Arthur, Walter and Effie McGahee is involved, and that you desire information as to their citizenship. In reply to your letter you are advised that the records of this Commission show that Arthur and Effie McGahey, aged 18 and 5 years respectively, whose post office is Coalgate, Indian Territory, have been duly registered for enrollment as citizens of the Choctaw Nation. The spelling of the surname varies from that given in your letter but these names are the nearest of any we are able to find on our records. The name of Walter McGahee does not appear upon the records of this Commission as having been registered for enrollment as a citizen of the Choctaw Nation. It is hoped that this information will answer your purpose.

Yours truly,

In replying to this letter,
please refer to Choctaw 4403.

Acting Chairman.

Muskogee, Indian Territory, September 7, 1900

William N. Barker,

Lehigh, Indian Territory.

Dear Sir:

The Commission is in receipt of the application for enrollment as a citizen by blood of the Choctaw Nation of James F. H. Barker, the infant son of William N. and Dora E. Barker, and the same being in proper form has been duly filed with the records of this Commission.

Yours truly,

Acting Chairman.

7-4403

Choctaw 4403
Choctaw 1201

Waukeget, Indian Territory, October 13, 1908.

Mr. J. J. Barker,

Waukeget, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of October 10, 1908, that your son, J. J. Barker, died September 14, and you are desiring after her husband for his wife, and you ask that all of your applications named in your letter will be considered, and how much money you will be allotted.

In reply to your letter you are advised that the Commission cannot at present give the allotment requested in your letter. Nationality in character will be considered by the Commission upon the establishment of an allotment office in the Choctaw-Chickasaw country for the purpose of allowing the citizens of these two nations to make application of and file upon their prospective allotments. It is impossible at this time to say when an allotment office will be opened in the Choctaw-Chickasaw country, but due public notice will be given of the establishment through the public press.

For the purpose of making the death of your son a matter of record there is inclosed herewith a blank for proof of birth, which please have filled out and return to this office. In closing

I. N. . .

the same executed be careful to see that all blanks are filled out, all names written in full, and that the Notary Public before whom the affidavits are so acknowledged affixes his name and seal to each affidavit. Signatures by mark must be attested by two disinterested witnesses who can write.

There is inclosed herewith an envelope for reply which requires no return, and your prompt attention to this matter is requested.

I am, Sir,

Respectfully,
Your obedient servant,

Yours,

Choctaw 4403

Muskogee, Indian Territory, June 19, 1902.

William N. Barker,

Addington, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 16th instant, enclosing the application for enrollment as a citizen of the Choctaw Nation of Arthur L. H. A. Barker, the infant son of William N. and Dora E. Barker, born May 13, 1902, 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.

Yours truly,

Commissioner in Charge.

Choctaw 4403

Muskogee, Indian Territory, Jul, 22, 1902.

William S. Barker,
Addington, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 7th instant, in which you state the correct name of your infant child as Arthur S. W. Barker and not Arthur I. W. A. Barker, as you were advised in our communication acknowledging the list of the application.

We have to advise you that the application for the enrollment of this child as received by this Commission, shows the name of the child in the affidavit of the mother, to be Arthur I. W. A. Barker.

If, however, you desire that this child be listed for enrollment under the name of Arthur S. W. Barker, if you will prepare an affidavit to that effect, and submit the same to this Commission, the matter will receive attention.

Yours truly,

Commissioner in Charge.

Choctaw 4403

Muskogee, Indian Territory, July 30, 1904.

William N. Barker,

Addington, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 28th instant, relative to the proper name of your infant son and in which you state that it is the desire of the mother of this child to have him listed for enrollment under the name of Arthur L. H. A. Barker.

As the child so appears upon our records no further procedure is necessary in this matter.

Yours truly,

Acting Chairman.

Maskogee, Indian Territory, February 3, 1902.

J. E. Atkins,

Albany, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 29th ultimo, requesting that you be informed if the names of Joseph and Effie McGahee are on the Choctaw roll.

In reply to your letter you are informed that it appears from our records that on September 1, 1899, Effie McGahey, 5 years of age and Joe J. McGahey, 3 years of age, the children of A. R. McGahey and Martha Allen, were listed for enrollment 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 Atoka County.

Yours truly,

Acting Chairman.

7-4403

CHOCTAW.

INDEXED

20

IN RE

Application for Enrollment of

INFANT CHILD

Arthur L. H. A. Parker

as a citizen of

Choctaw Nation.

Approved *[Signature]* 190...

[Signature] Commissioner.

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

FILED
JUN 19 1902

[Handwritten signature]

CHOCTAW.

4403

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

IN RE, Application for Enrollment, as a citizen of the Choctaw Nation,
of Arthur L. H. Barker, born on the 15 day of May, 1902
(Here insert name of child.)
Name of Father: William N. Barker a citizen of the Choctaw Nation.
Name of Mother: Dora E. Barker (nee M^{rs} Baker) a citizen of the Choctaw Nation.
Post-office Addington

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, Dora E. Barker, on oath state that I am Twenty Three
years of age and a citizen, by Blood, of the Choctaw Nation;
that I am the lawful wife of William N. Barker, who is a citizen, by
Marriage, of the Choctaw Nation; that a male child was
(male or female.)
born to me on 13 day of May, 1902 that said child has been
named Arthur L. H. Barker, and is now living.

WITNESSES TO MARK:

(Must be Two)
(Witnesses)

Dora E. Barker

Subscribed and sworn to before me this 16th day of June, 1902
Comm. Exp. 21st Dec. 1905 J. H. Steele
NOTARY PUBLIC
Addington

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, D. C. Runk, a Physician on oath state that I
attended on Mrs. Dora E. Barker, wife of William N. Barker
on the 13th day of May, 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 L. H. Barker.

WITNESSES TO MARK:

(Must be Two)
(Witnesses)

D. C. Runk

Subscribed and sworn to before me this 18th day of June, 1902
Comm. Exp. 21st Dec. 1905 J. H. Steele
NOTARY PUBLIC
Addington

IN RE

Application for Enrollment of

INFANT CHILD

James G. N. Barber.

As a citizen of the

Choctaw

Nation.

Approved **SEP 6 1900** 1

[Signature]

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

SEP 6 1900

[Signature]

~~11511~~

Department of the Interior,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Indian Territory born on the 5 day of July, 1900.
Name of father: Wm N. Barker, a citizen of the Choctaw Nation.
Name of mother: Dora E. Barker, ^{nee Mrs. Gabey}, a citizen of the Choctaw Nation.
Post Office: Schigh H.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District.

I, Dora E. Barker, on oath, state that I am _____ years of age and a
citizen, by Blood, of the Choctaw Nation; that I am the
lawful wife of Wm N. Barker who is a citizen, by inter marriages of the
Choctaw Nation; that a male child was born to me on the 5 day
of July, 1900; that said child has been named James H. Barker
and is now living.

Subscribed and sworn to before me this 3rd day of September, 1900
J. J. [Signature]
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District.

I, D. M. Hodges, a Physician, on oath, state that I
attended on Mrs. Dora E. Barker, wife of Wm N. Barker
on the 5 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 named James H. Barker.

Subscribed and sworn to before me this 3rd day of Sept, 1900.
D. M. Hodges
Notary Public.

MEMORANDA.

(Date) Sept 1 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:

20 =	County	<u>Atoka</u>	Year	Page	238	No.	9437
18 =	County		Year	Page		No.	9434
17 =	County		Year	Page		No.	9435
5 =	County		Year	Page		No.	
3 =	County		Year	Page	"	No.	9436
	County		Year	Page		No.	9433
	County		Year	Page		No.	
	County		Year	Page		No.	
	County		Year	Page		No.	

Approved
W. H. [Signature]
4/11/99

Choc 4404 John Benton

4404

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
CHOCTAW LAND OFFICE.

Atoka, Indian Territory, April 7, 1905.

In the matter of the enrollment of John Benton,
Choctaw by blood, Field Card No. 4404, approved Roll No.
12282; and Elie Benton, Choctaw by blood, Field Card No.
3050, approved Roll No. 8924.

John Benton, being first duly sworn, testified as
follows:-

EXAMINATION BY THE COMMISSION.

- Q. What is your name ?
A. John Benton.
Q. How old are you ?
A. 18.
Q. What is your postoffice address ?
A. I stay here at Atoka.
Q. Are you attending school at the Murrow Indian Orphan Home ?
A. Yes, sir.
Q. Are you a full blood Choctaw Indian ?
A. Yes, sir.
Q. What was the name of your father ?
A. Thomas Benton.
Q. Do you know the name of your mother ?
A. No, sir.
Q. Did you ever hear the name of your mother ?
A. No, sir.
Q. You would not know her name if it was told to you ?
A. No, sir; when I was little she died.
Q. Your mother died when you were a child ?
A. I was just about 5 or 6 years of age.
Q. Is your father also dead ?
A. Yes, sir.
Q. Your father's name was Thomas Benton ?
A. Yes, sir.
Q. Were you ever known by any name other than John Benton ?
A. Elie Benton.
Q. You was sometimes called Elie Benton ?
A. Yes, sir.
Q. Where were you in September 1899 ?
A. I was right here.
Q. Here in Atoka ?
A. Yes, sir; going to school.
Q. Going to school at the Murrow Indian Orphan Home ?
A. It was known as the Baptist Academy then.
Q. It is the same school that is now known as the Monroe
Indian Orphan Home ?
A. Yes, sir.
Q. Did you ever live with Silman John ?
A. Yes, sir; just about a week.
Q. You live with Silman John about a week ?
A. Yes, sir.
Q. Is he any relation to you ?
A. Uncle.
Q. What was his wife's name ?
A. I don't quite remember.

Testimony of John Benton----2.

- Q. Would you know the name of his wife if you heard it ?
A. I don't think so.
Q. Do you know whether it was Ellen ?
A. No, Ellen was his second wife ?
Q. Do you know when you lived with Silman John ?
A. Yes, sir.
Q. When was it ?
A. About 8 years ago.
Q. Do you know whether he had you enrolled ?
A. I don't know.
Q. You were enrolled when the Commission was at Atoka in 1899 ?
A. Yes, sir.
Q. What was your postoffice address at the time you were living with Silman John ?
A. LeFlore.
Q. You don't know whether Silman John had you enrolled or not ?
A. No, sir.
Q. Did you at one time live with Silman John ?
A. Yes, sir.
Q. And you are known as Elie Benton and also as John Benton ?
A. Yes, sir.
Q. And your father's name was Thomas Benton ?
A. Yes, sir.
Q. But you do not know the name of your mother ?
A. No, sir.
Q. Was Silman John your guardian ?
A. He told me he was. I think he was appointed as guardian in Choctaw Court.
Q. Silman John told you that he had been appointed as your guardian ?
A. Yes, sir.
Q. Do you know of any person who is familiar with your family history and who knows the name of your mother ?
A. Yes, sir, I think so.
Q. Who is it ?
A. My grandmother.
Q. What is her name ?
A. Sallie. I cannot think of her last name.
Q. Where did she live ?
A. She lived about 15 miles east of here.
Q. Can you have her appear at this office and give testimony relative to your enrollment any time soon ?
A. I think so if she is in town.

The name of John Benton, child of Thomas Benton and Nealy Benton, appears on Choctaw Field Card No. 4404, approved Roll No. 12282, and a notation appears on said card to the effect that this person appears on the 1893 pay roll, page 40, No. 398, Sugarloaf County, as Eley Benton.

The name of Elie Benton, child of Thomas Benton and Lizzie Benton, appears on Choctaw Field Card No. 3050, approved Roll No. 8924.

William L. Martin, stenographer to the Commission to the Five Civilized Tribes, being first duly sworn, states that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause

Testimony of John Benton---3.

on said date.

William L. Martin

Subscribed and sworn to before me this the 10th day
of April, 1905.

W. J. Angell
Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
CHOCTAW LAND OFFICE.

Atoka, Indian Territory, May 27, 1905.

In the matter of the enrollment of John Benton, Choctaw by blood, Field Card No. 4404, Approved Roll No. 12282, and Elie Benton, Choctaw by blood, Field Card No. 3050, Approved Roll No. 8924.

Silman John, being first duly sworn, testified as follows:-

EXAMINATION BY THE COMMISSION.

- Q. What is your name ?
A. Silman John.
Q. How old are you ?
A. About 41.
Q. What is your postoffice address ?
A. Leflore.
Q. Are you a citizen by blood of the Choctaw Nation ?
A. Yes, sir.
Q. Do you know a boy named Elie Benton ?
A. I know it because I have had him ever since he was a little fellow; known him ever since he was born.
Q. What was the name of his father ?
A. Thomas Benton.
Q. What was the name of his mother ?
A. I have sorter forgot his mother; she has been dead.
Q. You don't know his mother's name ?
A. I know it but I have forgot it.
Q. About how old is Elie Benton now ?
A. I think he is going on 19.
Q. Did you ever know a woman named Lizzie Benton ?
A. Yes, sir; Lizzie Benton - that was it - she is my cousin.
Q. Lizzie Benton is the mother of Elie Benton ?
A. Yes, sir.
Q. Did you ever know a woman named Mealey Benton ?
A. Mealey Benton married Thomas Benton after Thomas Benton parted from Lizzie Benton.
Q. Mealey Benton was at one time the wife of Thomas Benton who was the father of Elie Benton ?
A. Yes, sir.
Q. Was Elie Benton ever known as John Benton ?
A. I don't know that; I have been registering him for 5 or 6 years and always put him on the rolls as Elie Benton.
Q. Where is Elie Benton now ?
A. Atoka at school.
Q. Is he attending school at the Murrow Indian Orphan Home ?
A. Yes, sir.
Q. Do you know what name he goes under now ?
A. I reckon it is Elie Benton; that is the way I always write to him.

- Q. Did you ever hear that he called himself or was known by others as Jehn Benton ?
- A. No, that is what he said; I don't know anything about that. He don't know anything himself about that.
- Q. Did he ever call himself John Benton ?
- A. I don't know about that.
- Q. Have you ever heard that Elie Benton was sometimes called John Benton ?
- A. The boy have called himself John himself. Sometimes he write to me that way and sometimes Elie Benton, but I never did put him on the rolls as Jehn Benton.
- Q. He is sometimes known under the name of John Benton ?
- A. Yes, sir.
- Q. And you receive letters from him, some of them signed John Benton and some of them signed Elie Benton, is that right ?
- A. Yes, sir; I always called him Elie myself; I have known him ever since he was a baby. This boy was named in Mississippi by a doctor called John Elie, and this doctor named him John Elie and I guess that is the way he came to be John.
- Q. You say that a doctor named John Elie named this boy in Mississippi ?
- A. Yes, sir.
- Q. And he called him John ?
- A. Yes, sir.

Wm. L. Martin, stenographer to the Commission to the Five Civilized Tribes, upon oath, states that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

Wm. L. Martin

Subscribed and sworn to before me this the 27th day of May, 1905.

W. H. Russell

Notary Public.

MEMORANDA.

(Date) Sept 1 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:

12 ✓	13. 5. 1899	County	Year	Page	No.
		County	Year	Page	No.
		County	Year	Page	No.
		County	Year	Page	No.
		County	Year	Page	No.
		County	Year	Page	No.
		County	Year	Page	No.
		County	Year	Page	No.
		County	Year	Page	No.
		County	Year	Page	No.

Gen. p. 46 # 373 - 43 R. H. Singer Temp. Co

in ... 13. 5. 1899

4404

Muskogee, Oklahoma, December 19, 1907.

Chief Clerk,
Choctaw Land Office,
Atoka, Oklahoma.

Sir:

You are hereby advised that the enrollment of John Benton, whose name appears upon the approved roll of citizens by blood of the Choctaw Nation opposite No. 12282, is a duplicate enrollment of Elie Benton, whose name appears upon said roll opposite No. 8924.

A selection of an allotment having been made for Elie Benton, you are directed to take no action relative to an allotment to John Benton, Choctaw Roll by Blood No. 12282.

Respectfully,

DS(VR)

Acting Commissioner.

Muskogee, Oklahoma, December 19, 1907.

Acting Chief Clerk,
Chickasaw Land Office,
Ardmore, Oklahoma.

Sir:

You are hereby advised that the enrollment of John Benton, whose name appears upon the approved roll of citizens by blood of the Choctaw Nation opposite No. 12282, is a duplicate enrollment of Elie Benton, whose name appears upon said roll opposite No. 8924.

A selection of an allotment having been made for Elie Benton, you are directed to take no action relative to an allotment to John Benton, Choctaw Roll by Blood No. 12282.

Respectfully,

DS(VR)

Acting Commissioner.

COPY

Yuskogee, Oklahoma, January 14, 1908.

SUBJECT:

Duplicate
enrollment.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to invite your attention to the matter of the enrollment of Elie Benton, whose name appears opposite No. 8924 of the approved roll of citizens by blood of the Choctaw Nation, approved by the Secretary of the Interior January 17, 1903, and John Benton, whose name appears opposite No. 12282 of the approved roll of citizens by blood of the Choctaw Nation, approved by the Secretary of the Interior March 6, 1903.

It appears from the records of this office that Elie Benton was listed for enrollment June 22, 1899, his name appearing upon Choctaw roll card, field No. 3080, as the son of Thomas and Lizzie Benton, and at that time he was twelve years of age and the ward of Silmon John, by whom application

Secretary #2.

for the enrollment of the said Elie Benton appears to have been made.

It further appears that John Benton was listed for enrollment September 1, 1899, his name appearing upon Choctaw roll card, field No. 4044, as the son of Thomas and Mealy Benton, and at that time was twelve years of age.

For the information of the Department there is transmitted herewith a copy of the testimony of John Benton, of April 7, 1905, and Silman John, of May 27, 1905, in the matter of the enrollment of John Benton, Choctaw by blood, field card No. 4044, approved roll No. 12282, and Elie Benton, Choctaw by blood, field card No. 3050, approved roll No. 8924, from which it appears that John Benton and Elie Benton are one and the same person and that there has been a duplicate enrollment of said names as citizens by blood of the Choctaw Nation.

The records of this office further show that an allotment of the lands of the Choctaws and Chickasaws has been selected in the name of Elie Benton, Choctaw by blood roll No. 8924, and that no selection has been made in the name of John Benton, Choctaw by blood roll No. 12282.

I have the honor to recommend that there be placed upon the copies of the final roll and letters of transmittal in

Secretary of #3.

the possession of the Department and the Indian Office, opposite the name of John Benton, appearing thereon at No. 12282, the following notation:

"Duplicate enrollment of Elie Benton No. 8924; not entitled to land or money".

I have the honor to also recommend that authority be granted for the placing of a like notation upon the copies of the final roll and letters of transmittal in the possession of this office.

Respectfully,

WPC (LCC 14-1)

Through the Commissioner
of Indian Affairs.

Wright.
Commissioner.

Choc 4405 George A. Pate

Jessie L. Pate

Nº1 Dismissed Sept 22, 1904

4405

7-4405

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:

GEORGE A. PATE.

219.

7-4405

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

In the matter of the application for the enrollment
of George A. Pate, as a citizen by intermarriage of the Choctaw
Nation.

It appears from the records of the Commission to the
Five Civilized Tribes that on September 7, 1896, in the case
entitled "G. A. Pate, et al., vs. Choctaw Nation" (1896 Choctaw
Citizenship Docket, case number 563), the applicant, George A.
Pate, made original application to said Commission under the
provisions of the Act of Congress approved June 10, 1895, (29
Stat., 321), for admission to citizenship in the Choctaw Nation,
and on December 2, 1895, the said George A. Pate, was by the
Commission to the Five Civilized Tribes denied admission to
citizenship in the Choctaw Nation as a citizen by intermarriage.
From this decision of the Commission an appeal was taken to the
United States Court for the Central District of Indian Territory,
which court, in the case entitled "G. A. Pate, vs. Choctaw Nation"
(citizenship case number 43), reversed the decision of the Com-
mission denying said George A. Pate admission to citizenship in
the Choctaw Nation and admitted the said George A. Pate as a
citizen by intermarriage of said Nation.

It further appears from the records in the possession
of the Commission that on December 17, 1902, the Choctaw and
Chickasaw Citizenship Court, created by the provisions of the
Act of Congress approved July 1, 1902, (32 Stat., 641), "set
aside, annulled, vacated and held for naught" the aforesaid
judgment of the United States Court for the Central District of
Indian Territory. Said cause has not been appealed or certified
to the said Choctaw and Chickasaw Citizenship Court for a trial
de novo within the time prescribed by the provisions of said
Act of Congress approved July 1, 1902.

In accordance with the opinion of the Acting Attorney
General dated May 9, 1904, (I.T.D. 3624-1904), and the opinion
of the Assistant Attorney General for the Department of the
Interior dated July 30, 1904, (I.T.D. 3146-1904,) the Commission
to the Five Civilized Tribes is without authority to take any
action of any character looking to the enrollment of George A.
Pate as a citizen by intermarriage of the Choctaw Nation, and it
is therefore, hereby ordered that the application of George A.
Pate for enrollment as a citizen by intermarriage of the Choctaw
Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory.



Chairman.

7-4405

COPY!

Muskogee, Indian Territory, September 21, 1904.

George A. Pate,
Caddo, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 22, 1904, dismissing your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

(SIGNED)

James Pixby.
Chairman.

Registered.

Incl. 7-4405.

7-4405

COPY.

Muskogee, Indian Territory, September 22, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated September 22, 1904, dismissing the application for the enrollment of George A. Pate, as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

SIGNED

James Bixby.

Chairman.

Incl. 7-4405.

MEMORANDA.

(Date) Sept 1 1899.

Name [Handwritten Name]

Choctaw? [Handwritten] County [Handwritten] Year [Handwritten] No. [Handwritten]

Chickasaw? [Handwritten] County [Handwritten] Year [Handwritten] Page [Handwritten]

Citizen by blood? [Handwritten] Mother's citizenship [Handwritten]

Intermarried citizen? [Handwritten]

Married under what law? [Handwritten]

License filed this day, [Handwritten]

34 Wife's name, [Handwritten Name]

Choctaw? [Handwritten] County [Handwritten] Year [Handwritten] No. [Handwritten]

Chickasaw? [Handwritten] County [Handwritten] Year [Handwritten] Page [Handwritten]

Citizen by blood? [Handwritten] Mother's citizenship [Handwritten]

Intermarried citizen? [Handwritten]

Married under what law? [Handwritten]

License filed this day [Handwritten]

Names of children:

Names of children:	County	Year	Page	No.
[Handwritten Name]	[Handwritten]	[Handwritten]	[Handwritten]	[Handwritten]
[Handwritten Name]	[Handwritten]	[Handwritten]	[Handwritten]	[Handwritten]
[Handwritten Name]	[Handwritten]	[Handwritten]	[Handwritten]	[Handwritten]
[Handwritten Name]	[Handwritten]	[Handwritten]	[Handwritten]	[Handwritten]
[Handwritten Name]	[Handwritten]	[Handwritten]	[Handwritten]	[Handwritten]
[Handwritten Name]	[Handwritten]	[Handwritten]	[Handwritten]	[Handwritten]
[Handwritten Name]	[Handwritten]	[Handwritten]	[Handwritten]	[Handwritten]
[Handwritten Name]	[Handwritten]	[Handwritten]	[Handwritten]	[Handwritten]
[Handwritten Name]	[Handwritten]	[Handwritten]	[Handwritten]	[Handwritten]
[Handwritten Name]	[Handwritten]	[Handwritten]	[Handwritten]	[Handwritten]

4405

98

IN RE

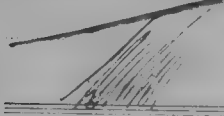
Application for Enrollment of
INFANT CHILD.

Arden Rate

As a citizen of the

Choctaw Nation.

Approved *Sept. 1 1899*



Commissioner.

Arden Rate

Department of the Interior,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Arden Pate, born on the 18th day of Dec, 1897
Name of father: W. A. Pate, a citizen of the Choctaw Nation.
Name of mother: Josie L. Pate, a citizen of the Choctaw Nation.
Post Office: Atoka, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Josie L. Pate, on oath, state that I am _____ years of age and a
citizen, by blood, of the Choctaw Nation; that I am the
lawful wife of W. A. Pate who is a citizen, by intermarriage of the
Choctaw Nation; that a Male child was born to me on the 18th day
of Dec, 1897; that said child has been named Arden Pate
and is now living.

Subscribed and sworn to before me this 29 day of Dec, 1899.
Dwight Brown
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, J. S. Fulton, a Physician, on oath, state that I
attended on Mrs. Josie L. Pate, wife of W. A. Pate
on the 18th day of Dec, 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 Arden Pate.

Subscribed and sworn to before me this 29 day of Dec, 1899.
J. S. Fulton
Dwight Brown
Notary Public.

IN RE

Application for Enrollment of
INFANT CHILD.

Milton Fair

As a citizen of the

Ch... Nation.

Approved

[Signature]
Commissioner

4405

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
 of Milton Pate, born on the 21st day of Dec, 1899.
 Name of father: W. A. Pate, a citizen of the Choctaw Nation.
 Name of mother: Josie P. Pate, a citizen of the Choctaw Nation.
 Post Office: Stokes, Ill.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Central District.

I, Josie P. Pate, 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 W. A. Pate who is a citizen, by marriage, of the
Choctaw Nation; that a male child was born to me on the 21st day
 of Dec, 1899; that said child has been named Milton Pate,
 and is now living.

Subscribed and sworn to before me this 5th day of June, 1800.

J. H. Chambers
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Central District.

I, J. S. Fulton, a Physician, on oath, state that I
 attended on Mrs. Josie P. Pate, wife of W. A. Pate
 on the 21 day of Dec, 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 Milton Pate.

Subscribed and sworn to before me this 5th day of June, 1800.

J. S. Fulton
 Notary Public.

Muskogee, Indian Territory, June 30, 1900.

Mr. J. B. Arnold,

Armore, Indian Territory,

Dear Sir:

The Commission is in receipt of your letter of June 20th, in which you inquire whether George Pate appears upon the rolls of the Choctaw Nation as an intermarried citizen, and you state that he believes he appeared before the Commission at South McAlester in 1899.

In reply to your letter, you are advised that the records of the Commission show that George A. Pate, forty four years of age, an intermarried citizen of the Choctaw Nation, was admitted to citizenship by judgment of the United States Court for the Central District of the Indian Territory, rendered July 15th, 1897, in court case number 43; and that on September 1st, 1899, he appeared before the Commission at Atoka, Indian Territory, and was listed for enrollment. His post office address at that time was given as Atoka. With him were listed for enrollment at that time his wife Josie J. thirty four years of age, and his son Arden, one and a half years of age.

If this is not the party of whom you inquire, if you will furnish the Commission information as to the full name, age, and post office address of the party concerning whom you inquire, the names of other members of the family who appeared at the same time, and any other data which may enable the Commission to identify him as being listed for enrollment, the matter will receive further consideration.

Yours truly,

Choctaw 4405

Muskogee, Indian Territory, March 1, 1902.

J. A. Burris,

Stonewall, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of February 21, 1902, in which you desire to be informed if the name of George Pate and wife appears on the Choctaw or Chickasaw roll and if so when and where they were enrolled.

Replying to your letter you are informed that it appears from the records of this office, that at Atoka, Indian Territory, on September 1, 1899, George A. Pate, 44 years of age, his wife Josie I. Pate and their child Arden Pate, were listed for enrollment as citizens of the Choctaw Nation, George A. Pate as an inter-married citizen and his wife and child as citizens by blood. George A. Pate was admitted to citizenship in the Choctaw Nation by a judgment of the United States Court for the Central District of the Indian Territory, rendered at South McAlester, Indian Territory, July 13, 1897 in Choctaw citizenship case No. 43.

Yours truly,

Commissioner in Charge.

Muskogee, Indian Territory, December 20, 1902.

Josie L. Pate,
Caddo, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of your letter of December 11, stating that your husband, George A. Pate, died on August 16, 1902, leaving two children, Arden and Milton Pate, and that at the time of his death he owned a black land, prairie farm, containing six hundred and forty acres, enough for the allotment of one hundred and sixty acres for each of you, and you ask to be advised whether you will be allowed to hold the one-hundred and sixty acres claimed by your husband.

In reply to your letter your attention is invited to the following provision of the act of Congress approved July 1, 1902, which was ratified by the Choctaw and Chickasaw Nations on September 25, 1902:

"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

J.L.P.-2

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."

For the purpose of making the death of your husband a matter of record, there is enclosed you herewith a blank form for proof of death, which kindly have executed and return to this office at the earliest practicable date. In having the same executed be careful to see that all blanks are properly filled out, all names written in full and that the notary public before whom the affidavits are acknowledged affixes his name and seal to each affidavit.

Respectfully,

Acting Chairman.

D.C.

Choc 4406 William W. Folsom

4406

MEMORANDA.

(Date) Sept 1 1899.

214 Name William W. Falconer

Choctaw? y County Atoka Year 90 No. 1000

Chickasaw? County Year Page 100

Citizen by blood? y Mother's citizenship us

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.

Handwritten notes and signature at the bottom of the page, including a large scribble and the number 4406.

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

In the enrollment of William W. Folsom as a Choctaw; A. Telle being sworn and examined by Com'r McKennon testifies:

- Q What is your name? A A. Telle.
- Q How old are you? A Thirty-nine.
- Q Did you know the father of William W. Folsom? A Yes sir.
- Q What is his name? A I. W. Folsom.
- Q Was he a Choctaw? A Yes sir.
- Q Did you know his mother? A Yes sir.
- Q What is her name? A Lula B.
- Q Was she a white woman? A Yes sir.
- Q Do you know that they were married? A I never saw them married, but I have known them to live as man and wife and I have seen their marriage certificate, and filed it with the Dawes Commission.

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby declare, upon the official oath as stenographer to the named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

M. J. Green

Choc 4407 Wesley Durant

Nancy Durant transferred from Choctaw D-973
Feb 1, 1905

Lohh

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

N A N C Y D U R A N T----- 7-D-973

Department of the Interior.
Commission to the Five Civilized Tribes.
South McAlester, I.T. Dec. 23, 1902.

Original Choctaw
Intermarried.

978

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

Nancy Durant being duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Nancy Durant.
Q What is your age? A Twenty two years old.
Q What is your post office address? A Calloway.
Q Indian Territory? A Yes sir.
Q How long have you lived there? A Two years.
Q Where were you born? A In the Indian Territory, Choctaw Nation.
Q Have you always lived in the Choctaw Nation? A Yes sir.
Q You want to make application as an inter-married citizen of the Choctaw Nation? A Yes sir.
Q Are you a white woman? A Yes sir.
Q What is the name of your Choctaw husband? A Wesley Durant.
Q Is he a recognized and enrolled citizen of the Choctaw Nation?
A Yes sir.

(reference is here made to Choctaw Field Card #4407; the name of the husband of the applicant, Wesley Durant, appears thereon.)

- Q When and where were you married to Wesley Durant? A In Atoka Co.
Q Under Choctaw customs and laws? A No sir; United States laws.
Q What year were you married to him? A I can't tell you.
Q Don't you know the date of your marriage? A No sir, I have my license.

There is offered in evidence, marked Exhibit "A" and made part of the record in this case marriage license and certificate between Wesley Durant and Nancy Wallace; issued on the 1st May, 1901, by E.J. Fannin, Clerk of the United States Court, Central District, I.T.; ceremony performed by D.H. Linebaugh, minister of the Gospel.

- Q Have you continuously lived with your Choctaw husband, Wesley Durant since the date of this marriage? A Yes sir.
Q Was he ever married before? A Yes sir.
Q Is his first wife living? A No sir, she's dead.
Q Died before you married him? A Yes sir.
Q Are you the mother of any children by Wesley Durant? A No sir.

N.D.---2

Q You never married before your marriage to Wesley Durant? A No sir.

Henry G. Hains being sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on December 23, 1902, 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 29th day of December 1902.

Charles H. Sawyer

Notary Public.

West

1063

No. *1063*

Certificate of Record of Marriages.

U.S. DEPARTMENT OF JUSTICE

FILED
DEC 23 1902

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

SCT:

I, *E. J. Fanning*, 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. *Wesley Durant* and Miss *Nancy Wallace* was filed in my office in said Territory and District the *10* day of *May 1901*, A. D. 190 and duly recorded in Book *one* of Marriage Record, Page *532*.

WITNESS my hand and seal of said Court, at *Atope* this *10* day of *May 1901*, A. D. 190

E. J. Fanning, Clerk.
By *Don J. Tolson*, Deputy.

No. 1063

Form No. 503.

MARRIAGE LICENSE.

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

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. Wesley Orant* of *Atoka* in the Indian Territory, aged 22 years, and *Miss Nancy Wallace* of *Atoka* in the Indian Territory, aged 20 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 *1st* day of *May*, A. D. 190*1*

Doug Gibson
Deputy.

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

CERTIFICATE OF MARRIAGE.

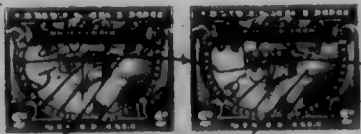
UNITED STATES OF AMERICA,
THE INDIAN TERRITORY,
DISTRICT.

1. D. H. Lieberbach
Minister of the Gospel

do hereby CERTIFY, that on the *1st* day of *May*, A. D. 190*1*, 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 *1st* day of *May*, A. D. 190*1*

My credentials are recorded in the office of the Clerk of the United States Court in the Indian Territory, Central District, Book *B* Page *141*



D. H. Lieberbach
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)

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

JAN 11 1887

CHAIRMAN

To The Commission of the five Civilized
Tribes

In reply to your letter of the 13th
of December would say that
my husband Heskley Durant - was
living at Calloway Ind. Ter. on May
first 1904 At the time ^{we} married
he was living with ^{Calvin} Calvin Allison
whose post office Calloway Ind Ter

Yours Respectfully
C. K. Keston
J. W. Armstrong
Nancy X Durant
mark

INDIAN TERRITORY }
GENERAL DISTRICT }

Be it remembered that on this day personally appeared before me the undersigned Notary Public, in and
for the General District of the Indian Territory Nancy Durant personally and well
known to me, and signed and acknowledged that she signed and executed the above statement for the
purpose and consideration set forth therein, it being her own free will act and deed.

Witness my hand and seal this the 18th day of July 1907

R. R. Hill
Notary Public

In Re Application
of Hailey Lurrah
his Curator, as
an Intestate Claimant
of The Chesapeake Station.

DEC 8 1901

Before the Commission to the Five Civilized Tribes.

In re the application of Nancy Durant, for enrollment as an intermarried citizen of the Choctaw Nation.

AFFIDAVIT

Wesley Durant, first being duly sworn deposes and says: I am the Husband of Nancy Durant, who is an applicant for enrollment as an intermarried citizen of the Choctaw Nation. I have been married once before my marriage with Nancy Durant my present wife. My first wife's name was Mary Lewis. She was dead at the time of my marriage with Nancy Durant, my present wife.

Wesley Durant

Subscribed and sworn to before me this the 6th, day of December, A.D. 1904.

E. H. [Signature]

Notary Public.

My commission expires the 6 day of Dec 1906.

AM
20

7-D-973

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

In the matter of the application of Nancy Durant 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, Nancy Durant, on May 1, 1901, was lawfully married to Wesley Durant, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 12287 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 March 6, 1903; that at the date of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation, and they have lived together in said Nation, continuously as husband and wife since said date up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Nancy Durant 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 1 1903

Choctaw D 973

COPY!

Muskogee, Indian Territory, January 16, 1905.

Nancy Durant,

Wilburton, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered January 16, 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,

SIGNED

Texas Dinsby

Registered.

Chairman.

Incl. 7-D-973.

Choctaw D 973

COPY

Muskogee, Indian Territory, January 16, 1905.

Neal & Neal,
Attorneys at Law,
Wilburton, Indian Territory,
Gentlemen:

You are hereby notified that the Commission to the Five Civilized Tribes, on January 16, 1905, rendered its decision granting the application for the enrollment of Nancy Durant 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, 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

1-16-1905

Registered.

Chairman.

Choctaw D 973

COPY.

Muskogee, Indian Territory, January 16, 1905.

Mansfield, McMurray & Conkish,
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 January 16, 1905, granting the application for the enrollment of Nancy Durant 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,
Yours truly,

James Bixby

Registered.

Chairman.

Incl. 7-D-973.

See Choctaw 5563 for registry receipt for this letter.

IN RE

Application for Enrollment of
INFANT CHILD.

Albert Durant

As a citizen of the

Choctaw

Nation.

Approved

F. C. A. # 1849

J. S. M. C. M.

Commissioner.

AA:1

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,
 of Albert E. Durant, born on the 28th day of September, 1899.
 Name of father: Wesley E. Durant, a citizen of the Cherokee Nation.
 Name of mother: Mary E. Durant (Head), a citizen of the Cherokee Nation.
 Post Office: Ulena, S. C.

AFFIDAVIT OF MOTHER.

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

I, Wesley E. Durant, on oath, state that I am 21 years of age and a
 citizen, by blood, of the Cherokee Nation; that I am the
 lawful wife of Mary E. Durant (Head), who is a citizen, by blood of the
Cherokee Nation; that a male child was born to me on the 28th day
 of September, 1899; that said child has been named Albert E. Durant,
 and is now living.

Subscribed and sworn to before me this 1st day of December, 1899.
Asm...
 Notary Public.
 Commissioner

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, _____, 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.

21

(Date) April 1 1899.

Name Messie Sarah

Choctaw? Yes County Blue Year _____ No. _____

Chickasaw? _____ County _____ Year _____ Page _____

Citizen by blood? _____ Mother's citizenship Blue

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.

v. Co. p 118 11 29 11 3 1899 Blue Co.
(List in Back of Pay Roll)

4407

7-2-975.

Mustogee, Indian Territory, January 13, 1903.

Mrs. D. D. D.

Calloway, Indian Territory.

Dear Madam:

You are requested to state the full name of your parents, whether they are living or dead and whether or not they are white people.

This information is necessary in the matter of your application for enrollment as a citizen by intermarriage of the Choctaw Nation, and should receive prompt attention.

Respectfully,

Acting Chairman.

7.0973

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE UNDEVELOPED TRIBES,
OFFICE OF THE CHAIRMAN

1881-1882

(1881)

1881-1882

1881-1882

D.C. 2125-1903.

(Copy)

January 28, 1903.

Commission to the five civilized tribes Sir my parent were white people & my father's name was Rollen Wallece & my mother's name was Mergret Wallece.

Is not this Plain enough if not write at once and enquire some moore & I will explain it to you moore if any

I close Respectfully

(Signed) Nancy Durant

Calloway, I.T.

7-D-973.

Muskogee, Indian Territory, February 7, 1903.

Nancy Durant,

~~Calloway, Indian Territory.~~

Dear Madam:

Receipt is hereby acknowledged of your letter of the 28th ultimo, giving the names of your parents as Rollen and Marggret Wallace; and the information contained therein has been made a matter of record with the Commission.

Respectfully,

Acting Chairman.

7 D-973.

Muskogee, Indian Territory, December 15, 1903.

Nancy Durant,
Calloway, Indian Territory.

Dear Madam:

In the matter of your application for enrollment as a citizen by intermarriage of the Choctaw Nation, you are advised that it will be necessary for you to furnish the Commission with a sworn statement showing the actual and bona fide residence of you husband, Wesley Durant, on May 1, 1901.

This matter should receive your immediate attention.

Respectfully,

Chairman.

Choctaw-D-973

Muskogee, Indian Territory, January 22, 1904.

Nancy Durant,

Caney, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of January 12, 1904, enclosing your affidavit, which you offer in support of your application for enrollment as an intermarried citizen of the Choctaw Nation.

In reply to your letter you are informed that the affidavit has been filed with the record in this case, and as soon as a decision is reached therein, you will be notified of the action taken.

Respectfully,

Commissioner in Charge.

Choctaw-D-973.

Muskogee, Indian Territory, June 23, 1904.

Wesly Durant,

Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 17th, in which you ask the status of the enrollment of your wife, Nancy Durant, as an intermarried citizen of the Choctaw Nation.

In reply to your letter, you are informed that the Commission has not yet passed upon the application of Nancy Durant for enrollment as an intermarried citizen of the Choctaw Nation; but will, as early as practicable, take up the same for consideration and determination. As soon as a decision is reached in this case, she will be notified of the action taken therein.

Respectfully,

Commissioner in Charge.

7-9-973

Muskogee, Indian Territory, November 4, 1904.

R. H. Garner & Company,

Tishomingo, Indian Territory.

Gentlemen:-

Receipt is hereby acknowledged of your letter of October 31, 1904, asking the status of the enrollment of Nancy Durant as an intermarried citizen of the Choctaw Nation.

In reply to your letter you are informed that the Commission has not yet passed upon the application of Nancy Durant as an intermarried citizen of the Choctaw Nation, but as soon as a decision has been reached in this case the applicant will be notified of the action taken therein.

Respectfully,

Chairman.

7-D-973.

Muskogee, Indian Territory, November 17, 1904.

Nancy Durant,
Calloway, 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 for you to furnish the Commission with the affidavit of your husband, Wesley Durant, showing how many times he was married previous to his marriage to you, and stating the names of his former wives, and whether or not they were dead or had been divorced at the time of his marriage to you. If divorces had been secured, you must furnish either the original or certified copies of the decrees of divorce.

Please give this matter your immediate attention, as nothing further can be done in the matter of your application for enrollment until this evidence is furnished.

Respectfully,

Chairman.

7-D-973

Muskogee, Indian Territory, December 9, 1904.

Mary Durant,

Wilburton, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of December 6, 1904, enclosing the affidavit of Wesley Durant in the matter of your application for enrollment as an intermarried citizen of the Choctaw Nation and the same has been filed with the record in this case.

Respectfully,

Chairman.

Choctaw 2720
Choctaw D973

Muskogee, Indian Territory, December 23, 1904.

H. H. Gardner & Company,
Tishomingo, Indian Territory,

Gentlemen:

Receipt is hereby acknowledged of your letter of December 20, asking the status of the applications of Nancy Durant and Rebecca Cox for enrollment as intermarried citizens of the Choctaw Nation.

In reply to your letter you are advised that the Commission is now considering the applications of Nancy Durant and Rebecca A. Cox for enrollment as intermarried citizens of the Choctaw Nation, and as soon as decisions are reached in these cases the applicants will be notified of the action taken.

The matter of the contest referred to in your letter will be made the subject of another communication.

Respectfully,

Chairman.

Muskogee, Indian Territory, July 3, 1905.

E. F. Lester,

Attorney at Law.

Wilburton, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 14, 1905, in which you state that the child referred to in your former letter is the child of Wesley Durant a citizen by blood of the Choctaw Nation and his wife Nancy Durant an intermarried citizen of said nation and the child was named John Durant; in your former letter you stated that the child died in October 1902, after having lived about two days and you desire to be informed relative to his right to enrollment.

In reply to your letter you are advised that under the provisions of the act of Congress approved March 3, 1905 the Commission to the Five Civilized Tribes was authorized for a period of sixty days from that date to receive applications for the enrollment of infant children born to enrolled citizens by blood of the Choctaw and Chickasaw Nations subsequent to September 25, 1902, and prior to March 4, 1905, and living on the latter date. You will therefore see that John Durant, the child referred to was born in October 1902

E. F. L. #2

and died in two days, the Commission to the Five Civilized Tribes was without authority to enroll him under the act of Congress above referred to.

The communication of the Commission to the Five Civilized Tribes enclosed with your letter is herewith returned.

Respectfully,

EB 1-8

Commissioner.

Choc 4408 Jasper Colbert

4408

MEMORANDA.

(Date) Sept 1 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:

10 ✓

Charles County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

44108

Choc 4409 Alphonzo McCarty
№3 Dismissed May 27, 1904

4409

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

Record in the matter of the application for enrollment
as a citizen by blood of the Choctaw Nation of:

Kona McCarty,

7-4409.

6

IN RE

Application for Enrollment of
INFANT CHILD.

Hona McCarty

As a citizen of the

..... Nation.
.....

Approved 1..... :
..... :

Commissioner.
.....

Department of the Interior,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of the Ind. Ter., born on the 1st day of July, 1899.
Name of father: Alfonso McCarty, a citizen of the Choctaw Nation.
Name of mother: Pemie McCarty, a citizen of the Choctaw Nation.
Post Office: Courtney, Okla.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, Pemie McCarty on oath, state that I am 22 years of age and a
citizen, by Marriage, of the Choctaw Nation; that I am the
lawful wife of Alfonso McCarty, who is a citizen, by Blood, of the
Choctaw Nation; that a Girl child was born to me on the 1st day
of July, 1899; that said child has been named Kona McCarty
and is now living.

Subscribed and sworn to before me this 22nd day of August, 1899.

L. L. Lee
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, Dr. C. M. Scitz, Physician on oath, state that I
attended on Mrs. Pemie McCarty, wife of Alfonso McCarty,
on the 1st 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 Kona McCarty.

Subscribed and sworn to before me this 23rd day of August, 1899.

L. L. Lee
Notary Public.

D. 660

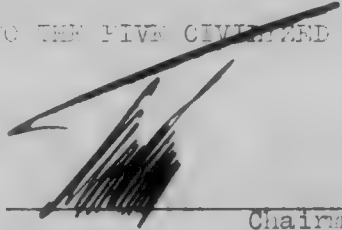
-4409.

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

In the matter of the application for the enrollment of
Kona McCarty as a citizen by blood of the Choctaw Nation.

The applicant, Kona McCarty, claims her right to enrollment as a citizen by blood of the Choctaw Nation through her father Alphonzo McCarty. The right of the applicant's father, Alphonzo McCarty, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw citizenship court, April 30, 1904, in case No. 27, upon the South McAlester docket of said court, it is hereby ordered that the application of Kona McCarty for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



Chairman.

Muskogee, Indian Territory,

MAA

Choctaw 4409

0000

Muskogee, Indian Territory, June 4, 1904.

Alphonzo B. McCarty,

Courtney, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated May 27, 1904, dismissing the application for enrollment as a citizen by blood of the Choctaw Nation of Kona McCarty.

Respectfully,

(SIGNED)

Sam S. Sixby.

Chairman.

Registered.

Incl. 7-4409.

Choctaw 4409

COPY:

Muskogee, Indian Territory, June 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 order of the Commission to the Five Civilized Tribes, dated May 27, 1904, dismissing the application for enrollment as a citizen by blood of the Choctaw Nation of Kona McCarty.

Respectfully,

(SIGNED)

Sam Dixie

Registered.

Chairman.

Incl. 7-4409.

See Choctaw 4650 for registrar receipt for this letter.

Muskegee, Indian Territory, August 18, 1902.

A. B. McCarty,

Courtney, Indian Territory.

Dear Sir:

Your letter of the 7th instant to the United States Indian Inspector has been by him referred to this Commission for consideration and appropriate action. Therein you desire information relative to the selection of an allotment of the lands of the Choctaw Nation. You complain that a citizen is now maintaining as his individual right, possession of over two thousand acres of land in farm and pasture. You desire to be advised if such holding is lawful and how you can obtain possession of part of the tract of land held by him.

Replying to your communication you are advised that the act of Congress of May 27, 1902, provides relative to the amount of land each citizen of the Choctaw and Chickasaw Nation is entitled to hold until allotment is as follows:

"That the just and reasonable share of each member of the Chickasaw and Choctaw Nations of Indians, in the lands belonging to the said tribes, which each member is entitled to hold in his possession until allotments are made, as provided in the Act entitled 'An Act for the protection of the people of the Indian Territory, and for other purposes,' approved June twenty-eighth, eighteen hundred and ninety-eight, be, and the same is hereby, declared to be three hundred and twenty acres for each member of the Chickasaw Nation and three hundred and twenty acres for each member of the Choctaw Nation."

A. B. McG--2.

If you have knowledge of any citizen of the Choctaw or Chickasaw citizen who is maintaining possession of as his individual right land in excess of three hundred and twenty acres, the matter should be brought to the attention of the United States District Attorney for such action as he may deem requisite under sections 17 and 18 of the act of Congress of June 28, 1898.

The Commission has also to advise you that it cannot at this time make any record of the selections of allotments of citizens of the Choctaw and Chickasaw Nations or consider any disputes arising between citizens or claimants relative to possession of any separate tracts of land in the Choctaw-Chickasaw country. 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 citizens of these two tribes to make selection of and file upon their prospective allotments.

It appears from our records that your right to citizenship in the Choctaw Nation is by virtue of a judgment of the United States Court for the Central District of the Indian Territory, rendered in Choctaw citizenship case No. 78, January 19, 1898.

The agreement entered into between the United States and the Choctaw and Chickasaw tribes of Indians as ratified by the act of Congress approved July 1, 1902, provides for the creation of a

A. B. McC--I.

court to be known as "the Choctaw and Chickasaw Citizenship Court" for the purpose of the final determination of the rights of persons admitted to citizenship in the Choctaw and Chickasaw Nations by judgments of the United States Court in Indian Territory. The agreement above referred to further provides:

"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 Stats., 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."

This agreement is not effective at this time, being subject to ratification by the citizens of the Choctaw and Chickasaw Nations at a special election to be held September 25, 1902.

Yours truly,

Acting Chairman.

MEMORANDA.

(Date) *April 1* 1899.

39 ✓

Name *Alphonzo* *Wick*

Choctaw? *yes* County 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:

3 ✓
2 ✓

Joseph County Year Page No.

Kona County Year Page No.

County Year Page No.

County Year Page No.

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 to citizenship in 1899
98 ...
with ...*

4409

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

In the enrollment of Alphonzo McCarty and child as Choctaws;
being sworn and examined by com'r McKennon he states:

- Q What is your name? A Alphonzo McCarty.
- Q How old are you? A Thirty-nine.
- Q Where have you been living with this child? A In the Chickasaw country.
- Q How long? A Twenty-three years.
- Q All the while? A Except one year I lived up here about Coalgate.
- Q You have been living in the Choctaw and Chickasaw country twenty-three years continuously? A Yes sir.
- Q What is the date of the birth of this child? A It was born on the 1st of January 1896, he will be four years old the 1st of January.
- Q You have another child? A Yes sir.
- Q What is its name? A Kona, it is a girl.
- Q What is the date of its birth? A First of July, 1899.

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify, in my official capacity as
stenographer to the above named Commission, that this
transcript is a true, full and correct translation of
my stenographic notes.

M. J. Green

Choc 4410 Ruthie Smallwood

Nº2 Granted July 14, 1906

4410

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.....

EMMER SISNEY.....7-4410.

Memo.-

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
Muskogee, Indian Ter., October 18, 1905.

In the matter of the alleged application for the enrollment of Emmer Sisney as a citizen by intermarriage of the Choctaw Nation. S. A. Apple of Ardmore, Indian Territory, represents the applicant.

No notice has been served upon the attorneys for the Choctaw and Chickasaw Nations of the taking of testimony in the matter of the above application.

Emmer Sisney being first duly sworn testified as

follows:

By the Commissioner:

Q What is your name? A Emmer Sisney.

Q What is your age? A Thirty-eight.

Q What is your postoffice address? A Boswell, Indian Territory.

Q Do you claim to have made application to the Commission to the Five Civilized Tribes for enrollment as a citizen by intermarriage of the Choctaw Nation? A Yes sir.

Q When? A In 1899.

Q Where? A At Atoka.

Q In what month? A September.

Q Do you know what date? A No, I don't remember the day of the month; it was September, 1899.

Q Who did you appear before at Atoka in September, 1899?

A For my daughter.

Q Who did you appear before? A The Commissioner; the Dawes Commission.

Q What did you tell them at that time? A Well, I just went to enroll. I went to appear for my daughter. I went to put my daughter and myself on the roll.

Q What is your daughter's name? A Ruthie Smallwood.

The name of Ruthie Smallwood appears upon Choctaw Card Field No. 4410, and opposite No. 12290 upon the list of citizens by blood of the Choctaw Nation, approved by the Secretary of the Interior March 6, 1906.

Q You just went for the purpose of enrolling your daughter?

A And myself.

Q What did you state to the Commission at that time? A Well, they asked me was I citizen by blood or intermarried; I told them intermarried, and they didn't seem to pay any attention to me; didn't think they could put me on the roll; didn't give me any satisfaction whatever.

Q Didn't tell you anything at all? A No, they didn't.

Q What did you tell them? A Well, I didn't know what to tell them; I didn't tell them anything.

Q Didn't tell them that you were an intermarried citizen?

A Yes, I told them I had married a Choctaw Indian.

Q Tell all that you said to them? A And that I would like to get on if it was necessary--if I was entitled by right I would like to get on, and they didn't seem to think I had a right.

Q Why didn't they think you had a right? A They wouldn't give

2-Emmer Sisney

me any satisfaction and so I went away not knowing anything.

Q Do you know who it was you appeared before at that time? Do you know the name of the man? A No sir.

Q Did they refuse to enroll your child? A No, never did refuse to enroll her.

Q They enrolled her? A Yes, I just had an eye witness to prove that I was married to Smallwood and they enrolled the child.

Q That was the first time that application was made for your child? A She was on the roll.

Q But to the Dawes Commission? A Yes sir.

Q That was the first time? A Yes sir.

Q Who was with you at the time you appeared before the Commission? A Michael Kennedy.

Q Who was he? A An intermarried citizen?

Q Is he living today? A Yes, I reckon so; he was when I left home.

Q Where is he? A In Jackson county

Q What is his postoffice address? A Boswell.

Q Did he hear you make application? A Yes, I think so. I could not be positive that he did.

Q Was anyone else there that heard you? A No sir.

Q He was the only one? A Yes sir.

Q That was the only time that you appeared before the Commission and made application for yourself? A Yes, before the Dawes Commission.

Q That was the only time? A Yes sir.

Q Did you ever write any letters to the Dawes Commission or to the department relative to your right? A No--well, I have a letter.

Q From whom? A Armstrong.

Q What did he tell you? A He told me to appear myself.

Q Did you ever write to the Commission? A I never did. I got him to write for me.

Q Who? A Mr. Armstrong.

Q Who is this Mr. Armstrong? A He lives at Boswell.

Q Is he living today? A Yes sir, and I think he has got the letter he got; he didn't read me the letter even.

Q You don't know whether he received the letter or not?

A Yes, he did.

Q From whom? A I don't know. I asked him if he got the letter and he said that he did, but it didn't amount to anything, and for me to appear before the Dawes Commission myself.

Q The fact is that your only attempt to make application either in person or any other way, was the time you appeared before the Commission at Atoka in September, 1899? A Yes sir.

Q That is the only time? A Yes sir.

Q Where was the Commission located at Atoka when you appeared there? What part of town? A I disremember. I can't tell you.

Q You don't know? A No sir.

Q What building was it in? A That was the first time I was ever there and I can't tell you.

Q You don't know where it was? A No, I never paid any attention to that at all.

Q How far do you live from Atoka? A About 35 miles.

Q Michael Kennedy was the only man that was there while you were making application at that time? A Yes sir.

3-Emmer Sisney.

By Mr. Apple:

Q Do you know the name of the representative of the Dawes Commission who took your testimony at Atoka? A No sir.

Q Were there other citizens there making appearance before these people? A Yes sir.

Q And the person you talked to represented himself to be appearing for the Dawes Commission. It was in the Dawes Commission offices at the time you were there, wasn't it? A Yes sir.

Q Did they take any testimony from you in writing? A They never put me down.

Q Did they ask you questions concerning your daughter, Ruthie. A Yes sir.

Q Did they take any testimony? A Yes sir.

Q At that time did they ask you the name of your Indian husband? A Yes sir.

Q And you gave it? A Yes sir.

Q Was he living at that time? A Yes sir.

Q Was he present? A No sir.

Q Did you introduce Michael Kennedy as a witness? A No sir.

Q He didn't give any testimony in your case then? A No, he went there to take me.

Q Did they ask you whether you desired to be enrolled yourself? A No sir.

Q Did you state whether or not you wanted to enroll for yourself as an intermarried citizen? A Yes sir.

Q You were married to an Indian under the Choctaw laws, were you not? A Yes sir.

Q Did you state to them that you had been? A Yes sir.

Q Did you leave there with the impression that they had taken your name and would pass on your rights as a citizen? A I thought they would do what was right.

Q Did you have any attorney with you that day, at that time? A No sir.

Q Did you have anyone to advise with you how to proceed in your own enrollment case at that time? A No sir.

Q Have you lived in the Territory continuously since you married Smallwood? A Yes sir.

Q He is not living at the present time? A (No answer).

Q Are you living with him? A No sir.

Q How long have you been divorced from him? A I don't know; I can't tell you.

Q You have remarried since then? A Yes sir.

Q What is the name of this other husband? A William Sisney.

The name of Robert Smallwood appears upon Choctaw Card Field No. 1791, and opposite No. 5078 upon the final roll of citizens by blood of the Choctaw Nation, approved by the Secretary of the Interior January 16, 1903.

Examination by the Commissioner:

Q What is the name of your mother? A Jane Meredith.

Q Is she a white woman, a citizen of the United States? A Yes sir.

Q Is she living? A Yes sir.

Q What is your father's name? A Fletcher Murphy.

Q Is he a white man, a citizen of the United States? A Yes sir.

Q How long have you lived in the Choctaw Nation? A Seventeen years.

Q Continuously? A Yes sir.

Q What is the name of your Choctaw husband? A Robert Smallwood

4-Emmer Sisney.

- Q When were you married to him? A Fourteen years ago the 10th of last May.
- Q Where were you married? A Kiamitia County.
- Q Where were you living at the time you were married? A Kiamitia County.
- Q Where was he living? A He was living there.
- Q Had you ever been married before you married Robert Smallwood?
- A Yes sir.
- Q Who to? A William Murphy.
- Q Was he living at the time of your marriage to Smallwood?
- A No sir.
- Q He was dead? A Yes sir.
- Q Was that your only marriage prior to your marriage to Smallwood? You say you were married to Murphy before you were married to Smallwood? A Yes sir.
- Q Was Murphy the only husband you had before you married Smallwood? A Yes sir.
- Q Was Smallwood ever married before he married you? A Yes.
- Q Who to? A I couldn't tell you his wife's name; she was dead before I knew him.
- Q You don't know her name? A No sir.
- Q How long did you live with Smallwood? A Four years.
- Q Then what happened? A We separated.
- Where did you live during these four years? A I lived in Kiamitia county.
- Q Choctaw Nation? A Yes sir.
- Q Were you divorced from Smallwood? A Yes sir.
- Q How long ago did you get the divorce? A I don't recollect.
- Q After you were divorced from Smallwood did you marry again?
- A Yes sir.
- Q Who did you marry? A William Sisney.
- Q He is a white man? A Yes sir.
- Q In what year were you married to Sisney? A I couldn't tell you that; I don't remember.
- Q About how many years ago? A About five years ago.
- Q He is living now is he? A I don't know.
- Q Have you lived in the Choctaw Nation ever since your marriage to Smallwood? A Yes sir.
- Q All the time? A Yes, all the time.

By Mr. Apple.

I would like to introduce proof of the applicant's marriage which is on file in Choctaw Citizenship Case No. 4410 (Ruthie Smallwood).

By the Commissioner.

- Q Who married you to Robert Smallwood? A Judge Vinson.
- Q Whereabouts? A At his house in Kiamitia county.

By Mr. Apple:

- Q Who was present at that marriage? A Isabel Nichols.
- Q Do you know of any person named Isabel Kelly? A No sir.
- Q Did you ever know a person by the name of Isabel Kelly?
- A No sir.
- Q Was there any person present at your marriage by the name of Isabel Kelly? A Not that I know of.
- Q How old was Isabel Nichols? A I couldn't tell you.
- Q Is Isabel Nichols living now? A Yes sir.
- Q About how old is she now? A Well, if I would guess, about

5-Emmer Sisney.

thirty-five years old.

Q She is a woman about your age? A Yes sir.

Q The records of the Commission show that a person by the name of Isabel Kelly testified before this Commission and stated that she was present and witnessed your marriage; you say that you did not know that any such person was present? A No sir.

Q But you do know an Isabel Nichol~~e~~ was present? A Yes sir.

Q Was she at Judge Vinson's the day th t you were married?

A Yes sir.

Frances R. Lane upon oath states that as stenographer to the Commissioner to the Five Civilized Tribes she correctly reported 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 October 18, 1905.

Edward Merrick.
Notary Public.

Memo.-163.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
Muskogee, Indian Territory, October 24, 1905.

In the matter of the alleged application for the enrollment of Emmer Sisney as a citizen by intermarriage of the Choctaw Nation.

Michael Kennedy being first duly sworn testified as follows:

Examination by the Commissioner:

- Q What is your name? A Michael Kennedy.
- Q How old are you? A Sixty-three or four years old.
- Q Where do you live? A Jackson county.
- Q In what nation? A Choctaw Nation.
- Q Are you a citizen of either the Choctaw or Chickasaw Nations?
- A Yes sir, the Choctaw Nation.
- Q Citizen by blood or intermarriage? A Intermarriage.
- The witness is identified as Michael Kennedy upon Choctaw roll, Field Card No. 4418 and on the final roll of citizens by intermarriage of the Choctaw Nation as approved by the Secretary of the Interior opposite No. 428.
- Q Are you personally acquainted with Emmer Sisney? A Yes sir.
- Q How long have you known her? A About 15 or 16 years. Maybe more; I aint certain; all of that.
- Q Have you any personal knowledge of any application having been made for her enrollment as a citizen by intermarriage of the Choctaw Nation? A Yes, she tried it once that I know of.
- Q When was that? A That was in September.
- Q What year? A 1899.
- Q Where? A Atoka.
- Q Were you there with her? A Yes, I was there with her.
- Q State as briefly as you can what occurred at that time, at the time she made this application? What took place? What did they do? A They questioned her, whether she had been married to a Choctaw; she said that she had been, but she married a white man afterwards.
- Q Well, go on and tell us. A And that's all she said--the like of her had to be decided, and that's all she said.
- Q Where did this take place? A Atoka.
- Q What place at Atoka? A Northwest from Atoka about a mile and a half or two miles. I don't know exactly where.
- Q What did you do? A I took her right up there. Went with her.
- Q Why did you go to Atoka? A What did I go there for?
- Q Yes. A I went to enroll too.
- Q Was Emmer Sisney there the day you applied? A At Atoka?
- Q Yes. A She was there that evening at the same time, but she went off to see a man named Vincent that married her.

2-Emmer Sisney.

It appears from the records of the Commission to the Five Civilized Tribes that Michael Jenedy made personal application to the Commission to the Five Civilized Tribes for enrollment as a citizen by intermarriage of the Choctaw Nation at Atoka, Indian Territory, September 2, 1899.

Frances R. Lane upon oath states that as stenographer to the Commissioner to the Five Civilized Tribes she correctly reported 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 October 24, 1905.

J. Campbell
Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES

FILED

OCT 24 1905

[Handwritten signature]
COMMISSIONER

UNITED STATES OF AMERICA,)
INDIAN TERRITORY,)
WESTERN DISTRICT.)

I, Micheal Kennedy, on state that I am about 62 years of age and am a citizen by intermarriage of the Choctaw; that my post-office address is Boswell, Indian Territory; that I am personally acquainted with Emmer Sisney who was formerly the wife of Robert Smallwood, a recognized Choctaw citizen by blood; that said Emmer Sisney has been working for me as cook and housekeeper for the last nine or ten years; that during the first week of September, 1899 I accompanied said Emmer Sisney to Atoka Indian Territory, where the Dawes Commission was at that time holding a session and that I was present when said Emmer Sisney applied to the Commission for the enrollment of herself and her daughter, Ruthie Smallwood; that the clerk who was receiving said applications refused to list the said Emmer sisney for enrollment, stating as his reason that the said Emmer Sisney had separated from her Indian husband and had since married a white man and was therefore not entitled to enrollment, because she had married out. I know these facts because I was personally present. I applied for my own enrollment at Atoka during the same session of the Commission, although I do not now remember whether it was the same day or not. At any rate Emmer Sisney and I went to the session together and went home together and I know of my own knowledge that she applied for the enrollment of herself as a citizen by intermarriage of the Choctaw Nation, at the same time she applied for the enrollment of her said daughter.

I further state that at the time of this application the Commission stated that it would be necessary for the said Emmer Sisney to prove her marriage to said Robert Smallwood and in order to prove said marriage I drove to Kiamitia County and brought one Isabel Nichols to the session of the Commission, where she testified

that she was present and witnessed the marriage ceremony uniting Robert Smallwood and Emma Murphy in marriage.

I further state that I am not related to the applicant and have no interest in her enrollment.

Michael C. Kennedy

Subscribed and sworn to before me this 24th day of October, 1905.

W. G. Bailey
Notary Public.

do it myself and exact date of the 10/11/11 but if we're stone

to return: 10/11/11

10/11/11

10/11/11

10/11/11

10/11/11

10/11/11

10/11/11

10/11/11

10/11/11

DEPARTMENT OF THE ATTORNEY GENERAL
COMMISSIONER TO THE FIVE CIVIL TRIBES

FILED

10/11/11

[Handwritten signature]

COMMISSIONER

United States of America,)
Indian Territory,)
Central District. }

I, J. E. Ash, being first duly sworn, on oath state that I am 47 years of age; that my post-office address is Nelson, Indian Territory; that I know Mrs. Emmer Sisney and have ~~been living a neighbor~~ ^{known & acquainted with} ~~to her for ten or fifteen years -- ever since her marriage to~~ Robert Smallwood; that I knew Robert Smallwood, a Choctaw Indian and witnessed the marriage of Robert Smallwood to Emmer Murphy (the applicant herein), which occurred at the home of Judge Charles Vinson, in Kiamitia County, Choctaw Nation; that I do not remember the exact date of the marriage but it was along in the Spring or summer of 1891. I know that they lived together as husband and wife for ^{two} ~~three~~ or ^{three} ~~four~~ years.

I further state that I am not interested in the result of the application of said Emmer Sisney for enrollment as a citizen of the Choctaw Nation.

J. E. Ash

Subscribed and sworn to before me this 23 day of Oct, 1905.

W. E. Larey
Notary Public.

My Commission expires July 9th 1908

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES

FILED

SEP 2 1885



COMMISSIONER

I HEREBY CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE ORIGINAL AS KEPT IN THE OFFICE OF THE COMMISSIONER TO THE FIVE CIVILIZED TRIBES AT WASHINGTON, D. C. THIS 2nd DAY OF SEPTEMBER 1885.

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

I, L. M. Ash, being first duly sworn on oath state that I am 49 years of age; that my post office address is Nelson, Indian Territory; that I am personally acquainted with Mrs. Emmer Sisney, who was formerly the wife of Robert Smallwood; that I am also personally acquainted with said Robert Smallwood; that I was present when said parties were married by Judge Charley Vinson, County Judge of Kiamitia County, ^{about} on May 10, 1891; that said marriage ceremony was performed at the residence of said Judge Vinson in Kiamitia County, Choctaw Nation.

I further state that I am not in any manner interested in the matter of the enrollment of said Emmer Sisney as a citizen by intermarriage of the Choctaw Nation.

Witness
J. G. Butler

her
L. M. Ash
mark

Subscribed and sworn to before me this 23 day of Oct., 1905.

W. C. Larey
Notary Public.

My Commission expires July 9th 1908

Memo.-163.

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

In the matter of the alleged application for the enrollment of Emmer Sisney as citizen by intermarriage of the Choctaw Nation.

D E C I S I O N .

It appears from the record herein that on October 18, 1905, at Muskogee, Indian Territory, Emmer Sisney 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 Act of Congress approved July 1, 1902 (32 Stats., 641). Further proceedings were had in the matter of this alleged application at Muskogee, Indian Territory, October 24, 1905.

On October 18, 1905, the applicant testified that she is thirty-eight years old; that in September 1899, she appeared before the Commission to the Five Civilized Tribes at one of its appointments at Atoka, Indian Territory and made application for the enrollment of her minor child, Ruthie Smallwood as a citizen by blood, and of herself as a citizen by intermarriage of the Choctaw Nation; that the Commission enrolled her said minor daughter but that as to her, she was informed that she had no right to enrollment.

On October 24, 1905, Michael Kennedy testified that he was sixty-three or sixty-four years old and a citizen by intermarriage of the Choctaw Nation; that in September 1899 he accompanied the applicant to the office of said Commission then at Atoka, Indian Territory, and heard her make application for enrollment as a citizen by intermarriage of the Choctaw Nation, and that "They, (meaning the Commission) questioned her whether she had been married to a Choctaw; she said she had been, but she married a white man afterwards."

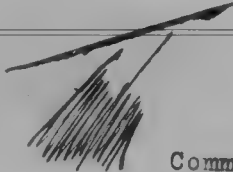
On October 24, 1905, an affidavit of said Michael Kennedy was filed in this office in which he states among other things, that during the first week of September, 1899, he accompanied the applicant to Atoka, Indian Territory; that they went together to the session of the Commission held there, and that the applicant applied for the enrollment of herself at the same time that she applied for the enrollment of her daughter, Ruthie Smallwood, and that the Commission refused to list the applicant for enrollment for the reason that she had separated from her Indian husband and had since married a white man and was therefore not entitled to enrollment because she had married out.

The records of this office show that on September 1, 1899, at Atoka, Indian Territory, application was made for the enrollment of Ruthie Smallwood, aged six years, the daughter of this applicant. It also appears that in the matter of the enrollment of said Ruthie Smallwood on said date Isabelle Kelly testified in substance, that

Memo.-163. (2)

the father of said child was Robert Smallwood, a Choctaw and the mother a white woman named "Emma" and that she was present when said "Emma" was married to Robert Smallwood.

I am of the opinion that the evidence establishes the fact that Emmer Sisney did make an application for enrollment as 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) and that the same should now be determined on its merits, and it is so ordered.



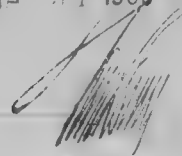
Commissioner.

Muskogee, Indian Territory,

FEB 26 1906

DEPARTMENT OF THE INTERIOR
Commissioner to the Five Civilized Tribes

FILED
MAY 31 1906

A handwritten signature in dark ink, consisting of a large, stylized initial 'M' followed by several vertical strokes.

Commissioner.

7-4410

Copy
Boswell, Ind. Ter., May 28th, 1906.

Mansfield, McMurray & Cornish,

South McAlester, Ind. Ter.

Gentlemen:-- You are hereby notified that J. E. Ash and
C. M. Ash will appear before the Commissioner to the Five
Civilized Tribes at Muskogee, Ind. Ter., on Friday June 1st,
1906, for the purpose of giving their evidence relative
to my marriage to Robert Smallwood, a Choctaw Citizen by
blood, upon which evidence I seek to establish my right to be
entolled as an inter-married citizen of the Choctaw Tribe of
Indians.

Erasmus Lisney

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

I hereby certify that I deliv-
ered a copy of above notice to Mansfield, McMurray & Cornish
at their office in South McAlester, Ind. Ter. on the 29 day
of May, 1906.

D. O. Cairns

City Marshal of South McAlester, I.T.

Subscribed and sworn to before me this the 29th day of
May, 1906. My commission expires on the 21
day of Nov., 1908.

[Signature]

Notary Public/

7-4410.

Department of the Interior,
Commissioner to the Five Civilized Tribes.
Muskogee, Indian Territory, June 1, 1906.

In the matter of the application for the enrollment of
Emmer Sisney as a citizen by intermarriage of the Choctaw Nation.

No appearance on behalf of the Choctaw and Chickasaw Na-
tions.

J. E. Ash, being first duly sworn, testified as follows:

Examination by the Commissioner:

- Q What is your name? A J. E. Ash is the way I sign it; James is my name.
- Q How old are you? A I am forty years old.
- Q What is your post office? A Nelson.
- Q Are you appearing on behalf of Emmer Sisney? A Why, I suppose so, she is the one called me to come here.
- Q Do you know whether or not she served notice upon Mansfield, McMurray & Cornish, attorneys for the Choctaw and Chickasaw Nations, at South McAlester, Indian Territory, that she would be here to-day? A I would not swear they did do it, but they said they would; said they had to do that so they could be here; and they asked me what day I could come, and I told them, and they said they would have to notify them of it.
- Q How long have you been acquainted with Emmer Sisney? A Why, I have been acquainted with Emmer Sisney about ever since '90.
- Q 1890? A Yes sir, 1890; that is, I have been acquainted with her, but she wasn't married then.
- Q Was Emmer Sisney married at that time? A In '90? Not that I know of.
- Q Was she a single woman? A Yes sir, as far as I know.
- Q Where was she livin' at the time you became acquainted with her?
A At Thomas Grigg's.
- Q What post office? A Nelson; Soper now, I think.
- Q Were you acquainted with Robert Smallwood, a Choctaw, through whom Emmer Sisney claims her right to enrollment as a citizen by intermarriage of the Choctaw Nation? A Yes sir.
- Q Is he living? A Yes sir, was the other day.
- Q How long have you known him? A I have been knowin' him I think for since about '85, 1885, as well as I recollect.
- Q Do you know whether Emmer Sisney was ever married to Robert Smallwood? A Yes sir.
- Q Were you present on the occasion of their marriage? A Yes sir.
- Q Saw the ceremony performed? A Yes, sir.
- Q What year was it? A '91 to the best of my recollection.

- Q What month and day? A It was in May, and I think about the 8th or 10th; along about the first of May.
- Q What is it that fixes this date in your mind? A Well, I have a child that was along about six or seven weeks old during that time, and I recollect that she was quite small when we went to the wedding.
- Q Are you a citizen of the Choctaw Nation? A No sir.
- Q Is your wife? A No sir.
- Q Where were you living at the time this marriage ceremony was performed? A I lived about one mile from Robert Smallwood, right north of him.
- Q Where were they married? A Tre was married at Judge Vinson's, a Choctaw Indian, Judge of the District Court in Jackson County.
- Q Who married the? A Judge Vinson said the ceremony.
- Q Who else was there beside yourself on that occasion? A Well, my wife was there with me, and I disremember who else was there; I think Will or Walker was there as well as I recollect, and a fellow named Smith was there, and there wa some ladies there; I disremember their names.
- Q Had Robert Smallwood ever been married before he married Emmer Sisney? A I could not tell you; he had a wife living with him when I came to that countr; I suppose he was married to her.
- Q Was she living when Emmer Sisney was married to him? A No sir.
- Q Was she dead? A Yes sir, I lived close to her when she died.
- Q Had Emmer Sisney ever been married before her marriage to Robert Smallwood? A I couldn't tell you; I hadn't been acquainted with her very long then.
- Q What was her name when you became acquainted with her? A The best of my recollection, it was Murphy.
- Q That was her maiden name? A That was the first name I ever heard for her; I wouldn't swear to that; that is the best of my recollection.
- Q How long did Emmer Sisney and Robert Smallwood live together as husband and wife after their marriage? A Why, they lived together from sometime the first of May until about January, and they separated a little while, and then they went together again, and they lived together, as well as I recollect, until the next fall.
- Q And then did they separate? A Yes sir, he left her.
- Q Never lived together after that? A No sir, not as I know of.
- Q Did one of these parties secure a divorce? A Yes sir, I think that Smallwood did.
- Q Did Emmer Sisney remarry after her separation from Robert Smallwood? A I couldn't tell you, sir; I heard she did; she moved out of the county after that and moved over into Jackson County; I heard she married again.
- Q Did Emmer Sisney have any children by Robert Smallwood?
- A Why, there was one born; I suppose it was; they claimed it for his'n.
- Q What is its name? A I can't tell you; I don't know whether I seen the child after she left that county; I don't recollect what it is name.

(Witness excused.)

Gertrude Ash, being first duly sworn, testified as follows:

Examination by the Commissioner:

- Q What is your name? A Gertrude Ash.
- Q How old are you? A Fifty years old.
- Q Post office? A Nelson.
- Q Are you the wife of James H. Ash, who has just testified?
- A Yes sir.
- Q Are you acquainted with Emmer Sisney, an applicant for enrollment as a citizen of Inter-marriage of the Choctaw Nation? A Yes sir, I was acquainted with her what time she lived there in my country.
- Q How far did you live from her? A Well, we lived about one mile from her.
- Q How far every few days? A Yes sir.
- Q Was she a single woman when you became acquainted with her?
- A I reckon she was; she came from Arkansas and stayed with Mr. Griggs' folks; I reckon she was single; she said she was.
- Q Were you acquainted with Robert Smallwood? A Yes sir.
- Q When did you become acquainted with him? A Well, I been acquainted with him twenty year; I can't tell you what day it was.
- Q Do you know anything about the marriage of Emmer Sisney and Robert Smallwood? A Yes sir, I was there and seen them married; went to their house and took dinner with them, and went to Judge Vinson's and seen them married.
- Q Who married them? A Judge Vinson.
- Q Did he give them a marriage certificate, a paper showing their marriage? A I couldn't tell you; I don't remember that at all; I only stayed a few minutes after the wedding.
- Q Who was Judge Vinson? (No answer.)
- Q Was he an Indian or a white man? A Yes sir, he was an Indian.
- Q Was he a county judge? A Yes sir.
- Q For what county? A Choctaw.
- Q Of what county? A I don't know, sir.
- Q Who else was present at the time of their marriage besides yourself and your husband? A Well, I couldn't tell you who all was present; I can tell of just three; there was two colored women there, and then there was one Indian woman; she was a niece of Judge Vinson; she was there and seen them get married; and then there was two colored ladies that was there for cooks; the house was full, but I don't remember who they was.
- Q Had Robert Smallwood been married before he married this woman?
- A I reckon so; he was living with a woman when we came to the nation and I first got acquainted with them.
- Q Was she still living when he married this woman? A No sir.
- Q Was she dead? A Yes sir, she was dead.
- Q How long did Robert Smallwood and Emmer Sisney live together after they were married? A Well, I think it was about a year and a half the best I can remember of; I can't tell you anything about how long they stayed together for I never paid any attention at all.
- Q Do you know where Emmer Sisney has lived since the time of her marriage to Robert Smallwood? A No sir, I don't.
- Q Well, do you know whether she has lived in the Territory since that time? A Yes sir, she has lived in the Territory, I reckon; she has not been living near me, though.

Q How often have you seen her since 1891 or 2? A I have just seen her once, I reckon, is all I know of.

(Witness excused.)

J. E. Ash, being recalled, testified as follows:

Examination by the Commissioner:

Q Mr. Ash, do you know where Emma Sisney has lived since she was married to Robert Smallwood? A I know about where she lives.
Q Where? A I think just over in Jackson County, east of Caddo.
Q Do you know of your own knowledge whether she has lived in the Choctaw Nation all the time or not? A No sir, I couldn't; what time I have seen her she has been in the Choctaw Nation; I was her at Mayhew, and she has been back there two times, I think; I have saw her three times; as far as I know she has lived there all the time.

(Witness excused.)

Lenora B. Ashton, as stenographer to the Commissioner to the Five Civilized Tribes, on oath states that she reported the testimony in the above entitled cause on the 1st day of June, 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 1st day of June, 1906.

Chas. Webster
Notary Public.

7-4410.

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

In the matter of the application for the enrollment of
Emmer Sisney as a citizen by intermarriage of the Choctaw Nation.

D E C I S I O N .

It appears from the record herein that an application was
duly made to the Commission to the Five Civilized Tribes for the
enrollment of Emmer Sisney 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 further appears from the record herein that on May 10,
1891, the applicant, Emmer Sisney, was lawfully married to Robert
Smallwood, a recognized and enrolled citizen by blood of the Choctaw
Nation, whose name appears as number 607 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, January 16,
1903; that at the time of said marriage, both persons above mention-
ed were residents in good faith of the Choctaw Nation; that they
lived together continuously as husband and wife in said nation for
a period of about three years, when they separated and were subse-
quently divorced; and that thereafter, in 1900, the applicant mar-
ried William Sisney, a non-citizen white man.

I am, therefore, of the opinion that following the ruling
of the Department in the case of Thornton P. Pearce (I.T.D. 4060 -
1904), Emmer Sisney should be enrolled as a citizen by intermarriage
of the Choctaw Nation, under the provisions of the Acts of Congress
approved June 2, 1898 (30 Stats., 418), and July 1, 1902 (32 Stats.,
641), and it is so ordered.


Commissioner.

Muskogee, Indian Territory,

JUL 21 1906

7-4410

Muskogee, Indian Territory, July 14, 1906.

Emmer Sisney,

Boswell, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered July 14, 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 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 that time no protest has been filed, the name of Emmer Sisney 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

Emmer Sisney

Commissioner.

Registered.

Incl. 7-4410.

7-4410.

Muskogee, Indian Territory, July 14, 1906.

Apple & Franklin,
Attorneys at Law,
Muskogee, Indian Territory.

COPY

Gentlemen:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on July 14, 1906, rendered his decision granting the application for the enrollment of Emmer Sisney 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 Emmer Sisney 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.

7-4410

Muskogee, Indian Territory, July 14, 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 July 14, 1906, granting the application for the enrollment of Emma Sisney 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 Emma Sisney 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. 7-4410.

MEMORANDA.

(Date) August 1 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:

<u>1. Ruthie</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.....
.....	County	Year	Page	No.....

See the history of... PR... as to...

4411

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

In the enrollment of Ruthie Smallwood as a Choctaw; Isabell Kelly being sworn and examined testifies:

- Q What is your name? A Isabell Kelly.
- Q How old are you? A Thirty-two.
- Q What was Smallwood's name? A Robert Smallwood.
- Q That was the father of Ruthie Smallwood? A Yes sir.
- Q What was her mother's name? A Emma. She come from
Arkansas.
-
- Q Was he an Indian citizen, - Choctaw? A Yes sir.
- Q She was a white woman? A Yes sir.
- Q Did you see them married? A Yes sir.
- Q You were present and saw them married? A Yes sir.
- Q Where? A At Judge Vinson's in the Choctaw Nation.
- Q Who married them? A Judge Vinson; he was Judge of the
District court at that time; it was Charles Vinson.
-

Department

Commissioner

I hereby certify that the foregoing is a
stenographic transcript of the testimony of the
transcribed by me, full and correct translation of
my stenographic notes.

M. J. [Signature]

F. 900
1890

United States of America }
Indian Territory }
Central District } ss.

I Robert Smallwood,
upon oath state that I am a citizen by blood
of the Choctaw Nation and that I am about
52 years of age; that I was married to Emmer Siney
on May 10th 1891; that said marriage ceremony was
performed by Charles Vinson who was at that time
District Judge and that said Charles Vinson is
now dead; that if said Charles Vinson issued a
marriage certificate, it was never delivered to me
and I never saw the same, and I never heard of
one being issued; that there were several
Witnesses to our marriage among them being
J E Ash and B M Ash who are now
living and reside $\frac{3}{4}$ mile from my allotment.

That I was legally married to said Emmer
Siney and that it was in accordance with
the Choctaw law and that it has never been questioned.

Robert Smallwood

Subscribed and sworn to before me this 16th
day of April 1906.
my Comm Ex 11/22/09.

A. SIMMONS
Notary Public

7-4410

COPY.

Muskogee, Indian Territory, August 5, 1905.

James R. Armstrong,
Boswell, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of August 1, 1905, inclosing affidavit of Emma Sisney in the matter of an application claimed to have been made by her as an intermarried citizen of the Choctaw Nation at the time she made application for the enrollment of her child Ruthie Smallwood as a citizen by blood of said nation; you ask to be advised what action is necessary in this case.

In reply to your letter you are advised that if it is alleged that Emma Sisney presented an application to the Commission to the Five Civilized Tribes for enrollment as an intermarried citizen of the Choctaw Nation prior to December 25, 1902, she will be heard upon her personal appearance at this office accompanied by witnesses who have knowledge of such application.

The affidavit of Emma Sisney enclosed with your letter is herewith returned and you are advised that the same may be presented by her at the time of her personal appearance if it is so desired.

Respectfully,

SIGNED

Tame Bixby.

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSIONER OF GENERAL LANDS AND MINES

RECEIVED

NOV 1 - 1905

[Handwritten signature]

711-163

Received of the Commissioner to the Five Civilized Tribes, one copy of the testimony of Emmer Sisney of October 18, 1905 and of Michael Kennedy of October 24, 1905, in the matter of the application for the enrollment of Emmer Sisney as an intermarried citizen of the Choctaw Nation.

Apple

Muskogee, Indian Territory,
October 27, 1905.

7-4410.

Muskogee, Indian Territory, February 27, 1906.

Emmer Sisney,

Boswell, 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 neces-
sary for you to file with this office wither the original or a
certified copy of your marriage certificate, showing your marriage
to Robert Smallwood, through whom you claim your intermarried
rights.

Kindly give this matter your immediate attention.

Respectfully,

Acting Commissioner.

7-4410.

Muskogee, Indian Territory, February 27, 1906.

Apple & Franklin,

Muskogee, Indian Territory.

Gentlemen:

You are hereby notified that before any further action can be taken in the matter of the application for the enrollment of Emmer Sisney 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 certificate of marriage, showing her marriage to Robert Smallwood, through whom she claims her intermarried rights.

On October 18, 1905, said applicant testified that she was married to Robert Smallwood on May 10, 1891, by Judge Vinson, County Judge of Kiamitia County.

Kindly give this matter your immediate attention.

Respectfully,

Acting Commissioner.

7-4410

COPY.

Muskogee, Indian Territory, February 27, 1906.

Chief Clerk,
Choctaw Land Office,
Atoka, Indian Territory.

Dear Sir:

There is inclosed herewith copy of name and information
this day placed at No. 2, ~~Emmer~~ Sisney on Choctaw roll card No. 4410
Ruthie Smallwood.

You are therefore directed to make duplicate card of this
number in your possession conform to the information thereon and
add the name of this person to your list of undetermined applicants
for enrollment in the Choctaw Nation.

Respectfully,

SIGNED *Wm. O. Beall.*

, Acting Commissioner.

EB 1-27.

7-4410

COPY.

Muskogee, Indian Territory, February 27, 1906.

Chief Clerk,
Chickasaw Land Office,
Ardmore, Indian Territory.

Dear Sir:

There is inclosed herewith copy of name and information
this day placed at No. 2, Emer Disney on Choctaw roll card No.
4410 Ruthie Smallwood.

You are therefore directed to make duplicate card of this
number in your possession conform to the information thereon and
add the name of this person to your list of undetermined applicants
for enrollment in the Choctaw Nation.

Respectfully,

SIGNED

Wm. O. Beall.

KB 2-27.

Acting Commissioner.

7-4410.

COPY.

Muskogee, Indian Territory, April 6, 1906.

Emmer Sisney,

Roswell, 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 file with this office either the original or a certified copy of your marriage certificate, showing your marriage to Robert Smallwood, through whom you claim your intermarried rights.

Kindly give this matter your immediate attention.

Respectfully,

SIGNED

Wm. O. Beall.

Acting Commissioner.

7-4410.

COPY.

Muskogee, Indian Territory, April 6, 1906.

Apple & Franklin,

Muskogee, Indian Territory.

Gentlemen:

You are hereby notified that before any further action can be taken in the matter of the application for the enrollment of Emma Sisney 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 certificate of marriage, showing her marriage to Robert Smallwood, through whom she claims her intermarried rights.

On October 18, 1905, said applicant testified that she was married to Robert Smallwood on May 10, 1891, by Judge Vinson, County Judge of Kiamitia County.

Kindly give this matter your immediate attention.

Respectfully,

SIGNED

Wm. O. Beall.

Acting Commissioner.

7-4410

COPY.

Muskogee, Indian Territory, April 7, 1906.

Elmer Sisney,

Nowell, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of April 3, 1906, asking if you are approved and can file on your allotment.

In reply to your letter you are advised 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 forward evidence of your marriage to Robert Smallwood, the Choctaw husband through whom you claim your right to enrollment. This matter should receive your immediate attention.

This evidence was requested on February 27, 1906, and again on April 6, 1906, but no response has been received to either of these letters.

Respectfully,

SIGNED *Wm. O. Beall.*

Acting Commissioner.

COPY.
Muskogee, Indian Territory, April 7, 1906.

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Dear Sir:

We are just in receipt of your letter of the 6th instant, relative to the citizenship case of Emmer Sisney (7-4410), who is an applicant for enrollment as a citizen by intermarriage of the Choctaw Nation. You state that before any further action can be taken in this case it will be necessary for us to furnish your office with either the original or a certified copy of the certificate of marriage, showing marriage between Emmer Sisney and Robert Smallwood, deceased, through whom she claims her intermarried rights.

Under date of February 27, 1906, you requested us to furnish this proof, and since that time we have endeavored to obtain same, but without success. We have seen the applicant and talked with her in regard to the matter and she informs us that she does not think that the County Judge Charles Vinson, who married them gave or issued a certificate of marriage; that if he did she never saw the same; and that said Charles Vinson is dead.

There is on file in this case relative to this marriage the affidavits of two eye witnesses to the marriage and the testimony of a third eye witness, and this is all the evidence or at least as good evidence, on this point that we are able to obtain.

Commissioner 2

We, therefore, respectfully request that a decision be rendered in this case upon the record as now made up without waiting the receipt of any further evidence of marriage, inasmuch as any further evidence on this point, as above stated, is impossible to obtain.

Very respectfully,

Apple & Franklin.

COPY. Boswell, I. T.
April 9-1906.

Dawes Commission

Muskogee, I. T.

Dear Sirs: I got your letter and I will try to get the certificate for you which shows I was married to Robert Smallwood. I had some lawyers tryin to get me inrolled and they dont do nothing & want to take all my surplus land if I am aproved & I dont want nothing more to do with them, you write to me and dont write to them no more If I cant get the certificate I can get Bob Smallwood to send you a affidavit that he was my husband and that we married accorden to the law. I can get lots of people to swear that we was married.

If I cant get the certificate and Bob Smallwood will swear that we was married will that be proof enough.

Write to me at once.

Yours truly,

Emma Sisney.

COPY.

7-4410.

Muskogee, Indian Territory, April 12, 1906.

Emmer Sisney,

Boswell, Indian Territory.

Dear Madam:

On October 23, 1905, there were filed with the record in your case, the affidavits of J. B. Ash and G. M. Ash, of Nelson, Indian Territory, wherein they stated that they were present at the time of your marriage to Robert Smallwood, on or about May 10, 1891.

In case you are unable to furnish this office with the original certificate of marriage or a certified copy thereof, it will be necessary before your case will be given any further consideration, that J. B. Ash and G. M. Ash appear before the Commissioner to the Five Civilized Tribes at Muskogee, Indian Territory, and give testimony relative to the contents of their affidavits, filed with this office on October 23, 1905.

It will be necessary, however, before such testimony can be heard that Mansfield, McMurray & Cornish, attorneys for the Choctaw and Chickasaw Nations, of South McAlester, Indian Territory, be notified of the date of such appearance.

-2-

Kindly give this matter your immediate attention.

Respectfully,

SIGNED *Wm. O. Beall.*

Acting Commissioner.

7-4410

COPY.

Muskogee, Indian Territory, April 13, 1906.

Apple & Franklin,
Attorneys at Law,
Muskogee, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of April 7, 1906, in which you state that you cannot secure the original or a certified copy of the certificate of marriage between Emma Sisney and Robert Smallwood deceased, for the reason that the County Judge who married them issued no certificates of marriage or if he did the same has been lost and that the said County Judge is dead; you state that there are already on file with this case the affidavits of two eye witnesses and the testimony of a third witness to the marriage and this is as good evidence as you can obtain; you therefore ask that the case be decided on the present record and your request has been made a matter of record in this case.

You are advised that this office is now in receipt of a letter from Emma Sisney under date of April 9, 1906, in which she desires this office to have no further communication with attorneys relative to her case and states that she will forward evi-

A. & F. #2

dence of her marriage to Robert Smallwood in the near future.

Respectfully,

SIGNED

Wm. O. Beall.

Acting Commissioner.

7-4410

COPY.

Luskogee, Indian Territory, April 13, 1906.

Emmer Sisney,

Moswell, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of April 9, 1906, in which you state that you will forward evidence of your marriage to Robert Smallwood within the near future, and request that no further correspondence be had with attorneys in connection with your case.

This request has been made a matter of record and such evidence as you can furnish relative to your marriage to Robert Smallwood should be forwarded at the earliest practicable date.

Respectfully,

SIGNED

Wm. O. Beall.

Acting Commissioner.

7-4410.

COPY.

JRP-1.

Muskogee, Indian Territory, April 20, 1906.

Emmer Sisney,

Boswell, Indian Territory.

Dear Madam:-

Receipt is hereby acknowledged of your letter of the 17th inst., enclosing the affidavit of Robert Smallwood. You ask therein whether or not it will be necessary for you to present any further evidence relative to your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

In reply thereto, you are informed that such persons who were present at the time of your marriage to Robert Smallwood should appear before the Commissioner to the Five Civilized Tribes at his office at Muskogee, Indian Territory, and give testimony relative to your marriage.

It will be necessary however before such testimony can be heard, that notice of such appearance be served upon Mansfield, McMurray & Cornish, attorneys for the Choctaw and Chickasaw Nations at South McAlester, Indian Territory, a copy of said notice with proof of service should be furnished this office on the appearance of said witnesses.

It will not be necessary for you to appear at this time.

Very respectfully,

SIGNED *Wm. O. Beall.*

Acting Commissioner.

7-4410

COPY.

Muskogee, Indian Territory, May 1, 1906.

Apple & Franklin,
Attorneys at Law,
Muskogee, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of April 27, 1906, inclosing affidavits of Emma Sisney and Mary Murphey and Ben Olson to the birth of Ad a sisney, child of Willie and Emma Sisney, June 30, 1899, and the same have been filed as an application for the enrollment of said child.

Respectfully,

SIGNED

Tame Bixby.

Commissioner.

7-4410.

Muskogee, Indian Territory, June 6, 1906.

Emmer Sisney,

Boswell, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of May 28, 1906, wherein you stated that J. E. Ash and G. M. Ash would appear before this office on Friday, June 1st, 1906, and give testimony relative to your marriage to Robert Smallwood, and that notice to that effect had been served upon Mansfield, McMurray & Cornish, attorneys for the Choctaw and Chickasaw Nations.

Relative thereto, you are advised that J. E. Ash and G. M. Ash appeared before this office on June 1, 1906, and gave testimony relative to your marriage to Robert Smallwood, and said testimony has been made a part of the record in your case.

Respectfully,

Commissioner.

7-4410

COPY.

Muskogee, Indian Territory, June 29, 1906.

Emmer Sisney,

Boswell, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of June 10, 1906, in which you ask if you have been enrolled.

In reply to your letter you are advised that your application for enrollment as an intermarried citizen of the Choctaw Nation is now receiving consideration and when a decision is reached you will be notified of the action taken therein.

Respectfully,

SIGNED

Tame Dixby.

Commissioner.

COPY.

Muskogee, Indian Territory, January 8, 1907.

S. T. Bledsoe,
Attorney at Law,
Ardmore, Indian Territory.

Dear Sir:

I am in receipt of your letter of December 28, 1906, relative to a controversy between Mrs. Emma Sisney and Apple & Franklin, of Ardmore, Indian Territory, in reference to services alleged to have been rendered by them in the matter of the presentation of Mrs. Sisney's application for enrollment as a citizen by intermarriage of the Choctaw Nation.

Concerning Mrs. Sisney's application for enrollment as a citizen by intermarriage of the Choctaw Nation, I have to advise that the first information that this office received that Mrs. Sisney was such an applicant, was a letter of August 1, 1905, from James R. Armstrong, of Boswell, Indian Territory, enclosing a petition of Emma Sisney praying that she be enrolled as a citizen by intermarriage of the Choctaw Nation and alleging that application was made for her enrollment at the time she submitted an application for the enrollment of her child, Ruthie Smallwood, as a citizen by blood of said nation.

(2)

Mr. Armstrong was advised by this office on August 5, 1905, of the provision of the Act of Congress of July 1, 1902 (32 Stats., 641), terminating the reception of applications for enrollment December 25, 1902, but that if it was alleged that Emma Sisney presented such an application to the Commission to the Five Civilized Tribes within the time prescribed by law, she would be heard upon her personal appearance at the office of the Commissioner, Muskogee, Indian Territory, when she would be allowed to introduce evidence thereof.

No further action seems to have been taken either by Mr. Armstrong or Mrs. Sisney in reference to this matter until October 16, 1905, when Emma Sisney personally appeared before the Commissioner at Muskogee, Indian Territory, in company with Wirt Franklin, for the purpose of submitting testimony in reference to her alleged application for enrollment as a citizen by intermarriage of the Choctaw Nation.

Mr. Franklin had for a number of years previous to that date been an employee of the Commission to the Five Civilized Tribes, having on the evening of October 14, 1905, tendered his resignation as such employee.

Upon his appearance with Mrs. Sisney on October 16, 1905, I advised Mr. Franklin that I could not and would not recognize him as an agent to represent Mrs. Sisney until after the acceptance of

(3)

his resignation and his admission to practice as such an agent in conformity with the regulations of the Department.

Mrs. Sisney then left this office in company with Mr. Franklin, but it appears that she remained in Muskogee until October 18, 1905, when she again appeared, in company with S. A. Apple, of Ardmore, Indian Territory, and testimony was taken in reference to her alleged application for enrollment as a citizen by intermarriage of the Choctaw Nation.

It has since developed in other proceedings before this office, that a partnership existed between Messrs. Apple & Franklin on October 16, 1905, and there are very strong indications that some arrangement in reference to the representation of applicants for enrollment in the Choctaw and Chickasaw Nations also existed between these gentlemen prior to the severance of Mr. Franklin's connection with this office.

October 24, 1905, Michael Kennedy testified in reference to Mrs. Sisney's appearance before the Commission to the Five Civilized Tribes at Atoka, Indian Territory, in the month of September, 1899.

There were also filed on October 24, 1905, the affidavits of J. E. Ash and G. M. Ash to their knowledge of the marriage of the applicant, Emmer Sisney, and Robert Smallwood.

The Commissioner on February 26, 1906, rendered a decision holding that the evidence submitted established that ~~Emmer~~ Sisney made application for 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), and directing that the case be adjudicated upon its merits.

Mrs. Sisney, at Boswell, Indian Territory, and Apple & Franklin, were notified on April 6, 1906, that before further action could be taken in the matter of Mrs. Sisney's application, it would be necessary that this office be furnished with either the original or a certified copy of the certificate of marriage between Robert Smallwood, through whom she claimed her rights as an inter-married citizen of the Choctaw Nation, and herself.

April 7, 1906, Messrs. Apple & Franklin addressed a communication to this office in which they stated that Mrs. Sisney had informed them that she was under the impression that County Judge Vinson, who married her to Smallwood, did not issue or give them a certificate of marriage and that if he did, she never saw the same.

Messrs. Apple & Franklin also stated that there was on file in the case an affidavit of two witnesses having knowledge of the marriage and the testimony of a third eye-witness; and that this was all the evidence, or at least as good evidence, as they were able to obtain of the marriage.

Their letter of April 7, 1906, concludes as follows:

"We, therefore, respectfully request that a decision be rendered in this case upon the record as now made up without waiting the receipt of any further evidence of marriage, inasmuch as any further evidence on this point, as above stated, is impossible to obtain."

In a letter dated April 9, 1906, from Mrs. Sisney, she advised this office that she would try to obtain the certificate showing her marriage to Robert Smallwood; that she had employed some lawyers to secure her enrollment and that they would do nothing but wanted to take her surplus allotment if her enrollment was approved. In this letter Mrs. Sisney stated as follows:

" . . . I don't want nothing more to do with them, you write to me and don't write to them no more."

April 13, 1906, this office advised Messrs. Apple & Franklin of the receipt of Mrs. Sisney's letter of April 9, 1906.

June 1, 1906, James E. Ash and Gertrude Ash, of Nelson, Indian Territory, testified before this office in reference to the marriage of Emmer Sisney and Robert Smallwood. At the hearing on June 1, 1906, there was no attorney appearing on behalf of Mrs. Sisney.

The Commissioner on July 14, 1906, rendered a decision granting the application for the enrollment of Emmer Sisney as a citizen by intermarriage of the Choctaw Nation, of which action the applicant, Messrs. Apple & Franklin and the attorneys for the Choctaw and Chickasaw Nations were duly advised.

(6)

The name of ~~Emmer~~ Sisney was subsequently included upon a schedule of citizens by intermarriage of the Choctaw Nation, opposite No. 1584, which was submitted to and approved by the Secretary of the Interior November 26, 1906.

In reference to Mrs. Sisney's contention that Apple & Franklin came through the country with a list of the claimants to citizenship by intermarriage, looking them up and making contracts with them, I have to advise that recent proceedings strongly indicate that Mr. Franklin, while in the employ of the Commissioner to the Five Civilized Tribes, was active in securing the employment of the firm of Apple & Franklin to represent undetermined applicants for enrollment in the Choctaw and Chickasaw Nations.

Concerning the employment of Messrs. Apple and Franklin by the Commission to the Five Civilized Tribes and its successor, I have to advise that Samuel A. Apple was in the employ of said Commission from February 5, 1902, to November 5, 1903, and that Wirt Franklin was so employed from February 18, 1902, to October 16, 1905.

Wirt Franklin is not now authorized to practice before this office, having been deprived of such privilege by the provisions of the Act of Congress approved June 21, 1906 (34 Stats., 325).

(7)

The Acting Commissioner of Indian Affairs on November 3, 1906, in reference to a report made by this office concerning Mr. Franklin's action in the case of Nanie Buckhanon, wherein a somewhat similar condition was presented as in the Emmer Sisney case, stated as follows:

"If the Commissioner believes that he has sufficient evidence to justify a presentation of the evidence to the United States Attorney, with a view to the prosecution of Mr. Franklin, I believe that the Department should authorize him to take that course. It is due that the government should be protected against the misconduct of such employees as this and I believe that the investigation of the case at the hands of a court of law would have a salutary effect on any persons who may contemplate doing likewise."

I have further to advise that proceedings have recently been instituted looking to the disbarment of S. A. Apple as an attorney entitled to practice before the Commissioner to the Five Civilized Tribes, upon a complaint filed by T. H. Wright, an attorney at law of Ardmore, Indian Territory, alleging subornation of perjury on the part of Mr. Apple and other misconduct in practicing before the Commissioner to the Five Civilized Tribes.

Respectfully,

SIGNED *Tame Dixby.*

Commissioner.

Choc 4411 Lucinda Hawkins

4411

IN RE

Application for Enrollment of
INFANT CHILD.

Laman Hawkins

As a citizen of the

Cherokee

Nation.

Approved

Oct 26 1899

Commissioner.

4411

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Loman Hawkins, born on the 3rd day of March, 1899
Name of father: Sam Hawkins, a citizen of the _____ Nation.
Name of mother: Lucinda Hawkins, a citizen of the Choctaw Nation.
Post Office: Lehigh I.T.

AFFIDAVIT OF MOTHER.

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

I, Lucinda Hawkins, on oath, state that I am 19 years of age and a
citizen, by blood, of the Choctaw Nation; that I am the
lawful wife of Sam Hawkins who is a citizen, by adoption, of the
Choctaw Nation; that a male child was born to me on the 3rd day
of March, 1899; that said child has been named Loman Hawkins
and is now living.

Subscribed and sworn to before me this 29th day of March, 1899
A. T. Worsell
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, Sophonie Daniels, a Midwife, on oath, state that I
attended on Mrs. Lucinda Hawkins, wife of Sam Hawkins
on the 12th 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 Loman Hawkins

Witness
T. J. Ball
Sophonie Daniels
Subscribed and sworn to before me this 21st day of Sept, 1899.
C. I. Ball
Notary Public.

IN RE

Application for Enrollment of

- INFANT CHILD

Stella Hawkins

as a citizen of

Choctaw

Nation.

APR 25 1902

190

Commissioner.

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

FILED

APR 25 1902

[Signature]

ACTING CHAIRMAN.

4411

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

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Stella Hawkins, born on the 25th day of December, 1900
Name of Father: S. W. Hawkins, a citizen of the Choctaw Nation.
Name of Mother: Lucinda Hawkins, a citizen of the Choctaw Nation.
Post-office, Coalgate, D.C.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Lucinda Hawkins, 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 Sam H. Hawkins, who is a citizen, by
marriage, of the Choctaw Nation, that a girl child was
born to me on the 25th day of December, 1900; that said child has been
named Stella Hawkins, and is now living.

WITNESSES TO MARK

(Must be Two Witnesses)

Lucinda Hawkins

Subscribed and sworn to before me this 1st day of July, 1901.
W. Wood,
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Melinda Dorsey, a Midwife, on oath state that I
attended on Mrs. Lucinda Hawkins, wife of S. W. Hawkins
on the 25th day of Dec, 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
named Stella Hawkins.

WITNESSES TO MARK:

(Must be Two Witnesses)

Melinda Dorsey
mark

Subscribed and sworn to before me this 21st day of April, 1902.
D. S. Kennedy
NOTARY PUBLIC

MEMORANDA.

(Date) 1/1/1899.

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,

19

✓ Wife's name, Linda Hawkins

Choctaw? yes County Year 96 No. 2258

Chickasaw? County Year Page 238

Citizen by blood? yes Mother's citizenship Choctaw

Intermarried citizen?

Married under what law?

License filed this day

5

Names of children:

Louise County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

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 a large scribble at the bottom of the page.

7-4411

Muskogee, Indian Territory, April 25, 1902.

S. W. Hawkins,
Coalgate, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Chectaw Nation of Stella Hawkins, infant daughter of S. W. and Lucinda Hawkins, born December 25, 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 of the Chectaw Nation.

Yours truly,

Commissioner in Charge.

Choc 44/2 James W. Vail
Frances Vail

44/2

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--

JAMES W. VAIL, 7-4412.

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, November 17th, 1902.

Choctaw 4412.
Intermarried.

In the matter of the application of James W. Vail for enrollment as an intermarried citizen of the Choctaw Nation.

James W. Vail, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission:

- Q What is your name? A James W. Vail.
Q What is your age? A Sixty five.
Q What is your post office address? A Atoka, Indian Territory.
Q How long have you been a resident of the Choctaw Nation? A Thirty two or thirty three 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 Indian wife? A Frances Folsom.
Q Is she a recognized and enrolled citizen of the Choctaw Nation? A Yes sir.
Q Have her rights ever been disputed? A No sir.
Q When were you married to Frances Folsom? A 22nd of August, 1871.
Q Where did this marriage take place? A Gaines County, Choctaw Nation.
Q Were both you and your wife Frances Folsom bona fide residents of the Choctaw Nation at the time of this marriage? A Yes sir.
Q Were you married in accordance with the tribal laws? A Yes sir.
Q Who performed the marriage ceremony? A Judge Pitchlynn.
Q Of what county was he judge? A Gaines county.
Q Did you procure a marriage license? A Yes sir.
Q From whom? A Judge Pitchlynn.
Q Was it a license or a certificate? A He issued a license and performed the ceremony.
Q Is your wife still living? A Yes sir.
Q Have you and she 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 the identical James W. Vail who in 1896 made application to this Commission for admission to citizenship in the Choctaw Nation? A Yes sir.
Q Did you apply as an intermarried citizen? A I did.
Q What was done with your application? A It was granted.
Q Was your case ever taken to the United States Court? A No sir.

-----000-----

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 1st day of January, 1903.

Charles B. Sawyer

Notary Public.

6810
JRB
7 - 4412.

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

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

DECISION.


It appears from the record in this case that James W. Vail 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 Vail (nee Folsom), a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as No. 12294 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 March 6, 1903.

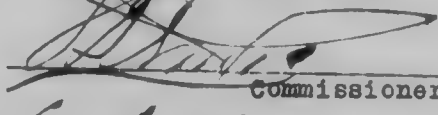
It further appears from the records of the Commission that on September 5, 1896, in the case entitled "J. W. Vail vs. Choctaw Nation," (1896 Choctaw Citizenship Docket, case No. 252), the applicant herein made original application to this Commission under the provisions of the act of Congress approved 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 Vail (nee Folsom), and on December 2, 1896, the said James W. Vail 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.

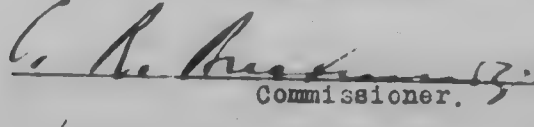
It further appears from the evidence in this case that the applicant herein was a resident in good faith of Indian Territory on June 28, 1898, and that his status as an intermarried citizen has remained unchanged from the date of his said admission in 1896 up to and including September 25, 1902.

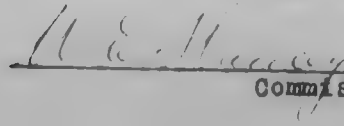
It is, therefore, the opinion of this Commission that James W. Vail should be enrolled as a citizen by intermarriage of the Choctaw Nation, under the provisions of the acts of Congress approved June 28, 1898, (30 Stat., 495) and July 1, 1902, (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Chairman.


Commissioner.


Commissioner.


Commissioner.

Muskogee, Indian Territory.

JUL 22 1903

Choctaw-4412

COPY.

Muskogee, Indian Territory, July 23, 1903.

James W. Vail,

Atoka, Indian Territory.

Dear Sir:

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,

T. B. Woodson
Commissioner in Charge.

Registered.

Enc. HG. 39/23

Choctaw-4412

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 James W. Vail, 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. D. Needles
Commissioner in Charge.

Registered.

Enc.HG.40/23

M a r r i a g e L i c e n s e

No. 968

United States of America) To any person authorized by law
Indian Territory) ss: to solemnize Marriage, Greeting:
Southern District)

You are hereby commanded To solemnize the Rite and publish the Banns of Matrimony between Mr. William Vail of Hickory in the Indian Territory, aged 26 years and M. Becky Phipps of Hickory in the Indian Territory, aged 18 years, according to law; and do you officially sign and return this License to the parties therein named.

S E A L Witness My hand and official Seal this 29 day of July

A.D. 1901

C.M. Campbell
Clerk of the United States Court.

Certificate of Marriage.

United States of America,))
Indian Territory) ss I J. T. Whittington a minister do hereby
Southern District) certify that on the 30 day of July A.D. 1901 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 3 day of Sept. A.D. 1901.

My credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Southern District at Ardmore, Book A. Page 196.

J.T. Whittington,

(NOTE- The person officiating should fill in the spaces for book and page and sign here)

NOTE (a) This License and Certificate of Marriage must be returned to the office of the Clerk of the United States Court in the Indian Territory, at Ardmore 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).

NOTE (b) No person is authorized to perform the Marriage Ceremony in the Southern District unless the proper credentials have first been recorded in the Clerk's office.

INDORSED ON BACK.

Certificate of Record of Marriage.

United States of America)
Indian Territory,) sct.
Southern District)

I, C.M. Campbell, Clerk of the United States Court in the Territory and District aforesaid, DO HEREBY CERTIFY that the License for and Certificate of Marriage of Mr. William Vail and M. Becky Phipps were filed in my office in said Territory and District the 3 day of Sept. A.D. 1901 and duly recorded in Book E. of Marriage Record, Page 512.

Witness my hand and Seal of said Court at Ardmore, this 3 day of Sept. A.D. 1901.

C.M. Campbell.
Clerk.

Return this License to the United States Clerk at Ardmore that it may be recorded, when it will be mailed to the proper address.

FILED
Sep. 3, 1901 2 P.

C.M. Campbell, Clerk.

I, Ina Blanche Spencer, stenographer to the Commission to the Five Civilized Tribes, being duly sworn, do hereby certify that the foregoing is a true and correct copy of the Marriage License of William Vail and Becky Phipps, now on file with the Commission.

Ina Blanche Spencer

Subscribed and sworn to before me this 13th day of May, 1903.

Charles H. Sawyer

Notary Public.

IN RE

Application for Enrollment of

INFANT CHILD

Vergie Vail

as a citizen of the

Chocktaw. Nation.

Approved *Oct. 29, 1902.*

Commissioner.

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

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,
of Vergie (Vail) (name of child), born on the 16th day of August, 1902.
Name of Father: William Vail, a citizen of the Choctaw Nation.
Name of Mother: Rebecca Vail, a citizen of the U.S. Nation.
Post-Office: Hickory, I.T.

AFFIDAVIT OF MOTHER.

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

I, Rebecca Vail, on oath state that I am 19
years of age and a citizen, by _____, of the United States Nation;
that I am the lawful wife of William Vail, who is a citizen, by
Blood, of the Choctaw Nation, that a female child was
born to me on the 16th day of August, 1902; that said child has been
named Vergie, and is now living.

WITNESSES TO MARK
~~xxx~~

(Must be Two Witnesses.) }
Bruce Bradley
Bessie Smith

Rebecca Vail

Subscribed and sworn to before me this 7th day of October, 1902.

SEAL

E.O. Olds
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, J. F. Newcomb, M.D., a physician, on oath state that I
attended on Mrs. Rebecca Vail, wife of William Vail,
on the 16th 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 Vergie.

WITNESSES TO MARK

(Must be Two Witnesses.) }

J. F. Newcomb M.D.

Subscribed and sworn to before me this 7th day of October, 1902.

SEAL

E.O. Olds
Notary Public.

Department of the Interior
Commission to the Five Civilized Tribes
Tishomingo, Indian Territory, April 22, 1903.

In the matter of the enrollment of Vergie Vail as a citizen
by blood of the Chickasaw Nation.

William Vail, being first duly sworn, testified as follows:

Examination by the Commission:

- Q What is your name? A William Vail.
Q What is your age? A Twenty seven.
Q What is your post office address? A Hickory.
Q What nation is that in? A Chickasaw Nation.
Q Are you a citizen by blood of the Chickasaw Nation? A Yes,
sir.
Q What is the name of your father? A I don't know; he died
when I was an infant; I never seen him.
Q Was he an Indian? A No, sir.
Q What is the name of your mother? A Jincy Colbert.
Q Was your mother a citizen by blood of the Chickasaw Nation?
A Yes, sir.
Q Are you married? A Yes, sir.
Q What is the name of your wife? A Rebecca.
Q What was her maiden name? A Phipps.
Q Is she a white woman? A Yes, sir.
Q Have you any children? A One.
Q What is that child's name? A Vergie.
Q Have you made application for the enrollment of this child?
A Yes, sir.
Q When was the child born? A The 16th of August.
Q What year? A Nineteen and two.
Q When did you apply for the child's enrollment? A I've forgot-
ten what the date was; it was a good bit though afterwards;
I've forgotten what date it was.

I, William Vail certify that the above is a true and correct
transcript of my testimony given before the Commission on the
22nd day of April, 1903.

William Vail

Subscribed and sworn to before me this 22nd day of April
1903.

W. E. Starnes
Commissioner.

DEPAR

REGISTRY RECEIPT

JW

Post Office at

Registered Letter Parcel

No. 156

Rec'd 8/30

1891

of *Ralls Brothers*

Atoka 29.

addressed to *Hon Green McCurtain*

Municipal Chief, Lawe Bois 31.

JM Berry

P. M.

FC

SIR:

In compliance with the provisions of Act of Congress,

Approved June 16, 1866, the Commission to the Five Civilized Tribes has considered this application, with profit, and the same has been

by the Commission,

Respectfully,

H. M. TACOWAY, JR.,

Secretary.

Receipts and certificate of properly addressed to Mr. Patton, at Lawe Bois, said address, delivered therefor the receipt.

Interest in the proceeds is not related to any of

[Signature]

1st Dec 1891

Ralls
Atoka, Okla.

DEPARTMENT OF THE INTERIOR,

Commission to the Five Civilized Tribes.

Five Rule

VS.

NO.

C. W.

Nation.

FORT SMITH, ARK., *1866*

1866.

SIR:

In compliance with the provisions of Act of Congress,

Approved June 10, 1866, the Commission to the Five Civilized Tribes

has considered this application, with profit, and the same has been

by the Commission.

Respectfully

H. M. JACOWAY, JR.,

Secretary.

the undersigned authority

who having been

on his oath, that he was

a petition of

of *Dr. J. P. Fuller*

leave and certificate of

properly addressed to

at Nation, at Sads Bois,

said address, delivered

therefore the receipt,

interest, in the process-

is not related to any of

[Signature]
J. P. Fuller
Aug. 1866.

[Signature]
Notary Public.

UNITED STATES OF AMERICA,

CENTRAL JUDICIAL DISTRICT,

IND. TER.

On this person I appeared before me the undersigned authority

W. E. Boyman

by me first duly sworn according to law, states on his oath that he was present and saw E. T. Ball enclose a copy of the petition of

Oliver Vail by his father J. Vail and the affidavits of St. J. R. Feltner and the marriage license and the marriage certificate and certificate of enrollment in an envelope, which he sealed and properly addressed to Hon. Green McCurtain, Principal Chief of the Choctaw Nation, at Sallisaw, Ind. Ter., and that he registered said letter to said address, delivered the same to the Post Master ^{Muscogee} ~~at~~ and received therefor the receipt, which is hereto attached.

Affiant further states that he has no interest in the prosecution of this case, and is over the age of 21 years and is a resident of ^{Muscogee} ~~at~~ the parties, and he is a resident of ~~at~~ Ind. Ter.

W. E. Boyman

Subscribed and sworn to before me this the 10 day of Aug. 1897.

E. T. Ball
Notary Public.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Olive ... J. W. Vail

Application for ...

Ghost ...

Main body of typed text, including names and dates.

Text block containing certificates and official statements.

Witnessed by J. W. Vail father of ...

Text block at the bottom of the page, possibly a signature or date.

J. W. Vail

J. W. Vail
Notary Public.

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

I, *J. S. Fulton* do hereby certify that I am a resident of the town of Atoka, Choctaw Nation, Ind. Ter. and am a regular practicing physician and have been for the last 7 years, and that on the day of July 1897 I was called to the residence of J. W. Vail to attend his wife, Frances Vail, in a case of confinement, and that the applicant, Olive Vail was born to said Frances Vail and husband, J. W. Vail. I further certify that said J. W. Vail and wife live about one mile from the town of Atoka in the Choctaw Nation, and are the same persons as mentioned in the petition of the child Olive Vail, which petition I have read and to which this certificate is attached. I further certify that I am not related to the plaintiff and have no interest in the prosecution of her claim

J. S. Fulton M.D.

Subscribed and sworn to before me this the 14 day of August 1897

Joseph Ralls
Notary Public.

United States of America, :
Indian Territory, Central : SS.
Judicial District. :
#####

On this day personally appeared before me the undersigned authority,
Who having been by me first duly sworn states
on his oath that he is over the age of twenty one years and is not related to the plaintiff and has no interest in the prosecution of this claim and that his Post Office is Atoka, I.T.

Affiant further states that he was present and saw copies of the plaintiff's petition and ~~en~~ and of Dr. J.S. Fulton's affidavit enclosed in an envelop and sealed and addressed to Hon. Green McCurtain, Principal Chief of the Choctaw Nation, Sans Bois, I.T. and that said envelop after being so addressed was stamped and then registered at the Post office at Atoka and the receipt hereto attached is the receipt that was given by the Post Master for said registered letter.

Subscribed and sworn to before me this the _____ day of August 1897.

Notary Public.

93

IN RE

Application for Enrollment of
INFANT CHILD.

Oliver Vail

As a citizen of the

Whitman

Nation.

Approved *Oct 26* 1899

Commissioner.

2-11-99

2-11-99

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
 of W. E. Vail, born on the 10 day of July, 1900.
 Name of father: J. W. Vail, a citizen of the Choctaw Nation.
 Name of mother: Frances Vail, a citizen of the Choctaw Nation.
 Post Office: Stona - Ind. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
 District.

I, Frances Vail, on oath, state that I am 30 years of age and a
 citizen, by birth, of the Choctaw Nation; that I am the
 lawful wife of J. W. Vail who is a citizen, by birth, of the
Choctaw Nation; that a girl child was born to me on the 10 day
 of July, 1900; that said child has been named Oliver Vail,
 and is now living.

Subscribed and sworn to before me this 2nd day of Sept, 1900.
W. E. Vail
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
 District.

I, J. S. Fulton, Physician, on oath, state that I
 attended on Mrs. Frances Vail wife of J. W. Vail
 on the 10 day of July, 1900; 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 Oliver Vail.

Subscribed and sworn to before me this 2nd day of Sept, 1900.
J. S. Fulton
 Notary Public.

MEMORANDA.

(Date) 1899.

62 ✓

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,

11 ✓

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:

No.	Name	County	Year	Page	No.
23	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
21	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
16	<u>Charles E. </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
13	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
11	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
9	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
7	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
4	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
2	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

1/4/2

* Adopted by of 1891

Muskogee, Indian Territory, October 14, 1902.

E.O. Olds,

Hickory, 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 Vergie Vail, infant daughter of William and Rebecca Vail, born August 16, 1902; and the same is returned to you herewith, for the reason that it appears from the affidavit of the mother that she is a non-citizen and before the application for the enrollment of her child as a citizen of the Choctaw Nation can receive further attention, it will be necessary that the Commission be furnished with either the original marriage license and certificate, or certified copy thereof, or other legal evidence of the marriage between herself and William Vail.

Upon return of the application accompanied by evidence of marriage requested herein, the matter will receive further consideration.

7-4413.

Muskogee, Indian Territory, October 29, 1902.

William Vail.

Muskogee, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Vergie Vail, infant daughter of William and Rebecca Vail, born August 16, 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 marriage license and certificate between William Vail and Becky Phipps; and the same have been filed with the record in the matter of the application for the enrollment of the above named child.

Respectfully,

Acting Chairman.

7-4412

Muskogee, Indian Territory, May 20, 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, in pencil, upon original Choctaw enrollment card No. 4412:

"No. 12 to be cancelled upon approval by
Department of Recommendation in letter of
May 13, 1903."

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

Respectfully,

Chairman.

7-4412

Muskogee, Indian Territory, May 20, 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, in pencil, upon original Choctaw enrollment card No. 4412.

"No. 12 to be cancelled upon approval by
Department of Recommendation in letter of
May 13, 1903."

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

Respectfully,

Chairman.

COPY.

J O P

DEPARTMENT OF THE INTERIOR

FRE

Washington

I.T.D. 4964
L R S

June 11, 1903

Commission to the Five civilized Tribes,
Muskogee, Indian Territory.

Gentlemen:

May 18, 1903, you recommended that the enrollment of Virgie Vail, at No. 12304, on partial schedule No. 13 of citizens by blood of the Choctaw Nation, approved by the Department March 6, 1903, be cancelled.

You state that this child was enrolled as the daughter of William E. Vail, whose name appears on said schedule at No. 12296, upon filing with you by William Vail of evidence of his marriage to Becky (or Rebecca) Phipps, and affidavits of the birth of said child on August 16, 1902; that, at the Chickasaw Land Office of the Commission on April 22, 1903, William Vail, whose name appears upon schedule No. 2 of partial roll of citizens by blood of the Chickasaw Nation, No. 1870, approved December 12, 1902, made personal application for the allotment of land to himself and his minor child, Virgie Vail; that from his testimony then taken it is evident that Virgie Vail, whose name appears at No. 12304 on said Choctaw schedule, is his child by Rebecca Vail.

Copies of affidavit of the mother, Rebecca Vail,

and the attending physician at the birth of virgie Vail, and the testimony of William vail, are furnished.

You report that the name of this child will be included in one of the schedules constituting partial roll of the citizens by blood of the Chickasaw Nation, soon to be transmitted to the Department.

June 8, 1903, reporting in the matter, the Acting Commissioner of Indian Affairs concurs in your recommendation. The department also concurring, the cancellation has been made upon the copy of the partial roll No. 13 on file with the Department, and the Commissioner of Indian Affairs has been authorized to make the cancellation of the copy of such roll in his possession. You will make the cancellation on the parts of the Partial roll in your office, referring to this letter as your authority. A copy of the Acting Commissioner's letter is inclosed.

Respectfully,

(signed)

Thos. Ryan.
Acting Secretary.

1 inclosure.

COPY.

Lead.
33446-1903

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs,

Washington, June 6, 1903.

The Honorable,

the Secretary of the Interior.

Sir:

I have the honor to forward letter of the Commission to the five Civilized Tribes, dated the 18th ultimo, relative to the case of Vergie Vail, whose name appears on Schedule No. 13, partial roll of citizens by blood of the Choctaw Nation No. 12304.

On February 15, 1903, the Commission transmitted for Departmental action schedule No. 13 of citizens by blood of the Choctaw Nation, numbers 12003 to 12904, inclusive, copies of which were returned to the Commission approved by the Department March 6, 1903 (ITD 2326-1903). The Commission now says that No. 12304, upon said schedule, Vergie Vail, is an erroneous entry and should be cancelled. The name of Vergie Vail appears in the Commission's letter of February 15, 1903, as the daughter of William E. Vail, who appears upon the schedules transmitted as No. 12296. This child was enrolled by the Commission as the daughter of William E.

Vail, who appears upon the schedules as above stated, upon a filing with the Commission by William Vail of evidence of his marriage to Becky Phipps, and properly executed affidavits of the mother and the attending physician, to the birth of said child on August 16, 1902.

At the Chickasaw land office of the Commission at Tishomingo, on April 22, 1903, William Vail, whose name appears on schedule #2 of the partial roll of citizens by blood of the Choctaw Nation, #1870, transmitted with the Commission's letter of October 6, 1902, and approved by the Department December 12, 1902, (ITD 7568-1902), made personal application for an allotment of land to himself and his minor child, Vergie Vail.

From the testimony of William Vail, whose name appears as #1870 upon the schedule above referred to, of citizens by blood of the Chickasaw Nation, it is evident that the Vergie Vail whose name appears as No. 12304 upon schedule No.13 of citizens by blood of the Choctaw Nation, is his child by Rebecca Vail, a non-citizen white woman.

For the information of the Department in the consideration of this matter, the Commission encloses a certified copy of the marriage license and certificate of William Vail and Becky Phipps, also copies of the affidavits of the mother and attending physician at the birth of Vergie Vail, and the tes-

timony of William Vail before the Commission at the Chickasaw land office, at Tishomingo, April 22.

In view of the erroneous enrollment of Vergie Vail as #12304 on schedule #13 of the citizens by blood of the Choctaw Nation, the Commission recommends that the enrollment of this child as a citizen by blood of the Choctaw Nation be cancelled. It also states that the name of this child will be included in one of the schedules constituting the partial roll of the citizens by blood of the Chickasaw Nation soon to be transmitted for Departmental approval.

In view of the facts as above set forth by the Commission it is evident that its recommendation in this matter should be approved, and I so recommend.

Very respectfully,

(signed)

A. C. Tomner,
Acting Commissioner.

EBH-0

Commissioner in Charge.

7-4412

Muskogee, Indian Territory, July 18, 1903.

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

Dear Sir:

You are hereby advised that under instructions from the Honorable Secretary of the Interior dated June 11, 1903, the name of Vergie Vail, which appears upon original Choctaw enrollment card, Field No. 4412, Choctaw roll No. 12304, has this day been canceled, such enrollment having been found erroneous.

You are therefore, requested to cancel the name and enrollment of Vergie Vail as it appears upon Choctaw duplicate card No. 4412 in your possession and make the following notation thereon:

"No. 12 canceled upon approval of Sec. of the Interior. Letter of June 12, 1903, 7-18-03."

Respectfully,

Commissioner in Charge.

7-4412

Muskogee, Indian Territory, July 18, 1903.

Commissioner in Charge,
Chickasaw Land Office,
Tishomingo, Indian Territory.

Dear Sir:

You are hereby advised that under instructions from the Honorable Secretary of the Interior dated June 11, 1903, the name of Vergie Vail, which appears upon original Choctaw enrollment card, Field No. 4412, Choctaw roll No. 12304, has this day been canceled, such enrollment having been found erroneous.

You are therefore, requested to cancel the name and enrollment of Vergie Vail as it appears upon Choctaw duplicate card No. 4412 in your possession and make the following notation thereon:

"No. 12 canceled upon approval of Sec. of the Interior. Letter of June 12, 1903, 7-18-03."

Respectfully,

Commissioner in Charge.

Choc 4413 Jincy Harris
Elisha Harris

4413

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, *J. E. ...*

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 X County Year Page No.

3 County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

41413

908

My Commission

IN RE

Application for Enrollment of
INFANT CHILD.

Evelena Harris

As a citizen of the

Whelan

Nation.

Approved *Oct 26* 1899

Commissioner.

7. 113

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Evelance Harris, born on the 20th day of April A.D., 1898.
Name of father: Nelson Harris Adopted, a citizen of the Choctaw Nation.
Name of mother: Jincy Harris, a citizen of the Choctaw Nation.
Post Office: Mayhaw Ind. Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Jincy Harris, 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 Nelson Harris who is a citizen, by Adoption, of the Choctaw Nation; that a Girl child was born to me on the 20th day of April A.D., 1898; that said child has been named Evelance Harris and is now living.

Subscribed and sworn to before me this 11th day of September 1899.

Jincy Harris
Thos. M. Maxwell
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Elizabeth Ruffin, a Midwife, on oath, state that I attended on Mrs. Harris, wife of Nelson Harris on the 20th 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 Evelance Harris.

Subscribed and sworn to before me this 7th day of September 1899.

Elizabeth Ruffin
Thos. M. Maxwell
Notary Public.

Choc 4414 Mattie Beck

Testimony in R387

4414

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,

30 ✓ Wife's name, *Marie Beck*

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.
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

choc 4415 mary mcBride

no2 Dismissed may 27, 1904

4415

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

-----o-----

Record in the matter of the application for enrollment
as citizens by blood of the Choctaw nation of:

Oscar A. McBride, et al.,

7-4415.
7-R-749.

-----o-----

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

In the enrollment of Mary McBride as a Choctaw; being sworn and examined by Com'r McKennon she testifies as follows:

- Q What is your name? A Mary McBride.
- Q How old are you? A Twentysseven.
- Q Where have you been living? A At Hartshorne about five months.
- Q How long have you been living in the Choctaw and Chickasaw Nation? A About eleven years.
- Q All the while? A Yes sir.
- Q You say you have some children, what are their names?
- A Oscar A., five years old; and Emma A. 2 years old.
- Q What is the date of her birth? A I cannot remember, she was born in December.
- Q Was she two years old last December? A Yes sir.

Com'r McKennon: The children are not included in the judgment and we have no authority to enroll them; you will be enrolled.

Department of the Interior

Commission to the Five Civilized Tribes

I hereby certify on my official capacity as stenographer to ab. named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

M. D. Green

Enc. R13 E 35

IN RE

Application for Enrollment of

INFANT CHILD

Emma A. M^{rs} Bride

as a citizen of the

Choctaw Nation.

Approved JUL 22 1902 1902

[Handwritten Signature]
Commissioner

DEPARTMENT OF
COMMISSION TO THE CHIEF
FIELD
JUL 23 1902

4415

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

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,
of Emma Anninda McBride, born on the 24 day of December, 1896
(Here insert name of child)
Name of Father: John McBride, a citizen of the _____ Nation.
Name of Mother: Mary McBride, a citizen of the Choctaw Nation.
Post-Office: Shingtown Ind. Terr

I, J. M. McBride of my own knowledge know that there was born to Mary McBride wife of John McBride a female child on Dec, 24, 1896 said child was named Emma Anninda McBride and is now living.

J. M. McBride

Subscribed and sworn to before me this 12th day July 1902.

R. S. Stewart
Notary Public

I, George W. Stewart
attended on Mrs. Mary McBride, wife of John McBride,
on the 24 day of December 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 Emma A. McBride

WITNESSED TO MARK

(Must be Two Witnesses)

R. S. Stewart

Subscribed and sworn to before me this 12 day of May 1902

G. J. Rull
Notary Public

U. S. Commissioner
Recorded

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 _____ 190____; 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, }

Cereceda District. }

I, George F. Stewart, a Physician, on oath state that I
attended on Mrs. Mary M. McBride, wife of John McBride,
on the 24 day of December 1896, 190____; 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 Eunice A. McBride.

WITNESSES TO MARK:

(Must be Two
Witnesses.)

Subscribed and sworn to before me this 12 day of May 1909

G. J. Ralls
Notary Public.

U. S. Commissioner - by office
Cereceda Dist. I. T.

360

7-4415.
7-R-749.

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


-----o-----

In the matter of the application for the enrollment of Oscar A. McBride and Emma A. McBride as citizens by blood of the Choctaw Nation.

-----o-----

The applicants, Oscar A. McBride and Emma A. McBride, claim their right to enrollment as citizens by blood of the Choctaw Nation through their mother Mary McBride. The right of the applicants' mother, Mary McBride, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, April 30, 1904, in case No. 112, upon the South McAlester docket of said court, it is hereby ordered that the application of Oscar A. McBride and Emma A. McBride for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



Chairman.

Muskogee, Indian Territory,

Choctaw 4415
Choctaw R-749

COPY!

Muskogee, Indian Territory, June 4, 1904.

John McBride,
Stringtown, Indian Territory.

Dear Sir:

Inclosed you will find a copy of the order of the
Commission to the Five Civilized Tribes, dated May 27, 1904,
dismissing the application for enrollment as citizens by blood
of the Choctaw Nation of Oscar A. McBride and ~~Emma~~ A. McBride.

Respectfully,

(SIGNED)

James Dixby.

Chairman.

Registered.

Incl. 7-4415
7-R-749.

Chocotaw 4415
COPY. Chocotaw R-749

Muskogee, Indian Territory, June 4, 1904.

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

Gentlemen:

Inclosed herewith you will find a copy of the order
of the Commission to the Five Civilized Tribes, dated May 27,
1904, dismissing the application for enrollment as citizens
by blood of the Chocotaw Nation of Oscar A. McBride and ~~Emma~~
A. McBride.

Respectfully,

(SIGNED)

James Bixby.
Chairman.

Registered.

Incl 7-4415

7-R-749

See Chocotaw 4650 for registry receipt for this letter.

Muskogee, Indian Territory, May 27, 1902.

John McBride,
Stringtown, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Emma Arminda McBride, infant daughter of John and Mary McBride, born December 4, 1894, and the same is returned to you herewith.

You are informed that the mother of the child being dead it will be necessary that you furnish the Commission with the affidavits of two disinterested parties who know the fact of the child's birth and that it is still living.

Upon return of the application for the enrollment of your child, accompanied by the affidavits as stated herein, the matter will receive further consideration.

For the purpose of making the death of Mary McBride a matter of record there is also enclosed a blank for proof of death, which you are requested to have properly executed and return the same at your earliest convenience 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

J. McE. -----2.

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, such signatures must 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.

Yours truly,

Commissioner in Charge.

Enc.
RBE 35.

Env.
D.C.

7 - 4413

7 R 749

Muskogee, Indian Territory, July 24, 1902.

John McBride,

Stringtown, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the affidavits of W. C. McBride, P. W. Pendergrass and George F. Ste arnd relative to the birth of Emma Arminda McBride, daughter of John and Mary McBride on December 24, 1898, and the same being in proper form have been accepted and filed and the child duly listed for enrollment as a citizen of the Choctaw Nation.

Receipt is also acknowledged of the affidavits of S. M. Henderson and M. C. McBride, relative to the death of Mary McBride which occurred March 4, 1900, and the same being in proper form have been duly filed with the records of the Commission.

Yours truly,

Commissioner in charge.

7-4418
7-R-749

Muskogee, Indian Territory, September 24, 1903.

John McBride,

Wynnewood, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 5th instant, requesting information relative to the enrollment of Oscar and Emma McBride as citizens of the Choctaw Nation.

You are advised it appears from our records that the mother of the above named children is Mary McBride, who was admitted to citizenship in the Choctaw Nation by a judgment of the United States Court at South McAlester, January 18, 1898.

It further appears from our records that the original application for enrollment of Mary McBride as a citizen of the Choctaw Nation was filed with the Commission, September 7, 1896, but the name of her child, Oscar A. McBride, was not included in such application, although it appears at that time said child was about two years old.

It further appears from our records that Emma A. McBride was born December 24, 1896, subsequent to the time application was made for the enrollment of her mother, Mary McBride,

J. McB:--2.

and on July 23, 1902, Emma A. McBride was listed for enrollment as a citizen by blood of the Choctaw Nation.

It is shown by our records that Mary McBride died March 4, 1900, and the right of Emma A. McBride to final enrollment as a citizen by blood of the Choctaw Nation is now being contested by legal proceedings in the Choctaw and Chickasaw Citizenship Court, instituted under the provisions of the Act of Congress approved July 1, 1902.

The name of Oscar A. McBride, not having been included in the original application for the enrollment of his mother, Mary McBride, and his name not appearing upon any of the tribal rolls of the Choctaw Nation in possession of the Commission, it would not appear, therefore, that he has any right to enrollment whatever as a citizen by blood of the Choctaw Nation.

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.

4415

IN RE
THE DEATH OF

Mary McBride
a citizen of the

Proctay Nation.

Approved

[Signature]
Commissioner.

DEPARTMENT OF JUSTICE
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

JUL 23 1902

[Signature]
ACTING CHAIRMAN.

4415

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of *Mary McBride* (Here insert name of deceased.)
a citizen of the *Choctaw* Nation, who formerly resided at or near
Newberg (Here insert name of post office.) , Ind. Ter., and died on the *4th* day of *March*,
1900

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,)
Central Indian (INDIAN TERRITORY) District.)

I, *S. M. Henderson* 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 *Stringtown* (Here insert name of post office.) , Ind. Ter.; that I am
a brother (State relationship, as: the father, an uncle, a cousin, etc.) of *Mary McBride* (Here insert name of deceased.)
who was a citizen, by *blood*, of the *Choctaw* Nation;
and that said *Mary McBride* died on the *4th* day of
March, *1900* (Here insert name of deceased.)

WITNESSES TO MARK: *S. M. Henderson*

(Must be Two Witnesses.)

Subscribed and sworn to before me this *12th* day of *July*, *1902*
D. S. Kennedy
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,)
Central Indian (INDIAN TERRITORY) District.)

I, *M. C. McBride* , on oath state that I am *35*
years of age, and a citizen, by *U. S.* Nation;
that my post office address is *Stringtown* (Here insert name of post office.) , Ind. Ter.;;
that I was personally acquainted with *Mary McBride* (Here insert name of deceased.)
who was a citizen, by *blood*, of the *Choctaw* Nation;
and that said *Mary McBride* died on the *4th* day of
March, *1900* (Here insert name of deceased.)

WITNESSES TO MARK: *M. C. McBride*

(Must be Two Witnesses.)

Subscribed and sworn to before me this *12th* day of *July*, *1902*
D. S. Kennedy
Notary Public.

Choc 4416 Nancy E. Fields

4416

MEMORANDA.

(Date) 2/1/92 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, 230

Choctaw ? County Year No.

Chickasaw ? County Year Page

Citizen by blood ? Mother's citizenship 21

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 <u>1</u>	No.
.....	County	Year	Page	No.
.....	County	Year	Page	No.
.....	County	Year	Page	No.

4416

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

In the enrollment of Nancy E. Fields as a Choctaw; William A. Fields being sworn and examined by Com'r McKennon he testifies:

- Q What is your name? A William A. Fields.
- Q How old are you? A Twenty.
- Q Did you marry your wife according to Choctaw law? A No sir.
- Q Are you the husband of Nancy E. Fields, the party who is admitted here by the United States court at South McAlester January 18th 1898, case #44, as Bettie Henderson? A Yes sir.
-
- Q Her name is Nancy Elizabeth? A Yes sir.
- Q Where has she been living? A Up here on Jack's Fork.
- Q She is the daughter of this old lady in the same judgment?
A Yes sir.
- Q And has been living with her all the while? A Yes sir.

Department of the Interior,

Commissioner of the Bureau of Indian Affairs,
Washington, D. C.

I hereby certify that the foregoing is a true and correct translation of my stenographic notes.

M. J. Green

Choc 4417 Alfred Billy

4417

MEMORANDA.

(Date) 1899.

33

Name

Choctaw ? County Year 1890 No. 1512

Chickasaw ? County Year Page 31

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.

44/11/1

COPY.

Land-Population

2589901910

56280-1911

J E D

Enrollment case of
Alfred Billy.

Jul. 20, 1911.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith ~~the~~ reports of March 26, 1910 and June 22, 1911, from the Acting Commissioner to the Five Civilized Tribes, relative to the date of death of Alfred Billy, whose name appears opposite No. 12308 on the final approved roll of citizens by blood of the Choctaw Nation

The Office is of the opinion that it is shown by the Enclosed papers that Alfred Billy died prior to September 25, 1902, and that consequently, under the provisions of Section 35 of the Act of Congress approved July 1, 1902 (32 Stats L 641-649) he was not entitled to have an allotment of land or other tribal property made to him or his heirs.

The Acting Commissioner, in his report of June 22, 1911, expresses the opinion that Sallie Allison, Lucy Ann Billy and Nancy N. Folsom are the only parties interested in the estate as heirs of Alfred Billy. He reports that they were all afforded an opportunity to be heard in regard to

2-

placing opposite the name of Alfred Billy on the Choctaw roll a notation showing that he died prior to September 25, 1902, and was not entitled to land or money.

The Office recommends that opposite the name of Alfred Bill_ at No. 12308 on the final approved roll of citizens by blood of the Choctaw Nation there be placed the notation "Died prior to September 25, 1902; not entitled to land or money". and that this Office and the Commissioner to the Five Civilized Tribes be authorized to make a similar notation on the copies of the roll in their possession.

Respectfully,

(Signed) F. H. Abbott

Assistant Commissioner.

Approved:

(Signed) Samuel Adams,

First Assistant Secretary.

Choc 4418 Michael Kennedy

4418

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 KENNEDY, 7-4418.

Choctaw #4418.
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 Michael Kennedy for enrollment as an intermarried citizen of the Choctaw Nation.

Michael Kennedy being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Michael Kennedy.
Q How old are you? A About fifty-nine.
Q What is your post office address? A Boswell City.
Q That is in the Choctaw Nation? A Yes, sir.
Q How long have you been a resident of the Choctaw Nation? A About twenty-five years.
Q Have you lived here continuously for the past twenty-five years? A Yes, sir.
Q Never made your home any where 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 these rights? A Tennessee Smallwood.
Q Was she a recognized and enrolled citizen of the Choctaw Nation? A Yes, sir.
Q Were her rights as such ever disputed? A No, sir.
Q When were you married to this woman? A Married in 88.
Q Where was this marriage ceremony performed? A Kiamitia county
Q At that time were both you and this woman bona fide residents of the Choctaw Nation? A Yes, sir.
Q Were you married in accordance with the Choctaw laws? A Yes, sir.
Q Did you obtain a Choctaw license? A Yes, sir.
Q From whom did you get this license? A Henry Gooding.
Q What was his official position? A He was District clerk.
Q How much did you pay for the license? A \$25.
Q Who performed the marriage ceremony? A Cole Nelson.
Q Was he a minister of the gospel? A Yes, sir.
Q Were you ever married before your marriage to this woman? A No, sir.
Q Was she ever married before her marriage to you? A No, sir.
Q After that marriage how long did you live together as husband and wife? A ten years.
Q At the end of that time did she die? A Yes, sir.
Q There was no separation during her life? A No, sir.
Q Since her death have you remarried? A No, sir.
Q Are you at present an actual and bona fide resident of the Choctaw Nation? A Yes, sir.

-:-:-

Choctaw #4418.
Intermarried.

Chas. Diffendaffer, 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 stenographic notes taken in said cause on said date.

Chas. Diffendaffer.

Subscribed and sworn to before me this 6th day of January 1903.

Charles H. Sawyer

Notary Public.

Max

OFFICERS.

E. M. EVERIDGE, Judge.
P. C. HARRIS, District Attorney.
T. W. EVERIDGE, Clerk.

Circuit Court, Third District.
Choctaw Nation.

TERMS OF COURT.

First Monday in February and second Monday in August.

Copy

T. W. EVERIDGE, Clerk.

Grant, I. T., 189

To all whom it may concern: Greeting: This day came before me an application from Mitchell, a duly a citizen of the United States recommended as the law license, and asks for a license to marry Miss Tennessee, an Indian citizen of the Choctaw nation. He thereupon swore that he and said Mitchell, jointly has complied with all the requirements of law. I do hereby certify that said Mitchell is duly a citizen of the Choctaw nation, born at [unclear] on the 15th day of [unclear] 1883.

Witness my hand and seal of office at [unclear] this 15th day of [unclear] 1883.
T. W. Everidge
Clerk.

Lewis

This is to certify that this is a true and correct copy of the marriage of Mitchell, formerly of [unclear] and Tennessee, formerly of [unclear]. Recorded on Book, A Page [unclear]

Mr

T. W. Everidge 204
Clerk of the Court for the 3rd Dist.
Choctaw Nation.

This is a true and correct
copy of the Grid file
in my Office.

J. L. Sumner

County Probate Clerk
Kearns County
Chester, Montana

This is to Certify that on the 10th
(day of March 1883
) C. C. Nelson of Nelson and
Minister of the Gospel joined
Agelion in marriage at my
house in Kiamichia County
Choctaw Nation
Mitchal Kurnady and
Tennessee Smallwood according
to according to law in such
cases made & provided I
further certify that that the
said parties married by me
as aforesaid were personally
known to me then at my
house at Nelson Kiamichia County
Choctaw Nation Indian.

This is the 10th day of March 1883

C. C. Nelson

Minister

Attest Killian Jones
County and Probate Clerk
Kiamichia

7 - 4418.

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

In the matter of the application for the enrollment of
Michael Kennedy as a citizen by intermarriage of the Choctaw Nation.

DECISION.

It appears from the record herein that Michael Kennedy, on March 5, 1883, was married in accordance with the laws, customs and usages of the Choctaw Nation, to Tennessee Kennedy (nee Smallwood), a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears on the 1885 Choctaw census-roll, No. 198, and who died in 1893; 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 until the death of said Tennessee Kennedy, since which time the applicant herein has been a resident in good faith of said Nation up to and including September 25, 1902, and has not remarried.

An examination of the tribal rolls in the possession of the Commission shows that the name of the applicant herein appears on the 1896 Choctaw census-roll, Jackson County, No. 14412, as an intermarried citizen.

It is, therefore, the opinion of this Commission that Michael Kennedy 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.

JUL 25 1902

COPY:

Muskogee, Indian Territory, July 28, 1906.

Michael Kennedy,
Rossell, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 28, 1906, granting your application for enrollment as a citizen by intermarriage of the Chectaw Nation.

The attorneys for the Chectaw and Chicklaw 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 Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

I. B. Needles.
Commissioner in Charge.

Registered.

Enc MTC 41/28

Choctaw 4418

OC 200
Muskogee, Indian Territory, July 28, 1903.

Manfield, 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 28, 1903, granting the application of Michael Kennedy 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. D. Needles.
Commissioner in Charge.

Registered.

Enc MYC 42/28

MEMORANDA.

(Date) 1899.

57

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.

1110

Choc 4419 Nancy Henderson

4419

Muskogee, Indian Territory, February 2, 1903.

Adam Henderson,
Bailey, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 16, 1903, in which you wish to know the status of the case of Mrs. Nancy Henderson and her children.

In reply to your letter you are informed that it appears from our records that Nancy Henderson and her children, Adam and Sarah A. Henderson, were admitted to citizenship in the Choctaw Nation by a judgment of the United States Court for the Central District of Indian Territory, rendered at South McAlester January 18, 1898, in citizenship case No. 44.

On December 17, 1902, the Choctaw-Chickasaw Citizenship Court, created under the act of Congress of July 1, 1902, which was ratified by the Choctaw and Chickasaw Nations on September 25, 1902, vacated and set aside all judgments of the United States Court in Indian Territory admitting persons to citizenship in the Choctaw and Chickasaw Nations.

It may be added, however, that lands upon which so-called Court claimants have improvements, not in excess of lawful allot-

Adam Henderson-----2

ments, will not be allotted to any citizen until the rights of said
court claimants have been finally determined.

Respectfully,

Acting Chairman.

7-4419

Muskogee, Indian Territory, January 2, 1906.

Adam Henderson,

Kiowa, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of December 24, 1905, in which you ask information as to the present status of the court claimants.

In reply to your letter you are advised that under the rulings of the Department in the Choctaw enrollment case of Lula West the Commission to the Five Civilized Tribes was without jurisdiction over persons who had, prior to 1896, tribal status and enrollment.

It does not appear from the records of this office that you were recognized or enrolled by the Choctaw tribal authorities prior to 1896, and unless you had such tribal recognition and enrollment this office is now without authority to take further action in your case.

Respectfully,

Commissioner.

7-4419

Muskogee, Indian Territory, April 18, 1907.

Adam Henderson,

Ashland, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of March 6, 1907, which was not received at this office until April 9, 1907. Therein you ask the status of the application for the enrollment of Mrs. Nancy Henderson and her children.

In reply to your letter you are advised that it appears from the records of this office that Nancy Henderson and her children Adam, Sarah A, George W., James H., Samuel, John P. and David Henderson, Mattie Beck, and Mary McBride were denied by the Chectaw and Chickasaw Citizenship Court in case No. 112 on the South McAlester docket under an opinion of the Attorney General of the United States of February 19, 1907, the action of the Chectaw and Citizenship Court was final.

You are further advised that George W. Henderson was subsequently enrolled as an intermarried citizen of the Chectaw Nation by reason of his marriage to Hattie Hewett, a recognized and enrolled citizen of the Chectaw Nation and his enrollment as such

A. H. #2.

was approved by the Secretary of the Interior March 14, 1905.

Respectfully,

Commissioner.

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 :

23
18

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

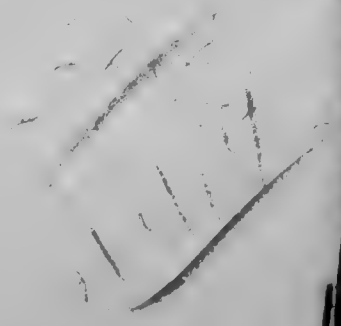
..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

3 20 21



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

In the enrollment of Nancy Henderson and children as Choctaws;
being sworn and examined by Com'r McKennon she testifies:

Q What is your name? A Nancy Henderson.

Q How old are you? A Sixty.

Q Where have you been living with this family? This son and
daughter of yours? A Where we are living now, ~~the same~~
this side of Tushkahomma about nine years.

Q You have been living there nine years? A Yes sir.

Q Where did you come from? A I come up there from Boggy
Depot, I have been in the Nation seventeen years.

Q All that time you have never been recognized before as a
Choctaw citizen; never have been admitted or recognized until
now? A No, I never had no right proved up; I had a claim in
Council but I never got it.

Q Where did you come from to the Territory? A I come from
Texas.

Q Has this son been with you all the time? A All the time,
with the exception- he would go off and work a month or so; but
he made that his home.

Q Where would he go to? A Sometimes one place and some-
times another, but all here in the Nation.

Department

Commi

trib

signed and

transcribed

my stenographer

Commissioner

correct translation of

[Handwritten signature]

Choc 4420 Davio Henderson

4420

MEMORANDA.

(Date) Sept 2 1899.

32

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.

4420

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

In the enrollment of David Henderson as a Choctaw; being sworn and examined by Com'r McKennon he testifies as follows:

- Q What is your name? A David Henderson.
- Q How old are you? A Thirty-two.
- Q Where have you been living? A Principally in Jack's Fork County, Choctaw Nation.
- Q How long? A I have been living in the Choctaw Nation, - ~~I come here in 1861 and I have been living here off and on ever~~ since, that is where I staid nearly all of the time, I staid in Texas about six months, that's all I ever left here since that time.
- Q When was that? A I went to Texas about nine years ago.
- Q That is all that you have been out of the Territory?
- A Yes sir.
- Q Have you got any children? A No sir.
- Q Are you married? A I was, but I am not now.

Department of the Interior
Commission to the Five Civilized Tribes

I hereby certify that the foregoing is a true and correct translation of my stenographic notes.

W. D. G. [Signature]

Choc 4421 John F. Henderson

Nos 213 Dismissed May 27, 1904

4421

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

-----o-----
Record in the matter of the application for enrollment
as a citizen by blood of the Choctaw Nation of:

Ruby Josephene Henderson,

7-4421.

-----o-----

INDEXED

CHOCTAW.

20

IN RE

Application for Enrollment of

INFANT CHILD

Ruby Josephine Anderson
as a citizen of

Choctaw

Nation.

JUL 30 1901

Approved.

190



Commissioner.

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

JUL 30 1901



ACTING CHAIRMAN

CHOCTAW.

7-4421

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

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
 of Ruby Josephine Henderson, born on the 25th day of April, 1901
(Here insert name of child)
 Name of Father: Sam Henderson, a citizen of the Choctaw Nation.
 Name of Mother: Louisa Henderson, a citizen of the Choctaw Nation.
 Post-office: Struytown, Ia.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA. }
(INDIAN TERRITORY.) }
Central Medical District. }

I, Louisa Henderson, on oath state that I am 18
 years of age and a citizen, by Marriage, of the Choctaw Nation:
 that I am the lawful wife of Sam Henderson, who is a citizen, by
blood, of the Choctaw Nation, that a female child was
(male or female)
 born to me on the 25th day of April, 1901; that said child has been
 named Ruby Josephine Henderson, and is now living.

WITNESSES TO MARK
(Must be Two) } Louisa Henderson
Witnesses } mark

James McCarroll
James Gallenby 27th July
 Subscribed and sworn to before me this 27th day of July, 1901.
J. S. Kennedy
 NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA. }
(INDIAN TERRITORY.) }
Central Medical District. }

I, Geo. F. Stewart, a Physician, on oath state that I
 attended on Mrs. Louisa Henderson, wife of Sam Henderson,
 on the 25th day of April, 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 Ruby Josephine Henderson.

WITNESSES TO MARK:
(Must be Two) } Geo. F. Stewart
Witnesses }

Subscribed and sworn to before me this 27th day of July, 1901.
J. S. Kennedy
 NOTARY PUBLIC

Hold

7-4421.

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


-----o-----

In the matter of the application for the enrollment of
Ruby Josephene Henderson as a citizen by blood of the Choctaw Nation.

-----o-----

The applicant, Ruby Josephene Henderson, claims her right to enrollment as a citizen by blood of the Choctaw Nation through her father John F. Henderson. The right of the applicant's father, John F. Henderson, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, April 30, 1904, in case No. 112, upon the South McAlester docket of said court, it is hereby ordered that the application of Ruby Josephene Henderson for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,


Chairman.

Muskogee, Indian Territory,

Choctaw 4421

COPY.

Muskogee, Indian Territory, June, 4, 1904.

Mr. John Henderson,
Stringtown, Indian Territory.

Dear Sir:

Inclosed herewith you will find copies of the orders of the Commission to the Five Civilized Tribes, dated May 27, 1904, dismissing the applications for enrollment of Ruby Josephene Henderson as a citizen by blood and Louisa Henderson as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby.

Chairman.

Registered.

2 Incl. 7-4421.

Choctaw 4421

COPY.

Muskogee, Indian Territory, June 4, 1904.

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

Gentlemen:

Inclosed herewith you will find copies of the orders of the Commission to the Five Civilized Tribes, dated May 27, 1904, dismissing the applications for enrollment of Ruby Josephine Henderson as a citizen by blood and Louisa Henderson as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

SIGNED

James Bixby.
Chairman.

Registered.

2 Incl. 7-4421.

See Choctaw 4650 for registry receipt for this letter.

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

---o---

Record in the matter of the application for the enrollment as an intermarried citizen of the Choctaw Nation of:

Louisa Henderson,

7-4421.

---o---

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

In the enrollment of John Henderson as a choctaw; being sworn
and examined by Com'r McKennon she testifies as follows:

- Q What is your name? A John Henderson.
Q How old are you? A Twenty-six.
Q Where have you been living? A In the choctaw Nation.
Q How long? A Ever since 1881.
Q All the while? A Yes sir.
Q Haven't lived anywhere else? A No sir.
Q Have you got any children? A No sir.
Q Is your name John F.? A Yes sir.
Q This was a second marriage? A No sir, I never married her
before, that is my first marriage.
Q her name is Laura? A Yes sir.

Department of the Interior,
Commission to the Five Civilized Tribes,
Atoka, Indian Territory.
I hereby certify that the
stenograph notes of the Commission are a
true and correct translation of
my stenographic notes.

M. D. Green

John Henderson
Atoka, Indian Territory

7-4421.

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

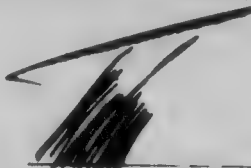
)))C(((

In the matter of the application for the enrollment of
Louisa Henderson as a citizen by intermarriage of the Choctaw Nation.

-----o-----

The applicant, Louisa Henderson, claims her right to enrollment as a citizen by intermarriage of the Choctaw Nation by reason of her marriage to one John F. Henderson. The right of the applicant's husband, John F. Henderson, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, of April 30, 1904, in case No. 112, upon the South McAlester docket of said court, it is hereby ordered that the application of Louisa Henderson for enrollment as a citizen by intermarriage of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



Chairman.

Muskogee, Indian Territory,

COPY

Choctaw 4421

Muskogee, Indian Territory, June 4, 1904.

Mr. John Henderson,
Stringtown, Indian Territory,

Dear Sir:

Inclosed herewith you will find copies of the orders of the Commission to the Five Civilized Tribes, dated May 27, 1904, 1904, dismissing the applications for enrollment of Ruby Josephene Henderson as a citizen by blood and Louisa Henderson as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

(Signed) TAMS BIXBY,

Chairman.

Registered.

2 Incl. 7-4421.

COPY. Choctaw 4421

Muskogee, Indian Territory, June 4, 1904.

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

Inclosed herewith you will find copies of the orders of the Commission to the Five Civilized Tribes, dated May 27, 1904, dismissing the applications for enrollment of Ruby Josephine Henderson as a citizen by blood and Louisa Henderson as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

(Signed) TAMS BIXBY,

Chairman.

Registered.

2 Incl. 7-4421.

Muskogee, Indian Territory, July 30, 1901.

Mr. John Henderson,
Stringtown, Ind, Ter.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Ruby Josephine Henderson, the infant daughter of John and Louisa Henderson, born April 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.

Yours truly,

7-4421

Acting Chairman.

MEMORANDA.

(Date) Sept 12 1899.

34 Name J. H. Henderson

Choctaw? Y County _____ Year _____ No. _____

Chickasaw? _____ County _____ Year _____ Page _____

Citizen by blood? _____ Mother's citizenship _____

Intermarried citizen? _____

Married under what law? _____

License filed this day, _____

17 Wife's name, Louisa Henderson

Choctaw? Y 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.

Handwritten signature and scribbles

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. *John F. Anderson* and
Mrs. *Southern Fields*

were filed in my office in said Territory and District the *5* day of *May* A. D. 189*9* and duly recorded in Book *One* of Marriage Record, Page *210*

WITNESS my hand and seal of said Court, at *Atoka* this *5* day of *May* A. D. 189*9*

E. J. FANNIN, Clerk.
By *R. H. Hobbs* Deputy.



MARRIAGE LICENSE



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. John F. Henderson
of Tuckahoe in the Indian Territory, aged 25
years, and Miss Louisa Fields
of Tuckahoe in the Indian Territory, aged 16
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

22nd day of Feb

A. D. 1897

D. K. Robb

Deputy

J. J. Harrison

Clerk of the U. S. Court



CERTIFICATE OF MARRIAGE

UNITED STATES OF AMERICA }
INDIAN TERRITORY } SS.
CENTRAL DIST

I, _____
a _____

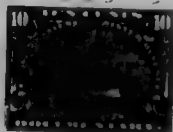
DO HEREBY CERTIFY That on the _____ day of _____ A. D. 1897

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 _____ day of _____ A. D. 1897

My credentials are recorded in the office of the Clerk of the United States Court in the Indian Territory.

Central District, Book _____ Page _____



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).

Choc 4422

James H. Henderson
Edna E. Henderson

4422

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

In the enrollment of James H. Henderson as a Choctaw; being
sworn and examined by Com'r McKennon he testifies as follows:

- Q What is your name? A James H. Henderson.
Q How old are you? A Thirty-six.
Q How long have you been living in the Choctaw Nation?
A About twelve or thirteen years.
Q All the while? A Yes sir.
Q Haven't lived anywhere else? A No sir.

Department of the Interior

Commission to the Five Civilized Tribes.

I hereby certify on the official seal as
stenographer to the named Commission, that this
transcript is a true, full and correct translation of
my stenographic notes.

M. D. Green

Department of the Interior,
Commission to the Five Civilized Tribes.

Atoka, Indian Territory, September 6, 1904.

In the matter of the application of James H. Henderson
for enrollment as an intermarried citizen of the
Choctaw Nation.

JAMES HENRY HENDERSON, having been first duly sworn,
testified in his own behalf as follows:

Examination by the Commission.

- Q What is your name? A James Henry Henderson.
Q How old are you? A I was born in March, 1863.
Q What is your post-office address? A Bailey.
Q How long have you been a resident of the Choctaw Nation?
A Nearly twenty years; right about 20 years.
Q Have you lived here continuously for the past 20 years? A Yes,
in the two Territories,--Choctaw and Chickasaw Nations.
Q Are you a white man? A Well, no, sir, I guess I ain't.
They always claimed me to be an Indian.
Q What do you claim now? A I am an Indian.
Q Member of the tribe? A Yes, sir.
Q Member of the Choctaw or Chickasaw Tribe? A Choctaw.
Q You have been denied enrollment for citizenship in the Choctaw
Nation, haven't you? A Yes, I have been denied.
Q As a citizen by blood? A Yes, sir.
Q What do you claim now--your right to enrollment as what?
A Well, I was ordered here before the Commission. I didn't
know what for. I never had claimed anything else only a
citizen--that is an Indian--when I was notified. I got the
notification yesterday to come here.
Q You have never been enrolled by the Choctaw tribe on any of
their rolls as a citizen? A No, sir.
Q You made application to the Dawes Commission, in 1896, for en-
rollment as a citizen by blood of the Choctaw Nation? A Yes;
our application was made in Council at Muskogee, and the
Dawes Commission taken it up.
Q What did the Dawes Commission do? A They throwed it over.
Q Rejected you? A Yes.
Q What did you do after that? A My mother appealed the case.
Q To what court? A To the South McAlester Court.
Q What did the court do? A They granted us to citizenship.
Q The United States Court admitted you? A Yes, sir.
Q And after that the Citizenship Court set that judgment aside?
A The Supplementary Treaty set that aside.
Q Then, did you appeal your case to the Choctaw and Chickasaw
Citizenship Court? A Yes, it was appealed; I forget when
was the last appeal. It took ten dollars from me she said. I
couldn't swear it was appealed.
Q What did the Citizenship Court do with your case? A The Sup-
plementary Treaty you mean?
Q The Citizenship Court. You say you appealed the case to the

- Citizenship Court. Hasn't that Court decided your case?
 A I reckon they decided to knock us out, I reckon, I haven't seen no papers.
- Q They rejected you then? A I guess they did.
- Q You say you were never on any rolls of the Choctaws? A No, sir.
- Q You have been denied by the Commission and by the Citizenship Court, and you haven't any rights, as a citizen by blood, pending anywhere? A No, sir, no rights pending anywhere.
- Q Then, you have no rights as a citizen by blood? A No, sir, I guess not.
- Q Do you claim anything in addition to that? A I have never claimed anything only a citizen by blood because the Indians,--among the Indians--they always call me an Indian.
- Q You say the Choctaws have always refused to enroll you,--never enrolled you--the courts have said you are not an Indian,--now, you haven't any rights as an Indian, have you? A I guess not.
- Q Do you make any other claim as a citizen? A I don't know anything about it. I never had made any claim any other way. You see I married a citizen; been living with a citizen nearly 19 or 20 years,--I don't know exactly how long.
- Q Do you claim any rights by reason of your marriage to a citizen? A Well, I never have claimed any right.
- Q Do you claim any now. Are you satisfied to quit right now? You have been denied as a Choctaw Indian, and you can't get any rights as a Choctaw Indian. Are you satisfied with that? A I don't know; it is a hard matter when a man proves to be of the blood,--it is a hard matter for him to be satisfied to be thrown out.
- Q You have got to be satisfied with that. There is no help for you. You don't claim to be anything but a citizen by blood? A No, sir; never have claimed anything for a long time. I have never claimed any rights any other way.
- Q You married a Choctaw woman, didn't you? A Yes, sir.
- Q Do you think that gave you any rights? A No, I wasn't calculating on getting any rights that way.
- Q You don't make any claim to citizenship by reason of your marriage to your Choctaw wife? A I don't understand how that is.
- Q Do you think you have got any rights by reason of your marriage to a Choctaw woman? A Why, they told me that I ought to have a right that way.
- Q Who told you? A Why, there was a lawyer come up there and told me that I ought to have a right that way, but I ain't never applied for any right.
- Q Do you claim you have any rights to citizenship in the Choctaw Nation by reason of your marriage to this Choctaw woman? A Yes, sir.
- Q Claim to be an intermarried citizen, do you? A Yes, sir.
- Q What is the name of your Choctaw wife? A Her name is Edner Earle Henderson.
- Q What was her maiden name? A Alexander.

By the Commission: The name of the applicant's wife appears upon the records of the Commission on Choctaw Card Number 4422, on the final rolls of the citizens by blood as approved by the Secretary of the Interior, opposite Number 12309.

- Q Then were you married to Edna Earle Alexander? A In 1886, I believe.
- Q Were you ever married prior to your marriage to her? A No.
- Q Was she ever married before she married you? A No, sir.
- Q At the time you married her were you both living in the Choctaw Nation? A Yes, sir.
- Q Have you lived together continuously since then? A Yes, sir.
- Q Did you marry her under a Choctaw Tribal License? A No, sir, I went to get the license and the old man that was Judge then said that he had no right to give no license to Indians, and he told us to go to an old preacher that lived close there, but the old man was sick, so we went on down to Sherman.
- Q Did you marry at Sherman? A Yes.
- Q Was that the only marriage that was ever performed between you and Edna Alexander? A Yes, sir.
- Q Did you get the license there from the clerk at the court-house in Sherman? A Yes, sir.

- Q You were never married to this woman under a Choctaw or Chickasaw Tribal License? A No, sir.

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.

Mary E. Rogers

Subscribed and sworn to before me on this 17 day of September, 1904.

Wm. Kelly
Notary Public.

AB
J. H. H.

7-4422

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

In the matter of the application for the enrollment of James H. Henderson 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 September 2, 1899 the applicant, James H. Henderson, appeared before the Commission and made application for his enrollment as a citizen of the Choctaw Nation. Further proceedings were had in this case at Atoka, Indian Territory, on September 6, 1904.

It further appears from the records of the Commission that on September 7, 1896, in the case entitled "Mrs. Nancy Henderson vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, case number 425), original application was made to the Commission under the provisions of the act of Congress approved June 10, 1896 (29 Stat., 321), for the enrollment of the applicant herein, under the name of Henry Henderson, as a citizen by blood of the Choctaw Nation; and on December 2, 1896 the Commission denied said application. From this decision of the Commission an appeal was taken to the United States Court for the Central District of the Indian Territory, which Court, in the case entitled "Nancy Henderson et al., vs. Choctaw Nation" (Court case number 44), did, on January 18, 1898, enter of record a judgment decreeing that the applicant herein, under the name of Henry Henderson, with others, is a Choctaw Indian by blood, and entitled to be enrolled as a citizen of the Choctaw Nation.

It further appears from the records of the Commission that said judgment of the said United States Court was vacated and set aside on December 17, 1902 by decree of the Choctaw and Chickasaw Citizenship Court, and said cause was duly certified to said Choctaw and Chickasaw Citizenship Court, as provided by the act of Congress approved July 1, 1902 (32 Stat., 641), which Court, in case 112 on its South McAlester Docket, did, on April 30, 1904, enter of record a judgment decreeing that the petition of the applicant herein, under the name of Henry Henderson, with others, be denied, and that he be declared not a citizen of the Choctaw Nation, and not entitled to enrollment as such citizen, and not entitled to any rights whatever flowing therefrom.

It further appears from the record in this case that in 1888 the applicant was married to Edna N. Henderson (nee

Alexander), a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 12309 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 March 6, 1903; 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 up to and including September 25, 1902.

It further appears from the record herein that the applicant was never married to the said Edna E. Henderson, in accordance with the laws, customs and usages of the Choctaw Nation.

It is the opinion of this Commission that the denial by said Choctaw and Chickasaw Citizenship Court of the petition of the applicant herein for enrollment as a citizen by blood of the Choctaw Nation, does not effect any rights he may have acquired to enrollment as a citizen by intermarriage of said nation by reason of his marriage to said Edna E. Henderson.

It is further the opinion of this Commission that the applicant James H. Henderson, is not entitled to be enrolled as a citizen by intermarriage of the Choctaw Nation, and that his application for such enrollment should be denied in accordance with the provisions of the Act of Congress approved June 26, 1898 (30 Stat., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Chairman.

Commissioner.


Commissioner.

Vuskogee, Indian Territory,

FEB 11 1906

Check # 4422.

COPY!

Washington, D. C., February 1, 1911.

Mr. J. M. ...
Union Territo y.

Dear Sir:

In regard to the ... of the decision
of the ... in the ... of February
1, 1911, ... as a citizen
of the ...

The ... in the
case, is ... of the Interior
for review. The final ... will be made
known to you ...

Respectfully,

SIGNED

Chairman.

Registered.
I. M. ...

Choctaw 4422.

Muskogee, Indian Territory February 6, 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 February 6, 1905, denying the application for the enrollment of James H. Henderson 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 the Commission is informed of the same.

Respectfully,

Chairman.

Incl. 7-4422.

COPY.

Muskogee, Indian Territory, February 6, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record in the matter of the application for the enrollment of James H. Henderson as a citizen by intermarriage of the Choctaw Nation, including the decision of the Commission of February 6, 1905, denying said application.

Respectfully,

SIGNED

James H. Henderson

Chairman.

Through the
Commissioner of Indian Affairs.

2 Incl. 7-4422.

Land.
1149^o-1905.

{
(COPY)

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, February 18, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

I enclose a report from the Commission to the Five Civilized Tribes, dated February 6, 1905, transmitting the record of the application for enrollment as a citizen by inter-marriage of the Choctaw Nation by James H. Henderson.

February 6, 1905, the Commission decided adversely to the applicant.

The record shows that on September 7, 1896, in a case entitled Mrs. Nancy Henderson versus Choctaw Nation original application was made to the Commission to the Five Civilized Tribes, for the enrollment of the applicant herein, under the name of Henry Henderson, as a citizen by blood of the Choctaw Nation; that on December 2, 1896, the Commission denied the application. From this decision an appeal was taken to the United States Court, Central District, Indian Territory, which court did on January 18, 1898, enter of record a judgment decreeing that the applicant herein, under the name of Henry Henderson, with others, is a Choctaw Indian by blood and is entitled to be enrolled as a citizen of the Choctaw Nation.

It further appears that said judgment was vacated and set aside on December 17, 1902, by decree of the Choctaw and Chickasaw Citizenship Court and said cause was duly certified to said court which court did, on April 30, 1904, decree that the applicant here -in, under the name of Henry Henderson, with others, be denied, and that he be declared not a citizen of the Choctaw Nation and not entitled to enrollment as such citizen, and not entitled to any rights flowing therefrom. It further appears that in 1886, the applicant was married to Edna E. Alexander, a recognized citizen by blood of the Choctaw Nation, whose name appears at No. 12309 on a list of Choctaw citizens approved by the Department March 6, 1903; that at the time of said marriage both persons were residents in good faith in the Choctaw Nation, and that they lived together continuously as husband and wife in said Nation up to and including September 25, 1902. It further appears that the applicant was never married to the said Edna E. Henderson (born Alexander) in accordance with the laws, customs and usages of the Choctaw Nation.

In view of the record the approval of the Commission's decision adverse to the applicant is recommended.

Very respectfully,

C. F. Larrabee

Acting Commissioner.

M. M. M.
W.

(COPY)
G. R. RJH

DEPARTMENT OF THE INTERIOR,
WASHINGTON,

March 14, 1905.

D. C. 13621-1905.
I. T. D. 1856-1905.
L. R. S.

Commission to the Five Civilized Tribes,

Muskogee, I. T.

Gentlemen:

February 6, 1905, you transmitted the record of the application of James H. Henderson for his enrollment as a citizen by intermarriage of the Choctaw Nation, including your decision dated February 6, 1905, adverse to the applicant.

February 18, 1905, the Acting Commissioner of Indian Affairs, reporting in the matter, recommended that your decision, adverse to the applicant, be affirmed. A copy of his letter is herewith inclosed.

The Department concurs in the recommendation made, and your decision, adverse to the applicant, is hereby affirmed.

Respectfully,

Thos Ryan

Acting Secretary.

1 inclosure.

7-4422

COPY.

Muskogee, Indian Territory, March 27, 1905.

James H. Henderson,
Bailey, Indian Territory.

Dear Sir:

You are hereby notified that the Secretary of the Interior under date of March 14, 1905, affirmed the decision of this Commission dated February 6, 1905, denying your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

~~PERGNER~~

James Bixby

Chairman.

7-4422

COPY.

Nuskogee, Indian Territory, March 27, 1905.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that the Secretary of the Interior under date of March 14, 1905, affirmed the decision of this Commission dated February 6, 1905, denying the application for the enrollment of James H. Henderson as a citizen by inter-marriage of the Choctaw Nation.

Respectfully,

W. B. BIXBY

Wm Bixby

Chairman.

IN RE

Application for Enrollment of

INFANT CHILD

Mattie Henderson

as a citizen of the

Choctaw Nation.

Approved, **MAY 24 1900** 190

J. S. [unclear]
Commissioner.

FILED
MAY 7 1900
COMMISSIONER TO REC

*Choctaw
H.H. 2*

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,
of *Mattie Henderson*, born on the *7* day of *January*, 190*0*
(Here insert name of child)
Name of Father: *J. H. Henderson*, a citizen of the *Choctaw* Nation.
Name of Mother: *Edna Henderson*, a citizen of the *Choctaw* Nation.

Postoffice,
Bailey P.O.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,)

INDIAN TERRITORY.

District,)

I, *Edna Henderson*, do on oath state that I am *32*
years of age and a citizen, by *Bailey*, of the *Choctaw* Nation;
that I am the lawful wife of *J. H. Henderson*, who is a citizen, by
Bailey of the *Choctaw* Nation; that a *Female* child was
(male or female)
born to me on the *7* day of *January*, 190*0*; that said child has been
named *Mattie Henderson*, and is now living.

WITNESSES TO MARK:

(Must be Two)
Witnesses

J. H. Henderson

Subscribed and sworn to before me this *2* day of *May*, 190*0*

J. H. Henderson
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,)

INDIAN TERRITORY.

District,)

I, *Sigbee*, a *Physician*, on oath state that I
attended on Mrs. *Edna Henderson*, wife of *J. H. Henderson*,
on the *7* day of *January*, 190*0*; 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 *Mattie Henderson*.

WITNESSES TO MARK:

(Must be Two)
Witnesses

Sigbee

Subscribed and sworn to before me this *2* day of *May*, 190*0*

J. H. Henderson
NOTARY PUBLIC.

MEMORANDA.

(Date) *P. 11 2* 1899.

36

Name *J. H. ...*

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, *E. ...*

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
7
13

<i>...</i>	County	Year	Page	No.
<i>...</i>	County	Year	Page	No.
<i>...</i>	County	Year	Page	No.
<i>...</i>	County	Year	Page	No.
<i>...</i>	County	Year	Page	No.
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<i>...</i>	County	Year	Page	No.
<i>...</i>	County	Year	Page	No.
<i>...</i>	County	Year	Page	No.

4/11/22

I. N. R. E.

Application for Enrollment of

INFANT CHILD

Robert David Anderson,

as a citizen of the

Choctaw Nation.

Approved JUL - 8 1902 190

[Signature]
Commissioner

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

FILED
JUL 8 1902

[Signature]
ACTING CHAIRMAN

~~CHOCTAW DEPT. OF THE INTERIOR
No. 17814~~

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

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,
of Robert David Henderson, born on the 12th day of June, 1902
(Here insert name of child.)
Name of Father: James H. Henderson, a citizen of the Choctaw Nation.
Name of Mother: Edna E. Henderson, a citizen of the Choctaw Nation.
Post-Office: Bailey, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,)
INDIAN TERRITORY,)
Southern-----District.)

I, Edna E. Henderson, on oath state that I am 29
years of age and a citizen, by blood, of the Choctaw Nation;
that I am the lawful wife of James H. Henderson, who is a citizen, by
blood, of the Choctaw Nation, that a Male child was
(Male or female.)
born to me on the 12th day of June, 1902; that said child has been
named Robert David Henderson, and is now living.

WITNESSES TO MARK:

Edna E Henderson

(Must be Two Witnesses.)

Subscribed and sworn to before me this 1st day of July, 1902
W. A. Proctor
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,)
INDIAN TERRITORY,)
Southern-----District.)

John D. Waters, a Medical Doctor, on oath state that I
attended on Mrs. Edna E. Henderson, wife of James H. Henderson,
on the 12th day of June, 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 Robert David Henderson

WITNESSES TO MARK:

John D. Waters M.D.

(Must be Two Witnesses.)

Subscribed and sworn to before me this 1st day of July, 1902.
W. A. Proctor
Notary Public.

Choctaw 4422

Muskogee, Indian Territory, July 8, 1902.

James H. Henderson,
Bailey, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Robert David Henderson, the infant son of James H. and Edna E. Henderson, born June 12, 1902, 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.

7-4422.

Muskogee, Indian Territory, June 6, 1904.

James H. Henderson,

Bailey, Indian Territory.

Dear Sir:

It appears from the records of the Commission that you were an applicant for enrollment as a citizen by blood of the Choctaw Nation and that on April 30, 1904 in case number 112 upon the South McAlester Docket you were denied citizenship by the Choctaw and Chickasaw Citizenship Court. It further appears that you have been married to a recognized and enrolled citizen by blood of the Choctaw Nation.

For the purpose of protecting any rights you may have as a citizen by intermarriage of the Choctaw Nation, it would be advisable for you to appear in person before the Commission to give your oral testimony relative to your rights as a citizen by intermarriage of the Choctaw Nation and your status as such citizen on September 25, 1902.

Respectfully,

Chairman.

7-4422.

Muskogee, Indian Territory, June 20, 1904.

James H. Henderson,
Bailey, Indian Territory.

Dear Sir:

It appears from the records of the Commission that you were an applicant for enrollment as a citizen by blood of the Choctaw Nation and that on April 30, 1904 in case number 112 upon the South McAlester Docket you were denied citizenship by the Choctaw and Chickasaw Citizenship Court. It further appears that you have been married to a recognized and enrolled citizen by blood of the Choctaw Nation.

For the purpose of protecting any rights you may have as a citizen by intermarriage of the Choctaw Nation, it would be advisable for you to appear in person before the Commission to give your oral testimony relative to your rights as a citizen by intermarriage of the Choctaw Nation and your status as such citizen on September 23, 1902.

Respectfully,

Chairman.

Choctaw-4422.

Muskogee, Indian Territory, August 12, 1904.

James H. Henderson,
Bailey, Indian Territory.

Dear Sir:

On June 6, 1904 and again on June 20, 1904 you were advised that it appeared from our records that you were an applicant for enrollment as a citizen by blood of the Choctaw Nation and that on April 30, 1904 in case number 112 upon the south McAlester Docket you were denied citizenship by the Choctaw and Chickasaw Citizenship Court. It further appears that you have been married to a recognized citizen of the Choctaw Nation.

For the purpose of protecting any rights you may have as a citizen by intermarriage of the Choctaw Nation it will be advisable for you to appear in person before the Commission to give your oral testimony relative to your rights as such citizen on September 25, 1902.

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

Choc 4423

Charles W. Moran

4423

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--

FANNIE MORAN. 7-4423.

Choctaw, 4423.

Department of the Interior,
Commission to the Five Civilized Tribes.
Ada, I. T., November 11, 1902.

In the matter of the application for enrollment as a citizen by intermarriage of the Choctaw Nation of Fannie Moran.

Fannie Moran being duly sworn testifies as follows:

Examination by the Commission.

- Q What is your name? A Fannie Moran.
Q What is your age? A Twenty-four.
Q What is your post office address? A Roff.
Q How long have you lived in the Chickasaw Nation? A 4 years.
Q Where did you live before that? A In the Choctaw.
Q How long did you live in the Choctaw Nation? A About 7 years.
Q Lived there continuously for 7 years? A Yessir.
Q You claim to be an intermarried citizen of the Choctaw Nation?
A Yes sir.
Q What is the name of your Indian husband? A Charles Moran.
Q Is he a recognized citizen of the Choctaw Nation? A Yes sir.
Q When were you married to Charles W. Moran? A '94.
Q Where did you marry him? A In the Choctaw Nation, at Hunton post office.
Q Were you living in the Choctaw Nation at that time? A In the Chickasaw Nation.
Q You were both living in the Chickasaw Nation? A Yes sir, right on the line; we lived in the Choctaw and Chickasaw Nations right on the line.
Q You were married in the Choctaw Nation? A Yes sir.
Q Who performed the ceremony? A John Dennis.
Q Are you the identical Fannie Moran who made application to the Commission for enrollment as an intermarried citizen of the Choctaw Nation in 1896? A Yes sir.
Q What was done with your case at that time; were you admitted?
A Yes sir.
Q Was your case ever appealed to the United States Court? A No sir.
Q Since your marriage to Charles W. Moran 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 Chickasaw Nation? 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 aboveproceedings at Ada, I. T., on the 11th day of November, 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 25 day of November, 1902.

Charles W. Sawyer

Notary Public.

W. H. M.

W.F.
Abell

7-4423.

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

In the matter of the application for the enrollment of
Fannie 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 in 1894 the applicant, Fannie Moran, was lawfully married to Charles W. Moran, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 15155 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 March 26, 1904.

It further appears from the records of the Commission that on September 7, 1896, in the case entitled "Fannie Moran vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, case number 394), the applicant, Fannie 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 Charles W. Moran and on December 2, 1896, the said Fannie 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 record herein that the applicant was a resident in good faith of Indian Territory on June 28, 1898, and that her status as an intermarried citizen of the Choctaw Nation 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 Fannie Moran should be enrolled as a citizen by intermarriage of the Choctaw Nation in accordance with the provisions of the acts of

2.

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.

C. R. Breckinridge
Commissioner.

Muskogee, Indian Territory.

SEP 7 1904

Choctaw-4423

COPY.

Muskogee, Indian Territory, September 7, 1904.

Fannie Moran,

Roff, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered on September 7, 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)

Tammy Berry
Chairman.

Registered.

Incl. 7-4423.

Choctaw-4423

COPY.

Muskogee, Indian Territory, September 6, 1904.

Pruett & Clark,

Attorneys at Law,

Pauls Valley, Indian Territory.

Gentlemen:

You are hereby notified that the Commission to the Five Civilized Tribes, on September 7, 1904, rendered its decision granting the application of Fannie Moran 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 Fannie Moran 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,

James Dixby.
Chairman.

Registered.

Choctaw-4423

COPY

Muskogee, Indian Territory, September 7, 1904.

Treadwell & Lucas,

Attorneys at Law,

Tishomingo, Indian Territory.

Gentlemen:

You are hereby notified that the Commission to the Five Civilized Tribes, on September 7, 1904, rendered its decision granting the application of Fannie Moran 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 Fannie Moran 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 Bixby.

Chairman.

Registered.

Choctaw-4423

COPY.

Muskogee, Indian Territory, September 7, 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 September 7, 1904, granting the application for the enrollment of Fannie Moran 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, 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 Dixey.
Chairman.

Registered.

Incl. 7-4423.

See 7-5429 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 Gossie Moran, born on the 24 day of March, 1898
 Name of father: Charles Moran, a citizen of the Choctaw Nation.
 Name of mother: Fannie Moran, a citizen of the Choctaw Nation.
 Post Office: Okmulgee, Ind. Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Choctaw District.

I, Fannie Moran, on oath, state that I am 22 years of age and a
 citizen, by Marshall, of the Choctaw Nation; that I am the
 lawful wife of Charles Moran, who is a citizen, by Blair, of the
Choctaw Nation; that a Female child was born to me on the 24 day
 of March, 1898; that said child has been named Gossie Moran,
 and is now living.

Subscribed and sworn to before me this 13 day of September, 1899.
W. H. Timm
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
~~Choctaw~~ District.

I, Angelina Studdard, a Midwife, on oath, state that I
 attended on Mrs. Fannie Moran, wife of Charlie Moran
 on the 22 day of March, 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 Gossie Moran

Subscribed and sworn to before me this 9 day of September, 1899.
M. S. Lambart
 Notary Public.

In and for Framlingham County, Texas

Department of the Interior,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Bertie Moran, born on the 9th day of Nov, 1895.
Name of father: Charles Moran, a citizen of the Choctaw Nation.
Name of mother: Fannie Moran, a citizen of the Choctaw Nation.
Post Office: Jona J. G.

AFFIDAVIT OF MOTHER.

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

I, Fannie Moran, on oath, state that I am 22 years of age and a
citizen, by Marriage, of the Choctaw Nation; that I am the
lawful wife of Charles Moran who is a citizen, by Blood, of the
Choctaw Nation; that a female child was born to me on the 9th day
of Nov, 1895; that said child has been named Bertie Moran,
and is now living.

Subscribed and sworn to before me this 9th day of Sept, 1899.
Fannie Moran
E. J. Ball Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, Martha Magby, on oath, state that I
attended on Mrs. Fannie Moran, wife of Charles Moran
on the 9th day of Nov, 1895; 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 Bertie Moran.

Subscribed and sworn to before me this 9th day of Sept, 1899.
Martha Magby
E. J. Ball Notary Public.

CHOCTAW.

INDEXED

20

IN RE

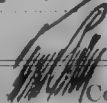
Application for Enrollment of
INFANT CHILD.

Cessie see Moran

As a citizen of the

Choctaw Nation.

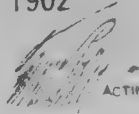
Approved JUL -7 1902 1



Commissioner.

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

FILED
JUL 7 1902



ACTING CHAIRMAN.

CHOCTAW.

4423

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Bessie Lee Moran, born on the 4 day of June, 1902
Name of father: Charles Moran, a citizen of the Choctaw Nation.
Name of mother: Fannie Moran, a citizen of the Choctaw Nation.
Post Office: Roff J J

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District.

I, Fannie Moran, on oath, state that I am 24 years of age and a
citizen, by Marriage, of the Choctaw Nation; that I am the
lawful wife of Charles Moran who is a citizen, by Blood, of the
Choctaw Nation; that a Female child was born to me on the 4 day
of June, 1902; that said child has been named Bessie Lee Moran,
and is now living.

Subscribed and sworn to before me this

2 day of

July, 1902.

Fannie Moran

John H. Clark

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Seethen District.

I, J. H. Gilbert, a Physician, on oath, state that I
attended on Mrs. Fannie Moran wife of Charles Moran
on the 4 day of June, 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 Bessie Lee Moran.

Subscribed and sworn to before me this

2 day of

July, 1902.

J. H. Gilbert M.D.

John H. Clark

Notary Public.

MEMORANDA.

(Date) July 2 1899.

27

Name W. J. ...

Choctaw ? County Year No.

Chickasaw ? County Year Page

Citizen by blood ? Mother's citizenship

Intermarried citizen ?

Married under what law ?

License filed this day

X 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:

Names of children:	County	Year	Page	No.
<u>...</u>	County	Year	Page	No.
<u>...</u>	County	Year	Page	No.
<u>...</u>	County	Year	Page	No.
<u>...</u>	County	Year	Page	No.
<u>...</u>	County	Year	Page	No.
<u>...</u>	County	Year	Page	No.
<u>...</u>	County	Year	Page	No.
<u>...</u>	County	Year	Page	No.
<u>...</u>	County	Year	Page	No.
<u>...</u>	County	Year	Page	No.

1423

Muskogee, Indian Territory, May 18, 1900.

Messrs. Prulett & Clark,

Attorneys at Law,

Pauls Valley, Indian Territory,

Gentlemen:

The Commission is in receipt of your letter of May 14th, in which you desire to be informed of the status of Charles W. Moran as it appears upon the records of this Commission, with reference to enrollment. You are informed that the records of this Commission show that Charles W. Moran, twenty seven years of age, of Jena, Indian Territory, was duly listed for enrollment by this Commission as a Choctaw, September 2, 1899, having been admitted to Choctaw citizenship by an act of the Choctaw Council, approved November 3rd, 1879. Listed with his fore-enrollment are his wife Fannie, and his two daughters, Bertie and Cora Moran.

Yours truly,

Acting Chairman.

In reply to this letter,
please refer to 7-4423

Muskogee, Indian Territory, December 5, 1903.

Charles W. Moran,
Roff, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of November 30, in which you ask why the names of yourself and the members of your family have not been sent up to the Secretary of the Interior for approval and asking that this matter receive attention as early as possible.

In reply to your letter you are informed that it appears from our records that you and your wife and your children have been listed for enrollment as citizens of the Choctaw Nation, you having been admitted to citizenship in the Choctaw Nation by an act of the Choctaw National Council, approved November 3, 1839.

You are further advised that the attorneys for the Choctaw and Chickasaw Nations have entered a protest to the enrollment by the Commission of any persons admitted to citizenship by acts of the Choctaw Council or the Chickasaw legislature until the Citizenship Court has passed upon the rights of persons whose cases

C.W.M. 2

are pending before it upon analogous or identical questions of law
and fact.

Respectfully,

Chairman.

Choctaw-4423

Muskogee, Indian Territory, January 9, 1904.

Treadwell & Lucas,
Attorneys at Law,
Tishomingo, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of January 5, 1904, asking if the case of Charles W. Moran and his wife, Fannie Moran, and his three children, Bertie, Cora and Bessie Moran, against the Choctaw Nation has been decided.

In reply to your letter you are informed that Charles W. Moran and his three children, Bertie, Cora and Bessie Lee Moran, 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 the Choctaw Nation, prepared for forwarding to the Secretary of the Interior.

You are further informed that the Commission has not yet passed upon the application of Fannie Moran, Wife of Charles W. Moran, for enrollment as an intermarried citizen of the Choctaw Nation.

It appears from our records that Charles W. Moran was admitted to citizenship in the Choctaw Nation by an act of the Choctaw Court, approved October 25, 1879, and the attorneys for the Choctaw and Chickasaw Nations having protested against the enrollment of all

T & L 2

persons admitted to citizenship by acts of the Choctaw Council,
their names have not been placed upon the final rolls of the citi-
zens of the Choctaw Nation.

Respectfully,

Commissioner in Charge.

Choctaw 4423.

Muskogee, Indian Territory, July 7, 1902.

Charles Moran,

Roff, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Bessie Lee Moran, the infant daughter of Charles and Fannie Moran, born June 4, 1902, 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.

Choc 4424 William W. BETTS

✓

4424

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 -

BETTIE BETTS - - 7-4424

Department of the Interior,
Commission to the Five Civilized Tribes,
Atoka, Indian Territory,
March 10, 1903.

Choctaw 4424

--

In the matter of the application for the enrollment of
Bettie Betts as an intermarried citizen of the Choctaw Nation.

--

Bettie Betts being first duly sworn on oath testifies:

EXAMINATION BY THE COMMISSION:

- Q What is your name ? A Bettie Betts.
Q How old are you ? A Thirty.
Q What is your post office address ? A Atoka.
Q That is in the Choctaw Nation ? A Yes, sir.
Q How long have you resided in the Choctaw Nation ? Somewhere
about seventeen years.
Q Have you lived in the Choctaw Nation continuously for the past
seventeen years ? A Yes, sir.
Q You have never made your home any where 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 intermarried citizen
of the Choctaw Nation ? A Yes, sir.
Q What is the name of your Choctaw husband through whom you claim
this right ? A William Wallace Betts.
Q Is he a recognized and enrolled citizen of the Choctaw Nation ?
A Yes, sir.
Q Have his rights as such ever been disputed ? A No, sir.
Q When were you married to this man ? A In 1888.
Q Where was this marriage ceremony performed ? A Southwest of
Caddo about five miles at my father's home.
Q In the Choctaw Nation ? A Yes sir.
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 DeWitt.
Q Was he a Minister of the Gospel ? A Yes, sir.
Q Were you married under a license ? A We had a certificate.
Q You did not have a license ? A No, sir, I reckon not.
Q Were you ever married before you were married to this man ?
A No, sir.
Q Was he ever married before he was married 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.

Bettie Betts 2

- Q There has been no separation, abandonment or divorce ? A No, sir.
- Q Are you at the present time living together as actual and bona fide residents of the Choctaw Nation ? A. Yes, sir.
- Q What was your name before you were married ? A. Street.
- Q What was your full name ? A Bettie Street.
- Q Were you ever known under the initials of D. E. ? A Yes, sir, my name is Dallas Elizabeth.
- Q Bettie is the name under which you were married ? A Yes, sir.

The Commission has on file with the records in your case a marriage certificate issued to William W. Betts and D. E. Streets:

- Q Are you and your husband the identical persons referred to in that marriage certificate ? A Yes, sir.

--

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 above entitled cause at Atoka, Indian Territory, March 10, 1903; that the above and foregoing transcript is a true, full and correct translation of his stenographic notes as taken in said cause on said date.

Fred V. Kinkade

Subscribed and sworn to before me this 3 day of April 1903.

Charles H. Sawyer
Notary Public.

5660
J.B.D.
7 - 4424

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


In the matter of the application for the enrollment of
Bettie Betts as a citizen by intermarriage of the Choctaw Nation.

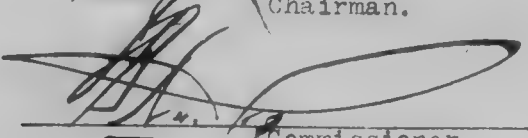
D E C I S I O N .

It appears from the record herein that Bettie Betts, on February 29, 1888, was lawfully married to William W. Fetts, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as No. 12315 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 March 6, 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.

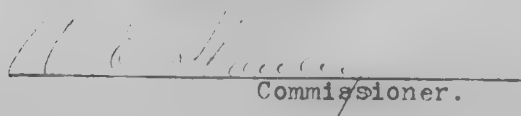
It is, therefore, the opinion of this Commission that Bettie Betts should be enrolled as a citizen by intermarriage of the Choctaw Nation in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495) and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,


Chairman.


Commissioner.


Commissioner.


Commissioner.

Muskogee, Indian Territory,

JUL 28 1903

Choctaw-4424.

COFY.

Muskogee, Indian Territory, July 28, 1903.

Bettie Betts,

Atoka, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 28, 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. McCallie.

Commissioner in Charge.

Registered.

Enc. IBS. 16/28

Choctaw-4424.

COPY.

Muskogee, Indian Territory, July 28, 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 28, 1903, granting the application of Bettie Betts 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,

I. B. Needles.
Commissioner in Charge.

Registered.

Enc IBS. 17/28

Blue County N.Y.
Nov 12 1854

To the Honorable J. M. Deane
Del. State of N.Y. at Albany
Between the County of Blue and the Town of
Lowville. The Town of Lowville
according to the Town and the Lowville
the 12 Oct 1854

I hereby recorded this ^(16th) day of
Dec, A.D. 1888 on book of record page 409

J. J. Harland
Clerk Blue Co.
C.N.

Blue County I N T
May the 12 A D 8

This is to Certify that I I P De Witt Did Solemnize the rite
of Matrimony Between William W Betts and D. E. Streets on the 29 day
of february A. D. 1888 according to the Laws of God and the Laws of the
Choctaw Nation this givin May the 12 A. D. 1888

I. P. DeWitt

M. G.

Reverse

16 th
I hereby recorded this ~~29th~~ day of Dec. A. D. 1889

on book of second page 469

I. J. Gardner
Clerk Blue Co
C. N.

S E A L

COUNTY AND PROBATE COURT

CHOCTAW NATION

BLUE COUNTY

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

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Cordis Lee Betts, born on the 16 day of November, 1900
(Here insert name of child)
Name of Father: William Wallace Betts, a citizen of the Choctaw Nation.
Name of Mother: Betty Betts, a citizen of the Choctaw Nation.
Post-office, Atoka, Ind. Terr.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.

Central District.

I, Betty Betts, 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 William Wallace Betts, who is a citizen, by
blood, of the Choctaw Nation, that a female child was
(male or female)
born to me on the 16 day of November, 1900 that said child has been
named Cordis Lee Betts, and is now living.

WITNESSES TO MARK

(Must be Two)
Witnesses

Subscribed and sworn to before me this 17 day of December, 1900.

Dwight Brown
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.

Central District.

I, Martha York, a midwife, on oath state that I
attended on Mrs. Betty Betts, wife of William Wallace Betts,
on the 16 day of November, 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 Cordis Lee Betts.

WITNESSES TO MARK:

(Must be Two)
Witnesses

Subscribed and sworn to before me this 17 day of Dec., 1900.

Martha York
Dwight Brown
NOTARY PUBLIC.

Muskogee, Indian Territory, December 19, 1900.

Mr. William W. Betts.

Atoka, Ind. Ter.

Dear Sir:-

The Commission is in receipt of the application for enrollment as a citizen of the Choctaw Nation of Cordie Lee Betts, the infant daughter of William W. and Betty Betts, born November 13, 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.

Respectfully.

7-4424.

Acting Chairman.

7-4434.

Muskogee, Indian Territory, December 19, 1902.

Bettie Betts,

Atoka, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 5th inst., in which you state that owing to the sickness of your husband he was detained in Kansas City, and could not appear before the Commission at Atoka; and you ask if W.W., Bettie, Claude, Clyde, Idell (deceased) and Corrie Betts are properly enrolled.

You are advised that it appears from our records that William W., Claude, Idell, Clyde and Corrie Lee Betts have been listed for enrollment as citizens by blood of the Choctaw Nation, and that you have been listed for enrollment as an intermarried citizen of said 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 approved, July 1, 1902, which was ratified by the citizens of the Choctaw

B B 2

and Chickasaw Nations September 25, 1902; 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 ratification of the act of Congress above referred to. For the purpose of securing this testimony the Commission will be at South McAlester, Indian Territory, from December 20 to 34, 1902 inclusive.

In order that the death of your daughter, Idell Betts, may be made a matter of record, there is herewith enclosed a blank form for proof of death, which you are requested to have correctly executed and return in the enclosed envelope at your earliest convenience.

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 same are acknowledged must affix his notarial jurat and seal to each separate affidavit.

Respectfully,

Commissioner in Charge.

Env.

D.C.

7-4424

Muskogee, Indian Territory, January 27, 1903.

R.D. Betts,

Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your affidavit and that of D.C. Betts relative to the death of your granddaughter, Idell Betts, a citizen by blood of the Choctaw Nation, which occurred October 23, 1899; 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,

Acting Chairman.

Muskogee, Indian Territory, February 28, 1903.

Bettie Betts,

Atoka, 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.

MEMORANDA.

(Date) 2/1/2 1899.

82 ✓

Name [Handwritten Name]
 Choctaw? ye County [Handwritten County] Year [Handwritten Year] No. [Handwritten No.]
 Chickasaw? _____ County _____ Year _____ Page _____
 Citizen by blood? ye Mother's citizenship [Handwritten]
 Intermarried citizen? _____
 Married under what law? _____
 License filed this day, _____

27 #

Wife's name, [Handwritten Name]
 Choctaw? ye 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 ✓	<u>[Handwritten Name]</u>	County _____	Year <u>12</u>	Page _____	No. _____
6 =	<u>[Handwritten Name]</u>	County _____	Year _____	Page _____	No. <u>1724</u>
4 #	<u>[Handwritten Name]</u>	County _____	Year _____	Page _____	No. <u>763</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. _____

On wall Wallace Betts

11424

[Handwritten]

Choc 4425 Edward A. word

4425

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--

LARY WARD ----- 7 D-823.

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--

MARY WARD ----- 7 D-823.

Choctaw
9873

Department of the Interior
Commission to the Five Civilized Tribes
Ada, I.T. November 11, 1902.

Original.

In the matter of the application for enrollment as a citizen
by intermarriage of the Choctaw Nation of Mary Ward.

Mary Ward being first duly sworn testified as follows:

Examination by the Commission

- Q What is your name? A Mary Ward.
Q What is your age? A Twenty-one.
Q What is your post office address? A Jesse, I.T.
Q Is that in the Chickasaw Nation? A Yes, sir.
Q How long have you lived in the Chickasaw Nation? A Ten years.
Q Lived here continuously for the past ten years? A Yes, sir.
Q Never lived anywhere else during that time? A No, sir.
Q What is the name of your father? A Lewis Couch.
Q Is he living? A Yes, sir.
Q Is he a white man? A Yes, sir.
Q Never made any claim for enrollment as a member in any tribe of
Indians? A No, sir.
Q What is the name of your mother? A Her mother is Sallie Couch.
Q Is she living? A No, sir.
Q She is a white woman? A Yes, sir.
Q Never has made any claim to enrollment in any tribe of Indians? A
No.
Q Are you now making application for enrollment as an intermarried
citizen of the Choctaw Nation? A Yes, sir.
Q What is the name of your Choctaw husband through whom you claim
intermarried rights? A Edward A. Ward.
Q Is he a recognized and enrolled citizen of the Choctaw Nation? A
Yes, sir.

The name of the applicants husband, Edward A. Ward, appears
upon the records of the Commission on Choctaw Roll Card number
4425, having been listed for enrollment as a citizen by blood
of the Choctaw Nation upon the identification of his name on the
1896 Choctaw census roll, Atoka County, Number 13942.

- Q When were you married to Edward A. Ward? A The 26th of April
1902.
Q Where did this marriage take place? A Stonewall
Q In the Chickasaw Nation? A Yes, sir.
Q Where was your husband living at that time? A He was living
at Atoka.
Q He was living at Atoka? A Yes, sir.
Q How long had he been living at Atoka? A No, sir.
Q Under what Law were you married? A Under Choctaw law.
Q Did you procure a marriage license from the tribal authorities?
A Yes, sir.
Q Yes, is it? A Yes, sir.
Q Who performed the marriage ceremony? A Preacher Giles.

There is offered in evidence, marked exhibit "A" and made a
part of the record in this case, marriage license issued by
the Clerk of the County Court of Atoka County, Choctaw Nation, to
E. A. Ward and Mary Couch and attached thereto is the certificate
of H. T. Lyles to the effect that on April 26, 1902, he united
the above named parties in marriage.

#2

- Q Were you ever married before your marriage to Edward A. Ward? A No, sir.
- Q Was he ever married before his marriage to you? A No, sir.
- Q Since the marriage have you lived together continuously as husband and wife? A Yes, sir.
- Q Are you at present bonafide residents of the Chickasaw Nation? A Yes, sir.
- Q When did your husband remove from the Chickasaw Nation to the Choctaw Nation? A When we was married---it was in May.
- Q Has he lived here ever since? A Yes, sir.
- Q You are at present making this your permanent home? A Yes, sir.

Witness excused.....

Edward A. Ward being first duly sworn testified as follows:

Examination by the Commission

- Q What is your name? A Edward A. Ward.
- Q Your age? A Twenty-seven.
- Q Your post office address? A Jesse.
- Q Is that in the Chickasaw Nation? A Yes, sir.
- Q How long have you lived in the Chickasaw Nation? A Since May I believe.
- Q Ever since this last May? A Yes, sir.
- Q Where did you live before that? A Down near Atoka.
- Q How long had you resided in the Choctaw Nation? A I was born and raised there.
- Q Lived there all of your life until May when you removed to the Chickasaw Nation? A Yes, sir.
- Q Are you at present married? A Yes, sir.
- Q What is the name of your wife? A Mary.
- Q She is an applicant for enrollment as an intermarried citizen of the Choctaw Nation? A Yes, sir.
- Q When were you married to her? A In April I believe it was.
- Q Where was this marriage ceremony performed? A At Stonewall.
- Q Were you married in accordance with the Choctaw or Chickasaw law? A Choctaw law.
- Q At that time were you a bonafide resident of the Choctaw Nation? A Yes, sir.
- Q You had not yet removed to the Chickasaw Nation? 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 November 11, 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 20 day of January 1903.

Charles H. Sawyer

Notary Public.

W. H. A.

105-25

"Ex A."

~~7-4~~

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED STATES
FILED

NOV 11 1902

~~...~~

CHOCIAW

...

105-25

MARRIAGE LICENSE.



Choctaw Nation,
Atoka County. } ss.

To any person authorized by law to solemnize marriages—
Greeting:

You are hereby commanded to solemnize the Rite and publish the Banns of Matrimony between Mr. *E A Ward*, of *Atoka*, in the *Ind Ter*, aged *26* years, a citizen of the *Choctaw Nation* and Miss *Mary South*, of *Stonewall*, a citizen of the *United States* in the *Ind Ter*, 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 *22nd* day of *April* A. D., *189 1902*

M. Harrison

Clerk of the County Court.

By

Deputy.

CERTIFICATE OF MARRIAGE.

Choctaw Nation,
Atoka County. } ss.

I, *H. T. Lyles*, a
Minister of the Gospel

Do hereby certify, that on the *26* day of *April*, A. D., *189 1902*, 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 *26* day of *April*, A. D., *189 1902*

H. T. Lyles

A. M. S. in M. E. Church, South

Comm
Jbd

7 D-823.

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

-----:-----

In the matter of the application for the enrollment of
Mary Ward as a citizen by intermarriage of the Choctaw Nation.


- D E C I S I O N -

It appears from the record herein that Mary Ward was law-
fully married, on April 26, 1922, to Edward A. Ward a recognized and
enrolled citizen by blood of the Choctaw Nation. One name appears on
roll of 1922 and the lists prepared for intermarriage, under the
act of Congress approved July 1, 1921 (42 Stat., 211), of persons
entitled to enrollment as citizens by blood of the Choctaw Nation
and approved by the Secretary of the Interior on March 1, 1923; that
the said Edward A. Ward was the son of John A. Ward, a resident of
the Choctaw Nation, and the said Edward A. Ward was a resident of
the Choctaw Nation, and that the said Edward A. Ward was a resident
of either of the said States or Territories of the United States
at the time of said marriage, to-wit: on April 26, 1922.
It is, therefore, the order of the Commission that Mary
Ward should be enrolled as a citizen by intermarriage of the Choctaw
Nation, under the provisions of the act of Congress approved July
1, 1921 (42 Stat., 211) and July 2, 1921 (42 Stat., 211), as it is
so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



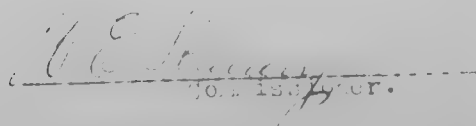
Commissioner.



Assistant Commissioner.



C. L. Bessinger
Commissioner.



J. E. Lanning
Assistant Commissioner.

Washoe, Indian Territory,

MAR 15 1924

COPY. Choctaw D-823

Muskogee, Indian Territory, March 29, 1904.

Dear Sir,

Folsom, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered March 18, 1904, granting your application for enrollment as a citizen by the 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 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 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)

Registered.
Enc Choctaw D-823

W. J. Phillips
Commissioner in Charge.

Choctaw D-823

COPY

Muskogee, Indian Territory, March 29, 1904.

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 March 15, 1904, granting the application of Mary Ward 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 in which to file protest against the action of the Commission in enrolling said Mary Ward 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,

Commissioner in Charge.

Registered
Choctaw I-823

Choctaw 4425

Muskogee, Indian Territory, October 20, 1902.

E. A. Ward,

Jesse, Indian Territory,

Dear Sir:

~~Receipt is hereby acknowledged~~ of your letter of October 18, inclosing marriage license and certificate between E. A. Ward and Mary Couth, and asking for the enrollment of your wife as an intermarried citizen of the Choctaw Nation.

In reply to your letter you are advised that it does not appear from our records that an application has been made by your wife Mary Ward for enrollment as an intermarried citizen of the Choctaw Nation and before any evidence can be accepted by the Commission in support of her claim to enrollment as an intermarried citizen of the Choctaw Nation it will be necessary for her to appear before the Commission in person, for examination, under oath, at which time a proper record will be made of her case.

The marriage license and certificate forwarded by you are herewith returned and it is suggested that if your wife desires to present an application for enrollment as an intermarried citizen of the Choctaw Nation she may appear before the Commission at one of its appointments in the Choctaw and Chickasaw Nations, a list of

E.A.V. 2

which is inclosed you herewith, and make such personal application to the Commission, at which time proper record will be made of her case and such documentary evidence as she may desire to submit will be received and filed with her application.

Respectfully,

Acting Chairman.

AB 5-28

Notice of appointments.

Choctaw-D-823.

Muskogee, Indian Territory, December 8, 1903.

Edward A. Wood,
Folsom, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of December 1, 1903, asking if your wife's claim has been decided as you desire to file on her land.

In reply to your letter you are informed that the Commission has not yet passed upon the application of Mary Wood, wife of Edward A. Wood, 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 thereof.

You are informed that if you will forward a description of the land which she desires to select in allotment proper notation thereof will be made upon our records and she will be notified in the event any other person or persons make application for the same land or any portion thereof and she will be permitted to institute contest proceedings therefor.

Respectfully,

Chairman.

Choctaw D 823

Muskogee, Indian Territory, February 19, 1904.

Edward A. Ward,
Folsom, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of February 13, asking how it happens that the name of your wife, Mary E. Ward appears on the doubtful list.

In reply to your letter you are advised that the Commission has not yet passed upon the application of your wife, Mary Ward, for enrollment as an intermarried citizen of the Choctaw nation and her status is that of an applicant whose rights are not yet determined. As soon as a decision is reached in this case she will be notified of the action taken.

Respectfully,

Commissioner in Charge.

MEMORANDA.

(Date) Sept 4 1899.

24 ✓ Name Edward M. Ward
Choctaw? yes County Atala Year 16 No. 12942
Chickasaw? County Year Page 365
Citizen by blood? Mother's citizenship US
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.

of ...

4425

Choc 4426 Hiram Lancaster

4426

MEMORANDA.

(Date) 0.11.2 1899.

43 Name [Handwritten 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,

42 ✓ 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 ✓ [Handwritten Name] County Year Page No.

14 ✓ [Handwritten Name] County Year Page No.

11 ✓ [Handwritten Name] County Year Page No.

6 ✓ [Handwritten 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.

✓ [Handwritten notes]

4426

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

In the enrollment of Hiram Lancaster and children as chock-taws; being sworn and examined by com'r McKennon he states:

- Q What is your name? A Hiram Lancaster.
- Q How old are you? A Forty-three.
- Q Where have you been living with this family? A In this ter ritory.
- Q How long? A I came here the first of April 1875, went back to Mississippi and married and staid three years, and then I came back and have been here ever since.
- Q All the while? A Yes sir.
- Q Never recognized until now? A My citizenship wasn't disputed in the Chickasaw nation most of the time.
- Q Were you ever enrolled? A No sir.
- Q Did you draw money? A No sir.
- Q Why did you say it was not disputed? A I didn't make application for citizenship.
- Q You lived here as a non-citizen? A I can't say I was recognized, but I didn't pay any permit.

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify that the foregoing is a true and correct translation of the stenographic notes taken at the Commission, and that this translation is a true and correct translation of my stenographic notes.

McKennon

Alikchi, Indian Territory, April 29th, 1899.

AFFIDAVIT, of MAMALEY JONES, In Re, Hiram Lancaster, et al.
MAMALEY JONES, being duly sworn by Commissioner T. F. Needles, makes the following statement. Examined by Messrs A. Telle, and Judge Lewis.

Mitchell LeFlore was my first husband, I married him about one year after I first came to this country from the old Nation. The Father of Thomas LeFlore was a Frenchman. Thomas was Mitchell LeFlore's brother. Mitchell LeFlore had but two sisters, Their names were Mary and Sophy. Mary married a white man named Smallwood, from which the Smallwood family sprung. I do not know who Sophy married, or whether she ever married or not. Mitchell LeFlore had no sister named Mimie. Mitchell LeFlore only had two sisters, they were Mary and Sophy whom I have mentioned. I never heard of Mimie. I never heard of any of that family marrying a man by the name of Lancaster. Thomas and Mitchell LeFlore were sons of an old Frenchman named Michael LeFlore. Thomas LeFlore was at one time Chief.

-----000-----

Muskogee, Indian Territory, November 8, 1900.

Charles F. Potter,

Superintendent Tushkahomma Female Institute,
Tushkahomma, Indian Territory .

Dear Sir:

The Commission is in receipt of your letter of the 5th instant in which you desire to be informed if the names of certain girls are on the rolls of citizens of the Choctaw Nation as being prepared by this Commission as Choctaws by blood.

You inquire concerning Willie Lancaster, the daughter of H. Lancaster of Lehigh, Indian Territory. The records of this Commission show that a Mary W. Lancaster, 17 years of age, of Lehigh, Indian Territory and the daughter of Hiram and Margaret Lancaster, was listed for enrollment as a citizen of the Choctaw Nation, September 2nd, 1899, having been admitted to citizenship in that Nation by judgment of the United States Court for the Central District of the Indian Territory August 24th, 1897, in court case No. 28, under the name of Mary Willie Lancaster. The name of this applicant is not on any of the tribal rolls of the Choctaw Nation and she is only listed for enrollment by this Commission in pursuance of the judgment of court above referred to.

As to Fannie Garsides of whom you inquire, the daughter of Joseph Garsides, the records of the Commission show that Joseph Garsides, 45 years of age of Stringtown, Indian Territory, has been listed for enrollment by this Commission as a doubtful claimant to intermarried citizenship in the Chickasaw Nation. This applicant

C/ (2

has a daughter by the name of Fannie K. Garsides but she has not up to this time been listed for enrollment by this Commission as a citizen of the Choctaw Nation.

The name of Mittie Lewis, 14 years of age, of Coalgate, Indian Territory, and the daughter of Weevey and Fannie Lewis, both of whom are now dead, appears as 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, August 26th, 1897 in court case No. 59. The name of this applicant does not appear upon any of the tribal rolls of the Choctaw Nation in the possession of the Commission and she has been listed for enrollment in pursuance of the judgment of court above referred to.

Yours truly,

Acting Chairman.

7-3501
7-4426
9-D-292

Muskogee, Indian Territory, February 13, 1901.

J. G. Ralls,

Atoka, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 8th instant in which you state that Robert B. Lancaster has married a white woman who 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. Lancaster at Atoka, Indian Territory, on February 23rd, 1901.

Yours truly,

Acting Chairman.

7-4426

Choctaw 4426

Muskogee, Indian Territory, February 28, 1902.

F. E. Riddle,

Chickasha, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 21st instant, in which you desire to be informed if W. H. Lancaster, of Lehigh, Indian Territory, is a member of either the Choctaw or Chickasaw Tribes of Indianland and if he is listed for enrollment by the Commission.

Replying to your letter you are informed that it does not appear from our records that any person by the name of W. H. Lancaster has ever been listed for enrollment by this Commission as a citizen of either the Choctaw or Chickasaw Nations.

The records do show however, that Hiram Lancaster, 43 years of age, of Lehigh, Indian Territory, his wife, Margaret and their minor children, Robert B., Knox R., Harry and Russ Lancaster were on September 2, 1899 listed for enrollment as citizens of the Choctaw Nation, having been admitted to such citizenship by judgment of the United States Court for the Central District of the Indian Territory,

Y E R 2

rendered at South McAlester, Indian Territory, August 24, 1897
in Choctaw citizenship case No. 28.

If this is not the person concerning whom you inquire
and you will state his full name and age, the time and place
he claims to have made application to the Commission, the matter
will receive further consideration.

Yours truly,

Commissioner in Charge.

Choctaw 4426

Muskogee, Indian Territory, April 22, 1904.

Commissioner in Charge,

Chickasaw Land Office,

Tishomingo, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of April 16, in re contest Number 26, Clara Cooper versus Sallie Sturdivant, asking if the citizenship of Hiram Lancaster has been passed upon by the Choctaw and Chickasaw Citizenship Court. In the event his case has been decided adversely, you ask if the plea of intervention filed by Hiram Lancaster in the contest suit above referred to should be dismissed in order that the cause may be called for trial on the date the same is set for hearing.

In reply to your letter you are advised that on March 28, 1904, the Choctaw and Chickasaw Citizenship Court rendered its decree denying the right to enrollment as citizens of the Choctaw Nation of Hiram Lancaster, his wife, Margaret Lancaster, and their children, Robert B., Knox R., Harry and Russ Lancaster.

As stated in office letter of April 14, your office is directed to dismiss any contests or other proceedings pending before your office wherein these persons appear as applicants for enrollment

7
Chickasaw L O

as citizens of the Choctaw Nation whose status is undetermined.

Respectfully,

Chairman.

Choc 4427 Mary W. Lancaster

no 2 Dismissed May 27, 1904

4427

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

-----c-----

Record in the matter of the application for enrollment
as a citizen by blood of the Choctaw Nation of:

Esther Stoops,

7-4427.

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-o-
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Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
 of Esther Stoops, born on the 26th day of December, 1897.
 Name of father: Jesse Stoops who is not, a citizen of the Choctaw Nation.
 Name of mother: Willie Lancaster, a citizen of the Choctaw Nation.
 Post Office: Deligh Ind. Ter

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Central District.

I, Willie Lancaster, on oath, state that I am 17 years of age and a
 citizen, by blood, of the Choctaw Nation; that I ~~was~~ ^{was} the
 lawful wife of Jesse Stoops who is ^{not} a citizen, of the
Choctaw Nation; that a girl child was born to me on the 26th day
 of December, 1897; that said child has been named Esther Stoops
 and is now living. That I was granted a divorce & restored to my
maiden name, Lancaster. Willie Lancaster

Subscribed and sworn to before me this 2nd day of September, 1899.
J. J. J. J. J. Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Central District.

I, H. G. Gove M.D., a Physician, on oath, state that I
 attended on Mrs. Willie Lancaster ^{the} wife of Jesse Stoops
 on the 26 day of December, 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 Esther Stoops

Subscribed and sworn to before me this 2nd day of September, 1899.
H. G. Gove M.D. Notary Public.

A 66d

7-4427.

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

-----o-----

In the matter of the application for the enrollment of
Esther Stoops as a citizen by blood of the Choctaw Nation.

-----o-----

The applicant, Esther Stoops, claims her right to enrollment as a citizen by blood of the Choctaw Nation through her mother Mary W. Lancaster. The right of the applicant's mother, Mary W. Lancaster, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, March 28, 1904, in case No. 82, upon the South McAlester docket of said court, it is hereby ordered that the application of Esther Stoops for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,


Chairman.

Muskogee, Indian Territory,

Choctaw 4427

COPY.

Muskogee, Indian Territory, June 4, 1904.

Mary W. Lancaster,
Lehigh, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated May 27, 1904, dismissing the application for enrollment as a citizen by blood of the Choctaw Nation of Esther Steops.

Respectfully,

(SIGNED)

Tamo Sixby.

Chairman.

Registered.

Incl. 7-4427.

Choctaw 4427
COPY:

Muskogee, Indian Territory, June 4, 1904.

Alonzo T. West,
Attorney at Law,
Lehigh, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated May 27, 1904, dismissing the application for enrollment as a citizen by blood of the Choctaw Nation of Esther Stoops.

Respectfully,

(SIGNED)

Tams Dixby.

Registered.

Chairman.

Incl. 7-4427.

COPY. Choctaw 4427

Muskogee, Indian Territory, June 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 order of the Commission to the Five Civilized Tribes, dated May 27, 1904, dismissing the application for enrollment as a citizen by blood of the Choctaw Nation of Esther Stoops.

Respectfully,

(SIGNED)

Jams Bixby.
Chairman.

Registered.

Incl. 7-4427.

See Choctaw 4650 for registry receipt for this letter.

MEMORANDA.

(Date) 2/11 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,

17 ✓ Wife's name, Mary M. Lancaster

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:

2 ✓ Walter Stamps County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... 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, including a large signature and the date 4/2/97]

[Handwritten notes at the bottom left]

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

In the enrollment of Mary W. Lancaster as a Choctaw; being sworn and examined by Com'r McKennon she testifies:

- Q What is your name? A Mary W. Lancaster.
- Q How old are you? A Seventeen.
- Q Where have you been living? A Here in the Indian Territory.
- Q How long? A About ten years now; I came here when I was seven years old.
- Q Have you been living here all the while? A Yes sir.
- Q You were married when? A In 1896.
- Q To whom? A Jesse Stoops.
- Q What time in 1896? A December, 30th.
- Q When this judgment was rendered your name was Mary W. Stoops?
A It was Lancaster.
- Q How long did you live with him? A One year.
- Q And then separated from him? A Yes sir.
- Q You are divorced from him? A Yes sir.
- Q Have you a child? A Yes sir.
- Q What is its name? A Esther.
- Q When was it born? A December 26th 1897
- Q That is the correct date of its birth? A Yes sir.
- Q When you were divorced you took your maiden name, Lancaster, again? A Yes sir.

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify that the official such as stenographer to the Indian Commission, that this transcript is a true, full and correct translation of my stenographic notes.

M. L. S. C.

7-4427

Muskogee, Indian Territory, March 24, 1902.

Alonso T. West,
Attorney at Law,
Lehigh, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged your letter of the 19th instant stating that H. Lancaster has requested you to ascertain if Esther Steops who is a daughter of Willie Lancaster and a grand daughter of H. Lancaster, is on the roll.

You are informed that the records of the Commission show that on September 2, 1899 Mary W. Lancaster, 17 years of age of Lehigh Indian Territory was duly listed for enrollment as a citizen of the Choctaw Nation having been admitted by the United States Court for the Central District of Indian Territory, at South McAlester, Indian Territory, August 24, 1897 and that her minor child Esther Steops, born December 26, 1897 was also listed for enrollment at the same time. Proof of the birth of this child was filed October 26, 1899.

Yours truly,

Commissioner in Charge.

Choc 4428 Lorena Davis

4428

CHOCTAW.

8742

20

INDEXED

IN RE

Application for Enrollment of

INFANT CHILD

Jefferson Harris Davis
as a citizen of

Choctaw

Nation.

Approved, JUN 15 1901 190


Commissioner.

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

FILED

JUN 15 1901


ACTING CHAIRMAN

CHOCTAW.

#4428.

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

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Jefferson Harris Davis, born on the 18th day of February, 1901
(Here insert name of child)
Name of Father: A. M. Davis, a citizen of the Choctaw Nation.
Name of Mother: Lorena Davis, a citizen of the Choctaw Nation.
Post-office, Pauls Valley

AFFIDAVIT OF MOTHER.

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

I, Lorena Davis, 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 Alongo M Davis, who is a citizen, by
marriage, of the Choctaw Nation, that a male child was
born to me on the 18th day of February, 1901; that said child has been
named Jefferson Harris Davis, and is now living.

WITNESSES TO MARK

(Must be Two
Witnesses)

Subscribed and sworn to before me this 17th day of June, 1901.

J R Wood
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, J. S. Humme, Physician, on oath state that I
attended on Mrs. Lorena Davis, wife of Alongo M Davis,
on the 18th day of February, 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 Jefferson Harris Davis.

WITNESSES TO MARK:

(Must be Two
Witnesses)

Subscribed and sworn to before me this 17th day of June, 1901.

J R Wood
NOTARY PUBLIC.

MEMORANDA.

(Date) Aug 12 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
9
7
5

..... County Year Page No. 3

..... County Year Page No. 609

..... County Year Page No. 610

..... County Year Page No. 3611

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

11428

Muskogee, Indian Territory, June 15, 1901.

Mr. J. R. Wood,

Coalgate, Ind. Ter.

Dear Sir:-

The Commission is in receipt of your letter of the 13th instant, enclosing application for the enrollment as a citizen of the Choctaw Nation of Jefferson Harris Davis, the infant son of Alonzo H. and Lerena Davis, born February 18, 1901; the same being in proper form, has been accepted and filed with the records of this Commission, and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

McM

7-4428

Muskogee, Indian Territory, November 11, 1901.

A. M. Davis,

Johnson, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 6th instant, in which you desire to be informed if Jefferson Harris Davis has been enrolled as a Choctaw by blood.

Replying to your letter you are informed that it appears from our records, that on June 15, 1901, Jefferson Harris Davis, the infant son of Alonzo K. and ~~James~~ Davis, was listed for enrollment as a citizen by blood of the Choctaw Nation.

Yours truly,

Acting Chairman.

7-4428

Muskogee, Indian Territory, December 3, 1901.

A. M. Davis,

Johnson, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 29th ultimo, in which you state that your children are citizens by blood of the Choctaw Nation and you desire to know if you can put them in the Chickasaw schools as they are living in the Chickasaw Nation.

The proper person for you to address for information on this subject is Hon. John D. Benedict, Superintendent of Schools in Indian Territory, Muskogee, Indian Territory.

The records of this office show that on September 2, 1899, Alice A. Davis, 11 years old, Carrie J. Davis, 9 years old, Royal E. Davis, 7 years old and Winnie H. Davis, 5 years old, the children of A. M. and Lorena Davis, were listed for enrollment as citizens by blood of the Choctaw Nation. The names of all of these children were identified from the 1896 census roll of the Choctaw Nation as residents of Atoka County.

Yours truly,

7-4428

Commissioner in Charge.

choc 4429 Dora Dillard

Nº1 Dismissed may 7, 1904

Nº2 Dismissed may 27, 1904

4429

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

---O---

Record in the matter of the application for enrollment
as a citizen by blood of the Choctaw Nation of:

Bertha May Dillard,

7-4429.

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---O---
---O---
-O-
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CHOCTAW.

INDEXED

20

IN RE

Application for Enrollment of

INFANT CHILD

Bertha May Dillard
as a citizen of

Choctaw Nation.

DEC 27 1901

Approved

C. R. Beechum
Commissioner.

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

FILED

DEC 27 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 Bertha May Dillard, born on the 17 day of December, 1901,
(Here insert name of child)
Name of Father: Robert L. Dillard, a citizen of the Choctaw Nation.
Name of Mother: Dora Dillard, a citizen of United States Nation.
Post-office, Ardmore, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, Dora Dillard, on oath state that I am 22
years of age and a citizen, by blood, of the U nited States Nation;
that I am the lawful wife of Robert L. Dillard, who is a citizen, by
blood, of the Choctaw Nation, that a female child was
(male or female)
born to me on the 17 day of December, 1901; that said child has been
named Bertha May Dillard, and is now living.

WITNESSES TO MARK

(Must be Two
Witnesses)

Mrs. Josie Jones
F. G. Jones
Dora Dillard

Subscribed and sworn to before me this 24 day of December, 1901 190

[Signature]
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, T.S. Booth, a Physician, on oath state that I
attended on Mrs. Dora Dillard, wife of Robert L. Dillard
on the 17 day of December, 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 Bertha May Dillard

WITNESSES TO MARK:

(Must be Two
Witnesses)

Mrs. Josie Jones
F. G. Jones
T. S. Booth, M.D.

Subscribed and sworn to before me this 24 day of December, 1901 190

[Signature]
NOTARY PUBLIC.

D. G. D.

7-4429.

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

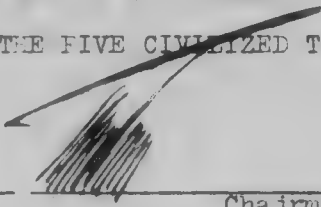
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In the matter of the application for the enrollment of
Bertha May Dillard as a citizen by blood of the Choctaw Nation.

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The applicant, Bertha May Dillard, claims her right to enrollment as a citizen by blood of the Choctaw Nation through her father Robert L. Dillard. The right of the applicant's father, Robert L. Dillard, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, January 29, 1904, in case No. 43, upon the South McAlester docket of said court, it is hereby ordered that the application of Bertha May Dillard for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



Chairman.

Muskogee, Indian Territory,

Choctaw 4429

COPY:

Muskogee, Indian Territory, June 4, 1904.

Dora Dillard,

Ardmore, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated May 27, 1904, dismissing the application for enrollment as a citizen by blood of the Choctaw Nation of Bertha May Dillard.

Respectfully,

(SIGNED)

Jams Dixby.

Chairman.

Registered.

Incl. 7-4429.

Choctaw4429

COPY.

Muskogee, Indian Territory, June 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 order of the Commission to the Five Civilized Tribes, dated May 27, 1904, dismissing the application for enrollment as a citizen by blood of the Choctaw Nation of Bertha May Dillard.

Respectfully,

(SIGNED)

James Dixby.

Chairman.

Registered.

Incl. 7-4429.

See Choctaw 4650 for registry receipt for this letter.

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

-----o-----

Record in the matter of the application for enrollment
as a citizen by intermarriage of the Choctaw Nation of:

Dora Dillard ----- 7-4429.

-----o-----

518
~~SECRET~~

CERTIFICATE OF RECORD OF MARRIAGES

UNITED STATES OF AMERICA }
THE INDIAN TERRITORY } SCT.
CENTRAL DISTRICT }

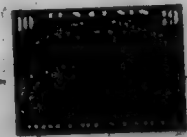
I, E. J. FANNIN, Clerk of the United States Court in the Indian Territory and District aforesaid, DO HEREBY CERTIFY that the License for and Certificate of the Marriage of

Mr. *R L Dillard* and
M *Dora Baker*

were filed in my office in said Territory and District the *27* day of *Dec* A. D. 189*8* and duly recorded in Book *One* of Marriage Record, Page *184*

WITNESS my hand and seal of said Court, at *Atoka* this *29* day of *Dec* A. D. 189*8*

E. J. FANNIN, Clerk.
By *E J Robb* Deputy.



MARRIAGE LICENSE

No. 169



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. R L Dillard
of Cralyate in the Indian Territory, aged 21
years, and M Dora Batten
of Cralyate in the Indian Territory, aged 19
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 Dec A. D. 1898

D. R. Rabb

Deputy

E. J. Fermin
Clerk of the U. S. Court

CERTIFICATE OF MARRIAGE

UNITED STATES OF AMERICA }
INDIAN TERRITORY } SS.
CENTRAL DIST.

1. Alfred Boyle
a Minister of the Gospel

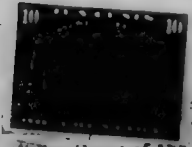
DO HEREBY CERTIFY That on the 21 day of Dec A. D. 1898

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 21 day of Dec A. D. 1898

My credentials are recorded in the office of the Clerk of the United States Court in the Indian Territory,
Central District, Book 13 Page 133

Alfred Boyle
Minister of the Gospel



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).

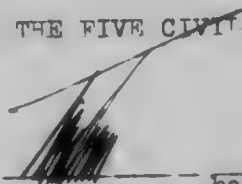
pbdo
7-4429.

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

In the matter of the application of Dora Dillard for enrollment as a citizen by intermarriage of the Choctaw Nation.

The applicant, Dora Dillard, nee Baker, claims her right to enrollment as a citizen by intermarriage of the Choctaw Nation by reason of her marriage to one Robert L. Dillard. The right of the applicant's husband, Robert L. Dillard, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, of January 20, 1904, in case number 43, upon the South McAlester docket of said court, it is hereby ordered that the application of Dora Dillard for enrollment as a citizen by intermarriage of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,


Chairman.

uskogee, Indian Territory,

MAY 22 1904

7-4429

Muskogee, Indian Territory, May 7, 1904.

Dora Dillard,
Ardmore, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated May 7, 1904, dismissing your application for enrollment as a citizen by inter-marriage of the Choctaw Nation.

Respectfully,

(SIGNED)

E. E. Hoel

Commissioner in Charge.

Registered

Enc. 7-4429.

7-4429

COPY.

Muskogee, Indian Territory, May 7, 1904.

J. S. Mullen,
Attorney at Law,
Ardmore, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated May 7, 1904, dismissing the application of Dora Dillard for enrollment as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

(SIGNED)

J. P. Hodges.

Commissioner in Charge.

Registered.

Enc. 7-4429.

7-4429

COPY.

Muskogee, Indian Territory, May 7, 1904.

Mansfield, McMurray & Cornish,

~~Attorneys for Choctaw and Chickasaw Nations,~~

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated May 7, 1904, dismissing the application of Dora Dillard for enrollment as a citizen of the Choctaw Nation by intermarriage.

Respectfully,

(SIGNED)

T. W. Jewell.

Commissioner in Charge.

Enc. 7-4429.

MEMORANDA.

(Date) July 12 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, Anna M.

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.

4429

Muskegee, Indian Territory, December 27, 1901.

Robert L. Dillard,
Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Bertha May Dillard, the infant daughter of Robert L. and Dora Dillard, born December 17, 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.

7-4429

Muskogee, Indian Territory, December 27, 1901.

J. S. Mullen,

Ardmore, 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 Bertha May Dillard, the infant daughter of Robert L. and Dora Dillard, born December 17, 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.

Yours truly,

Commissioner in Charge.

7-4429

Choc 4430 William R. Orr
Catherine Orr

4430

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

WILLIAM E. ORR,

7 - 4430

Department of the Interior
Commission to the Five Civilized Tribes
Pauls Valley, I.T. October 23, 1902.

Choctaw 4430

In the matter of the application for enrollment as a citizen
by intermarriage of the Choctaw Nation of William E. Orr.

William E. Orr being first duly sworn testified as follows:

Examination by the Commission

- Q What is your name? A William E. Orr.
Q Your age? A Will soon be forty-two.
Q Your post office address? A Wynnewood.
Q How long have you resided in the Chickasaw Nation? A About
twenty-one years.
Q Maintained a continuous residence here for that length of time? A
Yes, sir.
Q You are a white man? A Yes, sir.
Q Citizen of the United States? A I was until I took the oath of
allegiance to the Choctaws.
Q You claim enrollment as a citizen by intermarriage of the Choctaw
Nation? A Yes, sir.
Q What is the name of your Choctaw wife? A Catherine D. Orr.
Q What was her maiden name? A Catherine D. Ellis.
Q When did you marry her? A December 30, 1883.
Q Were you ever married prior to your marriage to her? A No, sir.
Q Was she ever married prior to her marriage to you? A I could
not say.
Q You never heard of her being married? A Yes; I heard that she
was married.
Q At the time you married her she had no living husband from whom
she had not been legally divorced? A The man to whom she was
to have been married was living with another woman; whether he got
a divorce I don't know.
Q You say you were married in '83? A Yes, sir.
Q Where were you living at that time? A In Atoka.
Q In the Choctaw Nation? A Yes, sir.
Q Your wife was living there? A Yes, sir.
Q How long had you been living at Atoka? A I had been there six
months.
Q How long had you been living in the Choctaw Nation? A I had
been about a year in the Nation.
Q Did you obtain a tribal license from the Choctaw authorities to
marry this woman? A Yes, sir.
Q How much did you pay for it? A Twenty-five dollars.
Q Have you since your marriage to this woman in 1883 lived with
her continuously? A Yes, sir.
Q In 1890 you made application to the Dawes Commission to be ad-
mitted? A Yes, sir.
Q Were you admitted? A Yes, sir.
Q Have you always resided with this woman since your marriage to
her? A Yes, sir.
Q There has been no separation, desertion or divorce? A No, sir.
Q You and this woman are now living together in the Chickasaw Na-
tion as actual bonafide residents of this 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 October 23, 1902, and that the above is a full, true and
correct transcript of his stenographic notes therein.

Subscribed and sworn to before me this 24 day of November 1902.

Charles H. Sawyer

G. Rosenwinkel
Notary Public.

JRR

7 - 4430

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

In the matter of the application for the enrollment of William E. Orr as a citizen by intermarriage of the Choctaw Nation.

DECISION.


It appears from the record in this case that William E. Orr 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 Catherine Orr, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 12327 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 March 6, 1903.

It further appears from the records of the Commission that on September 8, 1896, in the case entitled "W. E. Orr vs. Choctaw Nation", (1896 Choctaw Citizenship Docket, case number 249), 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 Catherine Orr, and on December 2, 1896, the said William E. Orr 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 William E. Orr 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.

Muskogee, Indian Territory,

JUL 24 1903



Commissioner.

Commissioner.

Choctaw-4430

COPY.

Muskogee, Indian Territory, July 28, 1903.

William B. Orr,

Brady, Indian Territory.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission, rendered July 28, 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. E. Needles.

Commissioner in Charge.

Registered.

Enc. HQ. 9/10

Choctaw-4430

COPY.

Muskogee, Indian Territory, July 28, 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 28, 1903, granting the application of William H. Orr, 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,

I. B. Mccalee.
Commissioner in Charge.

Registered.

Enc. NO. 10/28

MEMORANDA.

(Date) 1/13 1899.

38 ✓ Name William E. Carr

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, _____

39 Wife's name, Catherine Carr

Choctaw? yes County Atoka Year 92 No. 10016

Chickasaw? _____ County _____ Year _____ Page 350

Citizen by blood? yes Mother's citizenship Choc

Intermarried citizen? _____

Married under what law? _____

License filed this day _____

Names of children:

12 Elia Carr County Atoka Year 91 Page 10015 No. 10015

9 Etta County _____ Year _____ Page _____ No. 10017

7 George County _____ Year _____ Page _____ No. 10017

_____ County _____ Year _____ Page _____ No. _____

10 x Isaac Carr County H 350 Year 1900 Page 110 No. _____

_____ County _____ Year _____ Page _____ No. _____

_____ County _____ Year _____ Page _____ No. _____

_____ County _____ Year _____ Page _____ No. _____

_____ County _____ Year _____ Page _____ No. _____

_____ County _____ Year _____ Page _____ No. _____

_____ County _____ Year _____ Page _____ No. _____

_____ County _____ Year _____ Page _____ No. _____

_____ County _____ Year _____ Page _____ No. _____

_____ County _____ Year _____ Page _____ No. _____

_____ County _____ Year _____ Page _____ No. _____

_____ County _____ Year _____ Page _____ No. _____

_____ County _____ Year _____ Page _____ No. _____

4430

Choctaw 4430

Muskogee, Indian Territory, November 29, 1902.

W. E. Orr,

Wynnewood, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 22nd instant, in which you state that a Chickasaw freedman married a Seminole freedman a few years ago; that the man died and the woman took her children to the Seminole Nation, registered there and they got their allotments; that they are holding land in your neighborhood and will not sell as they claim they can be enrolled in both nations.

You desire to be advised if they can allot land in both the Seminole and Chickasaw Nations.

In reply to your letter you are advised that as you do not state the names of the parties concerning whom you make this inquiry we are unable to give you any definite information regarding their enrollment in the Seminole or Chickasaw Nations.

Your attention is however, invited to the following provision of the act of Congress of June 28, 1898:

*The several tribes may, by agreement, determine the right of persons 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

W E O 2

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."

Respectfully,

Acting Chairman.

7-4430

Muskogee, Indian Territory, August 23, 1906.

United States Indian Agent,
Muskogee, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of August 10, 1906, stating that a petition for the removal of the restrictions of Ella Johnson nee Orr, No. 5428, was dismissed for the reason that it was stated in a letter from this office of July 31, 1906, that she was a full blood Choctaw Indian. You state that her roll number was given in the letter above referred to as 6208, while the roll number of Ella Johnson nee Orr is said to be 12328; you therefore ask that the records be examined and you be advised if roll number 12328 is correct and if so the degree of Indian blood possessed by Ella Johnson nee Orr appearing opposite said number.

In reply to your letter you are advised that the person whose name appears opposite number 12328 upon the approved roll of citizens by blood of the Choctaw Nation is Ella Orr and said person is possessed of three-eighths Choctaw blood.

Respectfully,

Commissioner.

Choc 4431 William C. York

see Petition # W 23-941

Dismissed SEPT 20, 1904

Refused Jan 16, 1907

4431

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

In the presence of William C. York and family as guests;
being sworn and examined by your petitioner as follows:

Q What is your name? A William C. York.

Q How old are you? A Forty-seven.

Q Where are you now living? A Here.

Q How long? A Twenty-four or five years.

Q How long has it been? A This year.

Q Have you ever been admitted before? A No.

Q Are you recognized? A I have been recognized.

Q How long has your family been living here with you? A This year.

Examined by the undersigned:

Q Was your wife a Christian? A Yes, she was a
Methodist.

Examined by the undersigned:

Q Was your father a white man? A Yes.

(The names of the witnesses and those of the witnesses known to
the court at the time.)

Q How long has your wife and children been living here with you?

A This year.

Department of the Interior
Commissioner of the Bureau of Indian Affairs
I hereby certify that the foregoing is a true and correct translation of
the original in the Cherokee language and that this
is a true, full and correct translation of
the original.
M. D. Green

247

7-4431

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

In the matter of the application for the enrollment of William C. York, as a citizen by intermarriage, and for the enrollment of his wife, Sarah York and their six children, Maud E. York, Leslie O. York, Mabel L. York, Erda C. York, Willie P. York, and Benjamin York, as citizens by blood of the Choctaw Nation.

It appears from the records of the Commission to the Five Civilized Tribes that on September 7, 1896, in the case entitled "W. C. York, vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, case number 241), the applicant, William C. York, made original application to said Commission under the provisions of the Act of Congress approved June 10, 1896, (29 Stat., 321), for the admission of himself as a citizen by intermarriage, and for the admission of his wife, Sarah York, and their children, Maud E. York, Leslie O. York, Mabel L. York, Erda C. York, Willie P. York and Benjamin York, as citizens by blood of the Choctaw Nation, and on December 2, 1896, the said William C. York, Sarah York, Maud E. York, Leslie O. York, Mabel L. York, Erda C. York, Willie P. York and Benjamin York, were by the Commission to the Five Civilized Tribes denied admission to citizenship in the Choctaw Nation. From this decision of the Commission an appeal was taken to the United States Court for the Central District of Indian Territory, which court, in the case entitled "W. C. York, et al., vs. Choctaw Nation" (citizenship case number 46), reversed the decision of the Commission denying said William C. York, Sarah York, Maud E. York, Leslie O. York, Mabel L. York, Erda C. York, Willie P. York and Benjamin York admission to citizenship in the Choctaw Nation and admitted said William C. York, as a citizen by intermarriage, and the said Sarah York, Maud E. York, Leslie O. York, Mabel L. York, Erda C. York, Willie P. York and Benjamin York, as citizens by blood of said Nation.

It further appears from the records in the possession of the Commission that on December 17, 1902, the Choctaw and Chickasaw Citizenship Court, created by the provisions of the Act of Congress approved July 1, 1902, (32 Stat., 641), "set aside, annulled, vacated and held for naught" the aforesaid judgment of the United States Court for the Central District of Indian Territory. Said cause has not been appealed or certified to the said Choctaw and Chickasaw Citizenship Court for a trial de novo within the time prescribed by the provisions of said Act of Congress approved July 1, 1902.

7-4431.

In accordance with the opinion of the Acting Attorney General dated May 9, 1904, (I.T.D. 3824-1904), and the opinion of the Assistant Attorney General for the Department of the Interior dated July 30, 1904, (I.T.D. 5246-1904), the Commission to the Five Civilized Tribes is without authority to take any action of any character looking to the enrollment of William C. York, as a citizen by intermarriage, and of Sarah York, Maud E. York, Leslie O. York, Mabel L. York, Erda C. York, Willie P. York and Benjamin York, as citizens by blood of the Choctaw nation, and it is, therefore, hereby ordered that the application for the enrollment of William C. York, as a citizen by intermarriage, and of Sarah York, Maud E. York, Leslie O. York, Mabel L. York, Erda C. York, Willie P. York and Benjamin York, as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory.


Chairman.

SEP 20 1904

7-4431

NEW BORN #942

1906

IN RE

Application for Enrollment of

MINOR CHILD

Act of Congress Approved
April 26, 1906.

Tabetha A. York

as a citizen of

CHOCTAW

Nation.

Approved..... 1906

Commissioner.

Born July 20, 1903

Act of Congress approved
April 26 1906

Department of the Interior
Commissioner to the Five Civilized Tribes

Filed Aug. 4, 1906
Tams Bixby Commissioner

CHOCTAW RECEIVED JUL 25 1906
N. B.942

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 Tabetha A. York, born on the 20th day of July, 1903.
[Here insert name of child]
Name of Father: Leslie O. York a citizen of the Choctaw Nation.
Name of Mother: Wardeane York a citizen of the Non citizen Nation.
Tribal enrollment of father: _____ Tribal enrollment of mother: _____
Postoffice: Atoka

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory, }
Central District. }

I, Wardeane York, on oath state that I am 26
years of age and a Non citizen of the Choctaw Nation.

that I am the lawful wife of Leslie O. York, who is a citizen, by
blood of the Choctaw Nation; that a female child was
born to me on 20th day of July, 1903.; that said child has been named
Tabetha A. York and was living March 4, 1906

(Signed) Wardeane York

WITNESSES TO MARK:

[Must be Two
Witnesses
(SEAL)]

Subscribed and sworn to before me this 23rd day of July, 1906.

(Signed) W. H. Martin

Notary Public

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory, }
Central District. }

I, J. S. Fulton, a physician, on oath state that I
attended on Wardeane York wife of Leslie O. York
on the 20th day of July, 1903.; that there was born to her on said date a female
child; that said child was living March 4, 1906, and is said to have been named Tabetha York

(Signed) J. S. Fulton M. D.

WITNESSES TO MARK:

[Must be Two
Witnesses]

Subscribed and sworn to before me this 23rd day of July, 1906.

(SEAL)

(Signed) W. H. Martin

Notary Public

7-4431 New Born #942.

100

IN RE

Application for Enrollment of

MINOR CHILD

Act of Congress Approved
April 26, 1906.

..... J. C. York

as a citizen of

..... CHOCTAW Nation.

Approved..... 190...

.....
Commissioner.

Born Nov. 24, 1904

Act of congress approved
April 26 1906

Department of the Interior
Commissioner to the Five
Civilized Tribes.

Filed Aug. 4 1906

Tams Bixby Commissioner.

CHOCTAW RECEIVED JUL 25 1906
N. B 942

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 J. C. York, born on the 24th day of Nov. 1904
[Here insert name of child]
Name of Father: Leslie O. York a citizen of the Choctaw Nation.
Name of Mother: Wardeane York a citizen of the Non citizen Nation.
Tribal enrollment of father Tribal enrollment of mother
Postoffice Atoka I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory,
Central District.

I, Wardeane York on oath state that I am 26
years of age and a citizen by Non citizen of the Nation.

that I am the lawful wife of Leslie O. York, who is a citizen, by
blood of the Choctaw Nation; that a Male child was
born to me on 24th day of November 1904; that said child has been named
J. C. York, and was living March 4, 1906.

(Signed) Wardeane York

WITNESSES TO MARK:
(SEAL)

[Must be Two
Witnesses]

Subscribed and sworn to before me this 23rd day of July 1906.

(Signed) W. H. Martin
Notary Public

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory,
Central District.

I, J. S. Fulton, a physician, on oath state that I
attended on Wardeane York, wife of Leslie O. York
on the 24th day of Nov. 1904; that there was born to her on said date a Male
child; that said child was living March 4, 1906, and is said to have been named J. C. York

(Signed) J. S. Fulton M. D.

WITNESSES TO MARK:

[Must be Two
Witnesses]

Subscribed and sworn to before me this 23rd day of July 1906.

(SEAL) (Signed) W. H. Martin
Notary Public

No. 1582

CERTIFICATE OF RECORD OF MARRIAGES.

UNITED STATES OF AMERICA)
THE INDIAN TERRITORY,) set:
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. L. O. York and Miss Wardene
London was filed in my office in said territory and
District the 21 day of Aug A. D. 1902 and duly
recorded in Book 2 of Marriage Record, Page, 173.

Witness my hand and seal of said court at
Atoka this 21 day of Aug A. D. 1902
(Signed) E. J. Fannin
Clerk

By J. D. Callin, Deputy.

No. 1582.

MARRIAGE LICENSE

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 L. O. York of Atoka in the Indian Territory, aged 21 years, and Miss Wardene London of Phillip in the Indian Territory, aged 22 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 12 day of Aug,

A. D. 1902.

(SEAL)

(Signed) E. J. Fannin
Clerk of the United States Court.

(Signed) J. D. Callin
Deputy.

CERTIFICATE OF MARRIAGE

UNITED STATES OF AMERICA)
The Indian Territory) I, Joseph S. Murrow
District.) ss: a Clergyman do hereby Certify, that on

the 20th day of August A. D. 1902, 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 20th day of August 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 A. Page 47.

(Signed) Joseph S. Murrow
a Clergyman

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

William C. York,)	
Sarah A. York,)	
Maud Ella York,)	
Leslie O. York,)	
Mable Lee Summit, nee York,)	PETITIONERS TO BE ENROLLED AS
Erda C. York,)	MEMBERS OF THE CHOCTAW TRIBE OF IND-
Willie Pearl York,)	IANS.
Benjamin H. York,)	
Dena York,)	
Tabitha A. York,)	
J. C. York,)	
Tom Ralls Summit.)	

Come now the petitioners herein and respectfully represent that they are entitled to be enrolled as members of the Choctaw Tribe of Indians, for the following reasons, to-wit:

F I R S T:

The petitioners are now and have been their natural lives bona fide residents of the Choctaw Nation.

S E C O N D:

All the petitioners except William C. York and Dena York are the lineal descendants of Sam Ward who was a member by marriage of the Choctaw Tribe of Indians.

T H I R D:

The petitioner, William C. York, was on the second day of February, 1876, according to the laws of the Choctaw Tribe of Indians legally married to the petitioner, Sarah A. York, whose maiden name was Ward and who is an own daughter of the said Samuel Ward.

Your petitioner, Dena York, was on the 20th day of Aug 1902, in the Choctaw Nation, according to the laws of the Choctaw Nation legally married to Leslie York, a son of the petitioner, Sarah A. York.

F O U R T H:

The Petitioners, Tabitha A. York and J. C. York are the

children of the petitioners, Leslie and Dena York and said Tabitha A. York is 2 years of age, having been born on the 20th day of July, 1903, and the petitioner, J.C. York was born on the 24th day of November, 1904, and the petitioner, Tom Ralls Summit, is a child of the petitioner, Mabel Lee Summit, who was, on the 15th day of December, 1901, legally married to W.H. Summit and said Tom Ralls Summit was born on the 20th day of January 1905.

F I F T H:

Your petitioners say that the said Sam Ward was married in the Choctaw Nation to a Choctaw Indian woman, named Minerva Thompson, in the year 1848 and that he had resided in the Choctaw Nation for a long time prior thereto and continued to reside until his death which occurred 1877.

Your petitioner says that the said Sam Ward after his marriage to the said Choctaw woman, towit, Minerva Thompson, continued to reside with her in the Choctaw Nation until her death and that by said marriage one child, towit, Edward Ward, was born and that the said Edward Ward is now dead and left surviving him three children, Samuel, Agin and Nova Ward. That Nova Ward married a man named Hopkins and these children of the said Edward Ward are duly recognized, approved and enrolled as Choctaw Indians by blood.

Your petitioners say that the said Minerva Ward, nee Thompson died and that thereafterwards on Oct. 14th, 1852, in the Choctaw Nation the said Sam Ward married a Cherokee woman named Eliza Jane Ramsey and that by said marriage there were born your petitioner, Sarah A and John Ward both of whom are living and two others, dead, who were named Joseph and Benny.

S I X T H:

Your petitioners represent that the petitioner, William

C. York is a white man and that on the 2nd day of February, 1876, he, according to the laws of the Choctaw Nation and in pursuance with a marriage license issued by the tribal authorities, legally married the petitioner, Sarah A. Ward and that by said marriage the petitioners, Maud Ella, aged 26, Leslie O., aged 24, Mabel Lee, aged 23, Erda C. aged 21, Willie Pearl aged 19 and Benjamin H. aged 17 have been born and are all living and the other petitioners herein named are all living and are and have been, all of their lives, living in the Choctaw Nation and those of sufficient age have always been regarded as members of the Choctaw Tribe of Indians and their names have been placed upon the Choctaw Census Rolls of the Choctaw Nation, either on the roll of 1896 or the revised roll of 1897, and your petitioners represent that they have been permitted to attend Choctaw Schools and the male petitioners of legal age have been permitted to vote at the Choctaw elections and to hold lands as members of the Choctaw Nation and permits have been issued by the Choctaw authorities for the purpose of leasing lands to noncitizens.

S E V E N T H:

Your petitioners further represent what on the 7th day of September, 1896, all the petitioners except Dena York and W. H. Summit joined in a petition to the Commission to the Five Civilized Tribes to be enrolled under the provisions of an Act of June 10th, 1896; that said petition was denied by the Commission and an appeal taken from said Commission to the United States Court at South McAlester and that said Court rendered judgment enrolling said petitioners as members of the said Choctaw Tribe of Indians, from which judgment no appeal has ever been taken.

And your petitioners say that said case was not transferred to the Choctaw and Chickasaw Court, no notice was given of any proceeding or hearing and in fact no proceeding was had in your petitioners' case by said Court

E I G H T H:

Your petitioners further state that the said Sam Ward was living in the Choctaw Nation at the making and ratification of the treaty between the Choctaw and Chickasaw Nations and the United States, known as the treaty of 1866 and that by virtue of the terms and conditions of the treaty, he was declared to be entitled to citizenship in the Choctaw Tribe of Indians and your petitioners say that the said Sam Ward continued to reside in the Choctaw Nation until his death which occurred in the year 1877.

N I N T H:

Your petitioners say that they are informed and believe that by reason of the fact that the said Sam Ward was a member of the Choctaw Tribe of Indians by virtue of his marriage to the Choctaw woman as provided by the treaty and inasmuch as the said Sarah A. York, nee Ward, is an own daughter of the said Sam Ward and the said Maud Ella, Leslie O., Mabel Lee, Erda C. Willie P. and Benjamin H. are the children of said Sarah A. York, nee Ward and the grand-children of the said Sam Ward and the said William C. York was married according to the laws of the Choctaw Tribe of Indians to the said Sarah A. Ward and that inasmuch as the said Tabitha A. and J.C. are the children of the said Leslie O. and the said Dena York is the wife of the said Leslie O. York, having been married to him according to the laws of the Choctaw Nation and the said Tom Ralls Summit is the child of the said Mabel Lee Summit, nee York, that each and all of your petitioners are entitled to be enrolled as members of the Choctaw Tribe of Indians.

Your petitioners attach hereto a copy of the marriage license issued by the Choctaw Tribal Authorities to the said William C. York to marry the said Sarah A. York, nee Ward and say they have mailed

by registered mail to Mansfield, McMurry & Cornish, attorneys of record for the Choctaw and Chickasaw Tribe of Indians, a true copy of this petition and attach hereto an affidavit showing the mailing of said copy.

Wherefore your petitioners pray that a hearing be granted and that they be enrolled as members of the Choctaw Tribe of Indians and they will ever pray as in duty bound.

(Signed) J. G. Ralls,
Attorney for Petitioners.

UNITED STATES OF AMERICA)
INDIAN TERRITORY)
CENTRAL JUDICIAL DISTRICT)

William C. York, having been by me first duly sworn according to law, states on his oath that he is one of the above named defendants and that the above and foregoing facts are true and correct.

(Signed) William C. York

Subscribed and sworn to before me this 15th day of January, 1906.

(Signed) N. H. Mooriman,
Notary Public Central Judicial District,
Indian Territory.

(Seal)

My Commission expires the 5th day of July, A.D. 1909.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

IN THE MATTER OF W. C. YORK, ET AL)
PETITIONERS TO BE ENROLLED AS MEMBERS)
OF THE CHOCTAW TRIBE OF INDIANS)

A F F I D A V I T.

J. G. Ralls having been by me first duly sworn, according to law, states on his oath that he is over twenty-one years of age and a resident of Atoka, Choctaw Nation, Indian Territory and that on the 15th day of January, A. D. 1906 he enclosed in an envelope addressed to Mansfield, McMurray & Cornish, a true copy of the above and foregoing petition; that he delivered the same to the Postmaster at Atoka, Indian Territory and caused the same to be registered to the said Mansfield, McMurry & Cornish and obtained therefor a registry receipt, which is hereto attached.

(Signed) J. G. Ralls

Subscribed and sworn to before me this the 15th day of January, A.D. 1906.

(Signed) N. H. Mooriman,

Notary Public.

Registry receipt attached.

Endorsed as follows:

William C. York,
Maud Ella York,
Erda C. York,
Willie Pearl York,
Dena York,
J. C. York,

Sarah A. York,
Leslie O. York,
Mabel Lee Summit, nee York,
Benjamin H. York,
Tabitha A. York,
Summit.

PETITIONERS TO BE ENROLLED AS MEMBERS OF THE
CHOCTAW TRIBE OF INDIANS.

J. G. Ralls, Atoka, Indian Territory, Attorney for Petitioners.

Department of the Interior
Commissioner to the Five Civilized Tribes
Filed Jan 16 1906
Tams Bixby Commissioner.

New Born #941.

7-4431

199

IN RE

Application for Enrollment of

MINOR CHILD

Act of Congress Approved
April 26, 1906.

..... Thomas Ralls Summitt

as a citizen of

..... CHOCTAW

..... Nation.

Approved..... 190

.....
Commissioner.

Born Jan 20, 1905

Act of Congress approved
April 26, 1906

Department of the Interior
Commissioner to the five
Civilized Tribes.

Filed Aug, 4, 1906

Tams Bixby Commissioner.
6/25

CHOCTAW RECEIVED JUL 25 1906
N. B. 941.

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 Thomas Ralls Summitt, born on the 20th day of January 1905
[Here insert name of child]
Name of Father: William H. Summitt, a citizen of the Non-citizen Nation
Name of Mother: Mabel L. Summitt, Nee York, a citizen of the Choctaw Nation
Tribal enrollment of father: Tribal enrollment of mother:
Postoffice: Atoka, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory, }
Central District. }

I, Mabel L. Summitt, Nee York, 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 William H. Summitt, who is a citizen, by
Non citizen of the Nation; that a Male child was
[Male or Female]
born to me on 20th day of January 1905; that said child has been named
Thomas Ralls Summitt, and was living March 4, 1906.

(Signed) Mabel L. Summitt

WITNESSES TO MARK:

[Must be Two
Witnesses]
(SEAL)

Subscribed and sworn to before me this 23rd day of July 1906.

(Signed) W. H. Martin

Notary Public

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory, }
Central District. }

I, J. S. Fulton, a physician, on oath state that I
attended on Mabel L. Summitt, wife of William H. Summitt
on the 20th day of Jany 1905; that there was born to her on said date a Male
[Male or Female]
child; that said child was living March 4, 1906, and is said to have been named
Thomas Ralls Summitt

(Signed) J. S. Fulton, M. D.

WITNESSES TO MARK:

(SEAL)

[Must be Two
Witnesses]

Subscribed and sworn to before me this 23rd day of July 1906.

(Signed) W. H. Martin

Notary Public

7-4431
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O.L.J.

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

In the matter of the application for the enrollment of
William C. York, et al., as citizens of the Choctaw Nation.

D E C I S I O N.

It appears from the record herein and from the records of the Commission to the Five Civilized Tribes that on September 2, 1899, application was made for the enrollment of William C. York (forty-seven years of age), as a citizen by intermarriage of the Choctaw Nation, and for the enrollment of his wife, Sarah York (forty years of age), and his six minor children, Maud E. (twenty years of age), Leslie O. (eighteen years of age), Mabel L. (seventeen years of age), Erda C. (fifteen years of age), Willie P. (thirteen years of age), and Benjamin York (eight years of age), as citizens of the Choctaw Nation.

It further appears from the records of the Commission to the Five Civilized Tribes that on September 7, 1896, in the case entitled "W. C. York vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, Case No. 241), original application was made 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 of the applicant, William C. York (as W. C. York), as a citizen by intermarriage thereof, and for the admission of his wife, Sarah York, and his six children, Maud E. York, Leslie O. York, Mabel L. York, Erda York, Willie P. York and Ben York, as citizens by blood of said nation; and that subsequent thereto said Commission rendered its decision therein denying said application.

Thereafter an appeal was taken to the United States Court for the Central District of the Indian Territory, and on July 13, 1897, in the case entitled "W. C. York, et al., vs. Choctaw Nation" (Central District Citizenship Case No. 46), said court rendered its decision therein, wherein it was "considered, ordered and adjudged by the court that W. C. York is entitled to be enrolled as a citizen or member of said tribe by intermarriage. That his wife, Sarah York, and his children, Maud E. York, Leslie O. York, Mabel L. York, Erda York, Willie P. York and Ben York, are entitled to be enrolled as members of said Choctaw tribe or nation by blood."

On December 17, 1902, the Choctaw and Chickasaw Citizenship Court, created under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), "set aside, annulled, vacated and held for naught" the aforesaid judgment of the United States Court for the Central District of Indian Territory.

On September 20, 1904, the Commission to the Five Civilized Tribes entered of record an order dismissing the application for the enrollment of William C. York, Sarah York, Maud E. York, Leslie O. York, Mabel L. York, Erda C. York, Willie P. York and Benjamin York, in accordance with the opinion of the Acting Attorney General of May 9, 1904 (I.T.D. 3824-1904), and the opinion of the Assistant Attorney General for the Department of the Interior dated July 30, 1904 (I.T.D. 5246-1906).

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there was filed on January 16, 1906, by J. G. Ralls, attorney at law, Atoka, Indian Territory, a petition praying for the enrollment of William C. York and Dena York as citizens by intermarriage of the Choctaw Nation, and for the enrollment of Sarah A. York, Maud Ella York, Leslie O. York, Mabel Lee Summitt (nee York), Erda C. York, Willie Pearl York, Benjamin H. York, Tabitha A. York, J. C. York and Tom Ralls Summitt as citizens of said nation.

On July 25, 1906, written application was made to the Commissioner to the Five Civilized Tribes for the enrollment of Tabitha A. York (born July 20, 1903), J. C. York (born November 24, 1904), and Thomas Ralls Summitt (born January 20, 1905), as citizens of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 157).

It is alleged in the petition that all of the applicants herein, with the exception of William C. York and Dena York, are lineal descendants of Sam Ward, a white man, who is alleged to have been a citizen by intermarriage of the Choctaw Nation by reason of his marriage in 1848 to Minerva Thompson, an alleged Choctaw Indian.

It appears from the record herein and from the records of this office that Sarah York is the daughter of Sam Ward (now deceased), and Fliza Ward (now deceased), an alleged Cherokee by blood; that Maud E. York, Leslie O. York, Mabel L. York, Erda C. York, Willie P. York, and Benjamin York are the children of said Sarah York and the applicant, William C. York; that Tabitha A. York and J. C. York are the children of Leslie O. York and Wardeane York, a non-citizen white woman; and that Thomas Ralls Summitt is the son of Mabel L. York (now Summitt), and William H. Summitt, a non-citizen white man.

It further appears from the record herein that William C. York claims his right to enrollment as a citizen by intermarriage of the Choctaw Nation by virtue of his marriage on February 2, 1876, to the applicant, Sarah A. York, and that Dena York claims her right to enrollment as a citizen by intermarriage of said nation by reason of her marriage to the applicant, Leslie O. York, on August 20, 1902.

It does not appear from the records in the possession of this office that any application has ever been made for the enrollment of Dena York as a citizen by intermarriage of the Choctaw Nation prior to December 1, 1905.

Upon an examination of the tribal rolls of the Choctaw Nation in the possession of this office it appears that the applicants, Sarah York, Maud E. York, Leslie O. York, Mabel L. York, Erda C. York, Willie P. York and Benjamin York, are identified upon the 1896 Choctaw Census Roll, Atoka County, opposite numbers 14235, 14236, 14237, 14238, 14239, 14240, and 14241, respectively.

3.

It does not appear from the records in the possession of this office that any of the applicants herein has ever been enrolled by the Cherokee tribal authorities as a member of the Cherokee tribe, or admitted to Cherokee citizenship by any duly constituted authority.

I am, therefore, of the opinion that following the ruling of the Department of April 24, 1906 (I.T.D. 4048-1906), in the case of Mary Elizabeth Martin, the application and petition for the enrollment of Sarah York, Maud E. York, Leslie O. York, Mabel L. York, Erda C. York, Willie P. York and Benjamin York as citizens of the Choctaw Nation should be denied, under the provisions of the Act of Congress approved June 28, 1898 (30 Stats., 495), and that the order of the Commission to the Five Civilized Tribes of September 20, 1905, dismissing said application should be rescinded, and it is so ordered.

I am further of the opinion that the application and petition for the enrollment of William C. York 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 that the order of the Commission to the Five Civilized Tribes of September 20, 1905, dismissing said application should be rescinded, and it is so ordered.

I am further of the opinion that under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 157), I am without authority to receive or consider any application for the enrollment of Dena York as a citizen by intermarriage of the Choctaw Nation, that I should decline to receive the same, and that the petition for her enrollment as such should be denied, and it is so ordered.

I am further of the opinion that the application and petition for the enrollment of Tabitha A. York, J. C. York and Thomas Balls Summitt as citizens of the Choctaw Nation should be denied, under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 157), as amended by the Act of Congress approved June 21, 1906 (Public No. 256), and it is so ordered.


Commissioner.

Muskogee, Indian Territory,

JAN 1 1907

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COPY.

Muskogee, Indian Territory, January 16, 1907.

Leslie O. York,

Atoka, Indian Territory.

Dear Sir:

I inclose herewith a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered January 16, 1907, denying the application and petition for your enrollment and the application and petition for the enrollment of Tabitha A. York and J. C. York as citizens of the Choctaw Nation.

The decision, with the 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,

[Signature]
Commissioner.

Registered.

7-4431
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W-17

COPY.
Muskogee, Indian Territory, January 16, 1907.

Mable L. Summitt,
Atoka, Indian Territory.

Dear Madam:

I inclose herewith a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered January 16, 1907, denying the application and petition for your enrollment and the application and petition for the enrollment of Thomas Ralls Summitt as citizens of the Choctaw Nation.

The decision, with the 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,

John D. Smith
Commissioner.

Registered.

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W-17

Muskogee, Indian Territory, January 16, 1907.

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

Gentlemen:

I inclose herewith a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered January 16, 1907, denying the application and petition for the enrollment of Sarah York, Maud E. York, Leslie O. York, Mabel L. York, Erda C. York, Willie P. York, Benjamin York, Tabitha A. York, J. C. York and Thomas Ralls Summitt as citizens of the Choctaw Nation, denying the application and petition for the enrollment of William C. York, declining to receive or consider the application and denying the petition for the enrollment of Dena York as citizens by intermarriage of said nation.

The decision, with the 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,
James D. [Signature]
Commissioner.

7-4431
23-942
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W-17

COPY.

Muskogee, Indian Territory, January 16, 1907.

J. C. Ralls,
Attorney at Law,
Atoka, Indian Territory.

Dear Sir:

I inclose herewith a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered January 16, 1907, denying the application and petition for the enrollment of Sarah York, Maud E. York, Leslie O. York, Mabel L. York, Erda C. York, Willie P. York, Benjamin York, Tabitha A. York, J. C. York and Thomas Ralls Summitt as citizens of the Choctaw Nation, denying the application and petition for the enrollment of William C. York, declining to receive or consider the application and denying the petition for the enrollment of Dena York as citizens by intermarriage of said nation.

The decision, with the 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.

7-4431

23-942

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W-17

Muskogee, Indian Territory, January 16, 1907.

William C. York,

Atoka, Indian Territory.

Dear Sir:

I inclose herewith a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered January 16, 1907, denying the application and petition for the enrollment of Sarah York, Maud E. York, Leslie O. York, Mabel L. York, Erda C. York, Willie P. York and Benjamin York, Tabitha A. York, J. C. York and Thomas Ralls Summitt as citizens of the Choctaw Nation, denying the application and petition for your enrollment and declining to receive or consider the application and denying the petition for the enrollment of Dena York as citizens by intermarriage of said nation.

The decision, with the 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.

Muskogee, Indian Territory, January 15, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith record of proceedings in the matter of the application and petition for the enrollment of William C. York et al., including the decision of the Commissioner to the Five Civilized Tribes, dated January 16, 1907, denying the application and petition for the enrollment of Sarah York, Maud D. York, Leslie C. York, Mabel L. York, Erda C. York, Willie P. York, Benjamin York, Tabitha A. York, J. C. York and Thomas Ralls Summitt as citizens of the Choctaw Nation, denying the application and petition for the enrollment of William C. York, declining to receive or consider the application and denying the petition for the enrollment of Dena York as citizens by intermarriage of said nation.

Respectfully,

Through the
Commissioner of Indian Affairs.

7-4431

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Commissioner.

D. C. 12653-1907.
LRS.

JP.
FHP.

DEPARTMENT OF THE INTERIOR,

WASHINGTON. March 4, 1907.

I. T. D.

6124, 6146, 6152, 6158, 6170-07.
6192, 6992, 7002, 7266, 7270- "
7294, 7326, 7344, 7366, 7374- "
7376, 7380, 7392, 7404, 7410- "
7414, 7418, 7442, 7472, 7478- "
7486, 7490, 7526, 7548, 7550- "
7552, 7554, 7556, 7558, 7594- "
7652, 7654, 7666, 7678, 7680- "
7684, 7686, 7696, 7698, 7708- "
7716, 7724, 7728, 7734- "

DIRECT.

Commissioner to the Five Civilized Tribes,
Muskegee, Indian Territory.

Sir:

Your decisions in the following Chectaw enrollment cases
adverse to the applicants are hereby affirmed, viz:

Title of Case.	Date of your letter of transmittal.
Alex and Lee G. Lewis (Freedmen)	February 14, 1907.
Cera Bailey (Freedman)	February 13, 1907.
Virginia and Dave Colbert (Freedmen)	February 12, 1907.
Stella Marlow	February 18, 1907.
Jeanna Pollock, et al.,	December 24, 1906.
Ulysis and Sydney Frazier (Freedmen)	February 14, 1907.
Annie and Danier Carter (Freedmen)	February 14, 1907.
Margie Hall (Freedman)	February 16, 1907.
Lavera Perry (Freedman)	February 7, 1907.
Willie and Bennie Roberts	February 6, 1907.
Clarence Vails	February 7, 1907.
Beatrice and Maudie Jeffree (Freedmen)	February 11, 1907.
L. F. Rhoades, et al.,	February 14, 1907.
Alrener Pitchlynn (Freedman)	February 11, 1907.
Henry and Minnie Reed (Freedmen)	February 11, 1907.
Vivian V. and Clyde Parks	February 11, 1907.
Marvin Clifford Hanley	February 7, 1907.
Blanche W. Stark, et al.,	February 20, 1907.

Title of Case.	Date of your letter of transmittal.
James W. Law, (Intermarried)	February 6, 1907.
Hell Serna (Miss. Choc.)	February 7, 1907.
David and Mariadell Powell (Freedmen)	February 7, 1907.
Cammie Blunt (Freedman)	February 7, 1907.
Clara and Annie Berry (Freedmen)	February 21, 1907.
Robert Thompson (Freedman)	February 21, 1907.
Washington and Wester Anthony (Freedmen)	February 21, 1907.
Ann and Emmett Walzen (Freedmen)	February 21, 1907.
Dee Wilson (Freedman)	February 20, 1907.
Blanch Johnson (Freedman)	February 16, 1907.
Luvana May Everett (Miss. Choc.)	February 23, 1907.
Viola Warrior (Freedman)	February 21, 1907.
Ella Polson, et al., (Freedman)	February 21, 1907.
Edward Adanson (Freedman)	February 21, 1907.
Allie May and Amos Williams (Freedmen)	February 21, 1907.
John Ward, et al.,	January 23, 1907.
Frank P. Morgan (Intermarried)	January 24, 1907.
Marion James Robins (Freedman)	February 21, 1907.
William C. York, et al.,	January 16, 1907.
William S. Watters, et al.,	February 23, 1907.
Charley Brauns (Freedman)	February 21, 1907.
Hattie Marie Stewart, et al.,	February 23, 1907.
Robert McCoy (Freedman)	February 18, 1907.
George Chatman (Freedman)	February 21, 1907.
Louisa Perry (Freedman)	February 19, 1907.
John Albert Bautsky	February 26, 1907.
Nancy P. and Thursey McLarty	February 26, 1907.
Eathes Shockey,	February 26, 1907.
Albert and Ermer Piggee (Freedman)	February 26, 1907.
Poling McKinney, et al., (Freedman)	February 26, 1907.

Copies of Indian Office letters submitting your reports and recommending that the decisions be approved, are inclosed.

A copy hereof and all the papers in the above-mentioned cases have been sent to the Indian Office.

Respectfully,

E. A. Hitchcock,

Secretary.

48 inc. and
98 for Ind. Of. with
copy hereof.

A. H. C.
3-4-07.

Refer in reply to the following.

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317

Copy.

DEPARTMENT OF THE INTERIOR,

Land.

6926-1907.

D. C. 12853

OFFICE OF INDIAN AFFAIRS,

WASHINGTON.

March 1, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed record of the proceedings in the matter of the application for the enrollment of William C. York, et al., including the decision of Commissioner Bixby dated January 16, 1907, denying the application and petition for the enrollment of Sarah York, Waud E. York, Leslie O. York, Mabel E. York, Erda C. York, Willie P. York, Benjamin York, Tabitha A. York, J. C. York and Thomas Ralls Summit as citizens of the Choctaw Nation, denying the application and petition for the enrollment of William C. York, declining to receive or consider the application and denying the petition for the enrollment of Dena York as citizens by intermarriage of the Choctaw Nation.

The decision of Commissioner Bixby has been examined and found to be correct, and its approval is recommended.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

FHM-w

7-4431

Muskogee, Indian Territory, April 13, 1907.

Leslie O. York,
Atoka, Indian Territory.

Dear Sir:

You are hereby advised that on March 4, 1907,
the Secretary of the Interior affirmed the decision of the
Commissioner to the Five Civilized Tribes, rendered January
16, 1907, denying the application and petition for your enroll-
ment and the application and petition for the enrollment of
Tabitha A. York and J. C. York as citizens of the Choctaw
Nation.

Respectfully,

Commissioner.

7-4431

Muskogee, Indian Territory, April 13, 1907.

Mable L. Summitt,

Atoka, Indian Territory.

Dear Madam:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes, rendered January 16, 1907, denying the application and petition for your enrollment and the application and petition for the enrollment of Thomas Ralls Summitt as citizens of the Choctaw Nation.

Respectfully,

Commissioner.

Muskogee, Indian Territory, April 13, 1907.

Mansfield, McMurray & Corniah,
Attorneys for 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 the
Commissioner to the Five Civilized Tribes, rendered January
16, 1907, denying the application and petition for the enroll-
ment of Sarah York, Maud E. York, Leslie O. York, Mable J.
York, Erda C. York, Willie P. York, Benjamin York, Tabitha
A. York, J. C. York and Thomas Ralls Summitt as citizens
of the Choctaw Nation, denying the application and petition
for the enrollment of William C. York, declining to receive
or consider the application and denying the petition for the
enrollment of Dena York as citizens by intermarriage of
the Choctaw Nation.

Respectfully,

Commissioner.

STATEMENT OF P. J. HURLEY, Esq., of Tulsa, Okla.,

On H. R. 22830.

Washington, Friday, March 18, 1910.

The committee met this day at 10.30 o'clock a. m.,
Hon Charles H. Burke (chairman) presiding.

The Chairman. Now, Mr. Hurley, we will hear you
if you want to be heard this morning.

Mr. Hurley. Mr. Chairman, I wanted to speak in
support of House Bill No. 22830. This is not the McGuire bill.
I find that it does not cover the class of cases that I have to
submit. On page 2 of the bill, at line 3, the name of Miner May
Ward should be stricken out, for the reason that she was not an
intermarried citizen until after the closing of the roll.

The cases that I have to submit this morning, Mr.
Chairman, are 35 in number. They practically all come under the
same head. All the applicants in this case who claim by blood
are descendants of Samuel Ward, an intermarried citizen of the
Choctaw Nation, and Eliza^{Jane} Ward, formerly Ramsey, nee Tyner, a
Cherokee Indian woman by blood. Samuel Ward was married to
Minerva Thompson, a Choctaw Indian woman in 1848. Minerva
Thompson died in 1850, having borne to Samuel Ward one child.
In 1852 Samuel Ward married Eliza Jane Ramsey, nee Tyner, a
Cherokee Indian woman, who was at that time living at Foggy Depot,
in the Choctaw Nation. Eliza Jane Tyner is the daughter of
Nathan Tyner, a white man, and Jennie Carter, a Cherokee Indian
woman. Her name appears upon the Old Settler roll of the Cherokee

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Notion of 1852. The names of the descendants of Samuel Ward and Eliza Jane Tyner appear on all the rolls of the Choctaw Nation subsequent to the date of their marriage, these rolls being the Choctaw census roll of 1885 and the Choctaw census roll of 1896.

When the applicants whose names appear in this case were before the Dawes Commission the case was divided in two parts. One was known as the case of William C. Yorke and others. The other was known as the case of John Ward and others.

In the case of William C. Yorke and others, the names of the applicants were stricken from the roll by the Dawes Commission under the act of June 10, 1896. From the action of the Dawes Commission an appeal was taken to the United States court in and for the central district of Indian Territory, sitting at South McAlester. In that court a decision favorable to the applicants was rendered. The decision of that court was overruled in a test case by the Choctaw citizenship court which was organized under the act of July 1, 1902. The commission, in striking off the names of the persons who were applicants in the case of William C. York and others, acted under the authority of the act of June 10, 1896. It has been held since then that the authority of the commission under that act was to add names to the roll, and that it had no power to strike names from the roll. Therefore the action of the commission in the first place is a nullity for the want of jurisdiction, and all appeals taken from that action were nullities on account of lack of original jurisdiction.

This situation did not develop until the Attorney-General of the United States by an opinion rendered in the case of Inlu West and others v. the Choctaw Nation, rendered December 8, 1905, pointed out the fact that the commission was without

jurisdiction to strike names from the rolls under the act of June 10 1896, and all appeals taken from the action of the commissioner were nullities. It was then ordered that there be a rehearing in all cases that were heard under that act and prior to the time that the commission was vested with authority to purge the rolls.

The Chairman. When was that? In 1898? You say "when the commission was vested with authority." What year was that? You claim that under the act of 1896 they had no power except to add names?

Mr. Harlow. Yes. Under the so-called Curtis act of June 21, 1898, they were given authority to purge the rolls.

The Chairman. Yes; that was the act.

Mr. Hollinger. Under the act of June 7, 1897, they were given the power to purge the rolls.

Mr. Harlow. The act of June 7, 1897, Mr. Chairman, does not as clearly define the authority of the commission, as it affects this case, as the act of 1898, and for the purpose of this case the act of 1898 was referred to. I submit that Mr. Hollinger is correct in his contention that the act of June 7, 1897, did modify the act of June 10, 1896, and constrains certain portions of that, and still in certain cases give the commission the authority to purge the rolls.

An order was made by the commissioner, under the regulations adopted by the Commission of the Five Civilized Tribes, January 2, 1900, striking the applicants' case names were stricken from the rolls under the amendments that I have just stated a rehearing. Mr. W. A. York filed a petition under that order for himself and his family. He was advised by letter from the commissioner that his case had been set for trial March 12, 1901.

A copy of this letter from the commissioner is attached to the so-called Howell report and is marked "Exhibit D" there. On March 6, 1966, Mr. York received a letter advising him that the hearing in the case had been indefinitely continued. That letter is also attached to the Howell report and marked "Exhibit E".

The applicant alleges that the next information he received from the commission regarding the case was that a decision had been rendered denying himself and the members of his family enrollment, and with that letter was forwarded to him the decision of the Commission to the Five Civilized Tribes, which is dated January 18, 1967. That decision is also attached to the Howell report, and is marked "Exhibit F".

Now, Mr. Chairman, the contention in the York case is that they have never been heard by any commissioner or court having jurisdiction to hear and determine their case. In 1936, when they were stricken from the roll, they were stricken, not at the solicitation of the Choctaw Nation, for the applicants have always been considered citizens of the Choctaw Nation and enrolled by the tribal authorities, but they were stricken from the roll because they had no Choctaw blood, and the commission held that they could not be enrolled as descendants of an intermarried citizen under the provisions of article 38 of the treaty of 1866.

Now, that is merely a statement of facts in the York case. I will state as to the Ward case that the facts upon which the applicants base their right to enrollment are identical, inasmuch as John Ward and Sarah York, the wife of W. C. York, are brother and sister, and are children of Marshal Ward, an intermarried citizen of the Choctaw Nation, and Eliza Jane Turner, a Cherokee Indian woman.

In the case of John Ward and others no appeal was taken from the action of the Dawes Commission at that time, in 1896. But when they were denied there, they sought enrollment in the Cherokee Nation. They applied at Vinita, where there was a branch office of the Dawes Commission at that time, and were denied. The commissioner in charge advised them that they were entitled to enrollment in the Choctaw Nation. They, under the order of the commission of January 2, 1906, ordering a rehearing in the cases tried by the Dawes Commission under the act of 1896, again made application. John Ward states that he was asked at that hearing if he possessed any Choctaw blood. He answered no. He was denied enrollment then on the ground that he had no Choctaw blood and was a descendent of an intermarried citizen. He and all the members of his family were denied for that reason.

Now, Mr. Chairman, I have stated the facts that will cover the case of the 35 applicants named in the bill that is before you, and I desire now, by way of recapitulation, to have the record show, in brief, what might be called a family tree of both of the families referred to.

There is attached to the Howell report, and marked "Exhibit 1", a letter from Mr. Union Miller of Washington, D. C., officer in charge of Eastern Cherokee payment showing that Eliza Jane Ramsey and certain members of her family were enrolled in 1852 as Old Settler Cherokees.

Eliza Jane Ramsey, nee Tyner, settled in the Choctaw Nation at Pogy Depot in 1848, and on October 14, 1852, said Eliza Jane Ramsey, nee Tyner, was married to Samuel Ward. The said Samuel Ward was married to Minerva Thompson, a Choctaw Indian woman, on September 29, 1848, who died sometime during the year of 1850, leaving one child surviving her. To the marriage between Samuel Ward and Eliza Jane Ramsey, nee Tyner, there were born three children: Joseph Ward, now deceased; John Ward, Sarah York, nee Ward.

John Ward was married to Nancy C. York, a white woman, on September 19, 1861, said marriage being performed in accordance with the law of the Choctaw Nation.

Sarah Ward was married to William C. York, a white man, in accordance with the laws of the Choctaw Nation, on the 2nd day of February 1876.

Joseph Ward was married to Melissa C. York on the 15th day of September, 1878, said marriage being performed in accordance with the laws of the Choctaw Nation.

To the marriage between John Ward and Nancy C. Ward, nee York, the following named children were born: Henrietta Ward, Joseph B. Ward, Chester A. Ward, William B. Ward, Elmer C. Ward, John H. Ward.

To the marriage between Joseph Ward and Melissa C. Ward, nee York, one child was born: Ada C. Ward.

The names of the persons above named, save that of Melissa C. Ward, appear on the approved roll of the Choctaw Nation, which roll was made by the revisory board authorized by the Choctaw Council to enroll citizens of said nation, in 1898.

Of the children of John Ward the following are married: Henrietta Ward was married to Sherman Macbee on December 24, 1899. Of this marriage three children were born: Clifford, born July 23, 1901; Pearl, born January 4, 1903; Ineretic, born October 11, 1905.

Joseph B. Ward was married to Minny May Springer, a white woman, on the 17th day of September, 1882, and said marriage was born two children: Elmer B. Ward, born August 27, 1884; Milton Erda Ward, born February 20, 1900.

Chester A. Ward was married to Focia Baxter on the 21st day of July, 1907.

To the marriage between William C. York and Sarah York, nee Ward, the following children were born: Haud C. York, Leslie J. York, Label L. York, Erda C. York, Willie C. York, Benjamin A. York.

Of the children of William C. York and Sarah York, nee Ward, the following are married: Leslie J. York was married on the 20th of August, 1898, to Gardena, a white woman. Of this marriage there were born three children: Laketha C. York, born July 20, 1903; J. C. York, born November 24, 1904; Blair York, born December 1, 1905.

Label L. York was married to William H. Summitt, a white man, on the 15th day of December, 1901. Of this marriage there were born two children: Erda York Summitt, born November 8, 1903, now deceased; Thomas Halls Summitt, born January 20, 1905.

Erda C. York was married to Willie York, a white woman, December 24, 1906.

Willie C. York was married to Coleman T. Ward, a citizen of the Choctaw Nation, on the 6th day of March, 1907.

Ada C. Ward was married to Walter Inans on the 10th day of November, 1899. Of this marriage there were born three children: Bertha D. Inans, born December 14, 1901; Raymond Inans, born January 20, 1904; Linton Edwards Inans, born January 11, 1906.

Application for enrollment of Bertha D. and Raymond Inans was made to Commissioners of the Civilized Tribes May 6, 1905 and June 30, 1906 respectively.

The following persons claim right to enrollment in the Choctaw Nation by virtue of blood quantum, and were married prior to July 1, 1900: William C. York, nee Ward, Melissa C. Ward (nee Taylor), Erda C. York, William H. Summitt, Walter Inans, Sherman Macbee.

Those claiming right to enrollment by virtue of the Cherokee Indian blood and acquired right of citizenship in the Choctaw Nation by length of residence and allegiance to the Choctaw government and by virtue of the intermarriage of their Cherokee Indian ancestors with a citizen of the Choctaw Nation are; John Ward, Sarah York (nee Ward), Ada C. Winans (nee Ward), Bertha D. Winans, Raymond Winans, Linton Edwards Winans, Henrietta Macabee (nee Ward), Clifford Macabee, Pearl Macabee, Lucretia Macabee, Joseph E. Ward, Clara L. Ward, Dalton Erba Ward, Chester A. Ward, William E. Ward, Elmer C. Ward, John M. Ward, Maud E. York, Leslie C. York, Tabetta A. York, J. C. York, Clair York, Mabel L. Summit (nee York), Erda C. York, Erda York Summit (deceased), Thomas Walls Summit, Lillie L. Ward (nee York), Benjamin H. York.

All those claiming by blood, except those born since 1896, were enrolled as citizens of the Choctaw Nation by the Choctaw revisory board in 1896. Certified copy of that portion of the Choctaw roll of 1896, showing the enrollment of said persons, is attached to the Howell report, marked "Exhibit A".

The Chairman. Did the same thing happen in this case that happened in the York case, so far as concerns the action of the commission in notifying them of a hearing and then notifying them that it was postponed, and then later rendering a decision?

Mr. Hurley. Mr. Chairman, I would like to state here that I am advised by Mr. Ward that he was called before the commissioner and asked if he was of Choctaw blood, and he answered no. That was the extent of his hearing; he maintains that he has never been given an opportunity to present all the facts upon which he bases his right to enrollment. In the case of Mr. Ward, I have had to depend upon the records of the Taxes Commission, and they are not in a very available condition; that is, they are hard to get at, and I was unable to find out what action, if any, was taken by the commission subsequent to 1896 and prior to January 23, 1907, in the Ward case. I do not mean to infer that I was denied access to those records; I mean that after the rolls were closed the records were stored away and the papers in each case are not always found together. I am inclined to the opinion that Mr. Ward's statement concerning the action of the commissioner is correct, because the case was heard at a time when the commissioner had no time to go into detail.

Mr. Chairman, there is attached to the Howell report a copy of that part of the Choctaw census roll showing the enrollment of the Yorks and the Wards.

The Chairman. Have you a copy of the Howell report?

Mr. Hurley. No; I have not. I have not been able to get that. I have been advised that it is an executive document.

The Chairman. How do you refer to these different parts of it if you have not got it?

Mr. Hurley. I asked for them at the Secretary's office in order to have them before this committee, and they advised me there that the originals had all gone to the Indian Committee of the Senate with the Howell report.

The Chairman. But you refer to it with considerable accuracy, apparently, as to the different exhibits, and I was wondering if it was an executive document, or whether it is public.

Mr. Hurley. I have never seen the Howell report, and it is an executive document, so I have been told. I refer to the exhibits with accuracy for this reason. I filed with Mr. Howell, while he was in the Choctaw Nation, a statement of facts, and submitted to him all of these exhibits, and I refer to them in the statement of facts as the exhibits which I name here.

The Chairman. You assume that they are part of his report?

Mr. Hurley. Yes; I am assuming that.

The Chairman. And these references by exhibits to which you have referred are the references in what you submitted to him? That is, we do not know what his report may be as to the exhibits it contains. For instance, these cases may be one exhibit in his report - I do not know - and under that may be these exhibits that you refer to?

Mr. Hurley. Yes. I suppose, Mr. Chairman, that in the Howell report this case will probably be one case, and the whole thing referred to as one exhibit; and my exhibits, if they are in the order that I have submitted them, will be marked as I have marked them here.

The Chairman. Yes. I just mentioned that in order to clear the matter.

Mr. Hurley. Yes.

Now, then, Mr. Chairman, as I stated before, the only place where the applicants in the case of W. C. York and others had a hearing wherein they had an opportunity to prove their right to enrollment was in the United States court, and with your permission I will read the finding of the master in chancery, upon which the decision of the court was based, for the reason that that states the facts in the case substantially as they are:

IN THE UNITED STATES COURT
IN AND FOR THE CENTRAL DISTRICT OF THE INDIAN TERRITORY.

W. C. York (husband), Sarah Ward York (wife), Maud York,)
Leslie York, Mabel York, Erda York, Willie York, and)
Bennie York, children, plaintiffs, v. The Choctaw Nation,)
defendants.)

REPORT OF SPECIAL MASTER IN CHANCERY.

This cause was duly filed before the Dawes Commission September 7, 1896, plaintiff, W. C. York, claiming citizenship by virtue of intermarriage with a Choctaw woman, and Sarah Ward York, Maud York, Leslie York, Mabel York, Erda York, Willie York, and Bennie York, claiming Choctaw citizenship as Choctaw citizens.

The defendant answered, or pleaded, denying the jurisdiction and authority of the Dawes Commission to try and determine the case and denying the legality of the rules and procedure of the Dawes Commission, and denying that the evidence adduced was sufficient to establish the claims of the plaintiffs to citizenship.

The commission gave judgment for the defendant December 1, 1896, from which plaintiffs appealed January 23, 1897, assigning as error that the Dawes Commission erred in their judgment, because same was contrary to the law and evidence. The defendant answered the plaintiff's petition for a reversal, saying that it had not sufficient information to form a belief as to

whether the above-named plaintiffs were entitled to citizenship in the Choctaw Nation, and referring to and making part hereof their original answer in the case.

I find from the evidence adduced and the allegations of the pleadings not denied that the following are the facts in this case: Sam Ward, the father of the wife and one of the plaintiffs in this case, was married in 1848 according to the laws of the Choctaw Nation to a Choctaw woman by blood; that subsequently thereto and after the death of his said Choctaw wife he was married in 1852, presumably, and as plaintiffs say they are informed and believe, in accordance with the laws of the Choctaw Nation, to a Cherokee woman by blood, who was a resident of the Choctaw Nation; that issue of this second marriage have always been recognized and treated by the Choctaw Nation as members of the Choctaw tribe; that plaintiff Sarah Ward York, the wife in this case, is an issue of this second marriage; that W. C. York was married to his wife Sarah Ward York, nee Sarah Ward, in 1876, according to the laws of the Choctaw Nation, and that there has been born to them an issue of such marriage, Maud York, Leslie York, Mabel York, Edna York, Millie York, and Bennie York, who are all minors and for whom W. C. York makes application for enrollment jointly with himself and wife.

Plaintiffs contend that either of said marriages of said Sam Ward, the one to the Choctaw woman in 1848 or the one to the Cherokee woman in 1852, conferred Choctaw citizenship on him, and supports this latter contention with the affidavits of A. Telle and others. A Telle swears that it has been the usage and custom from time immemorial, and in fact was a part of the common law of the Choctaw Nation, for the Choctaw Nation to adopt and recognize as members of the Choctaw tribe or nation, all Cherokees who take up their residence with them, and vice versa, the Cherokees do the same by the Choctaws. I also find from additional evidence filed in the case since the judgment of the Dawes Commission, that the applicants in this case have all been duly and regularly enrolled by the Choctaw Nation as citizens of the Choctaw Nation.

Respectfully submitted this 24 day of June, 1907.

A. B. Rutherford,
Special Master in Chancery.

The decision of the United States court in and for the central district admitting these applicants to citizenship in the Choctaw Nation was based upon that report.

Now, Mr. Chairman, you will note from what I said that the applicants in this case do not claim solely as descendants of an intermarried citizen, and do not claim a special right by virtue of being descendants of an intermarried citizen, under the treaty of 1866. Samuel Ward, the ancestor of these claimants, became a citizen of the Choctaw Nation by intermarriage in 1848,

which was prior to the treaty of 1855. I will refer to the correspondence between the Commissioner of Indian Affairs in the case of Jubal B. Hancock, who was an intermarried citizen of the Choctaw Nation while the Choctaws resided in Mississippi. I refer to this very briefly, for the reason that it is a long document and it only serves to indicate who were members of the Choctaw tribe of Indians. In this case Jubal B. Hancock was married to an Indian woman. A question arose as to whether he should receive a portion of the estate of the Choctaw Nation in Mississippi if should remain in Mississippi. The treaty of 1830 provided that the Choctaw head of a family should have such right. The question arose, Is there any difference between the Choctaw head of a family and the head of a Choctaw family? A white man, of course, could be the head of a Choctaw family. The decision of the Committee on Indian Affairs of the House of Representatives will be found at page 557, American State Papers, volume 35, Public Lands, part 6. I will read a short portion of it:

The treaty was made with the Choctaw Nation, and, as a consequence, with every member of that nation. It was competent for that nation to determine who should be entitled to the privileges, who should be members of the nation; and every person who, at the date of the treaty, was, in good faith, a member of the Choctaw Nation was a Choctaw within the meaning of the fourteenth article; and if the head of a family was a Choctaw head of a family. Nor is it material whether the head, or the family, or both, were Choctaws by blood or by adoption. In either case, as members of the nation, they were entitled to remove west or remain, and such as chose to remove were entitled to a share of the annuities, and such as remained, being heads of families, to reservations.

The absurdity of a distinction will be obvious from its consequences. It is well known that there were, among the Choctaws, as in other tribes, many intermarriages between white persons and native Indians, and the consequent half-breeds; if none are Choctaws but those who are so by blood, then it will follow that the wife and children must remove, because they were Choctaws, and the husband remain. The wife could not be entitled to a reservation because she is not the head of a family, nor the husband because he is not a Choctaw by blood.

In that case, of course, it was held that the intermarried white citizen was entitled to all the rights and privileges

of citizenship, and the ancestor of applicants in the case I am now presenting to you was a citizen of the Choctaw Nation of the same status as Jubal E. Hancock, whose case I have just quoted from, because he became an intermarried citizen prior to the treaty of 1855.

For further reference as to how citizenship by inter marriage was acquired in the Choctaw Nation prior to 1855, see Constitution and Laws of the Choctaw Nation, edition of 1869, page 76.

I now refer to the treaty of 1855, which is found in the second volume of Hayler's Indian Laws and Treaties, at page 706, article 1.

And pursuant to an act of Congress approved May 28, 1830, the United States do hereby forever secure and guarantee the lands embraced within the said limits to the members of the Choctaw and Chickasaw tribes, their heirs and successors, to be held in common; so that each and every member of either tribe shall have an equal, undivided interest in the whole.

Now, Mr. Chairman, we contend here that Samuel Ward, having been married to a Choctaw Indian woman and being the father of a Choctaw Indian child prior to the date of this treaty, the United States guarantees to him as a member of the Choctaw tribe of Indians an undivided interest in the estate of the Choctaw Nation.

The Chairman. There was no issue in the first marriage?

Mr. Murley. There was one child born. That child is dead, however.

Now, Mr. Chairman, I think it best to call attention to the fact that I am not referring to article 33 of the treaty of 1866, because we do not claim under that as intermarried citizens. This case comes under an entirely different class - under the provisions of the treaty of 1855. However, we do not mean to waive

entirely our right under the treaty of 1866, because even that treaty confers citizenship where the intermarrying person is of Indian blood.

Now, Mr. Chairman, in the decisions of the Commissioner to the Five Civilized Tribes, and in every action taken by the commissioner in these cases, he has referred to the descendants of Samuel Ward and Miss Jane Tyner as "enrolled Cherokees." I contend that when the fact was alleged it was the duty of the Commissioner to the Five Civilized Tribes to ascertain whether the party was a Cherokee, and if found to be a Cherokee without right in the Cherokee Nation, it was mandatory upon the commissioner to see that the rights of that applicant were adjusted with the nation where he or she was really a citizen. It is the contention here that it is the duty of the commissioner to take notice of all the records and rolls of the Department of the Interior which would show that the applicants are Cherokees by blood, and under the act of June 28, 1896, it is provided that -

The several tribes may, by agreement, determine the right of persons 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 he will take such rights; 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.

That act directed the commissioner as to the manner in which to dispose of just such cases as we have before us. The right of the applicants herein to be enrolled in the Cherokee Nation had elapsed, and when John Ward made application for the enrollment in the Cherokee Nation he was advised that he was entitled to enrollment in the Cherokee Nation, as he had resided there

and himself and ancestors had been recognized as Choctaw citizens. The question as to whether or not these applicants have right to enrollment in the Cherokee Nation is an intricate one, and as it is not pertinent here we will not discuss it.

The Chairman. What have you for the basis of that assertion? Have you any evidence of what occurred at the time he made his application to the Choctaw Nation? You stated twice that he was told he was entitled to be enrolled, or his wife was, in the Choctaw Nation.

Mr. Hurley. The only evidence I have been able to procure, outside of Mr. Ward's assertion, is obtained from a copy of the Cherokee Citizenship Docket B, page 265, Cherokee - Case No. 4529 - John Ward and Others v. The Cherokee Nation. "Original application; answer of the Cherokee Nation; application denied; no record of appeal".

That is the citizenship docket. It shows that he did make application and was denied, and he asserts that he was directed to go to the Choctaw Nation and present his claim there.

The Chairman. I believe you stated, if I understood you correctly, that it was held he should make an application to the Cherokee Nation?

Mr. Hurley. He states that he was directed to make an application for Choctaw citizenship.

The Chairman. It was evidently his theory at the time that this woman being a Cherokee they were entitled to enrollment in that tribe, was it?

Mr. Hurley. It was his theory at that time, Mr. Chairman, that, being denied by the Dawes Commission on the ground that they were not of Choctaw Indian blood and were the descendants of an intermarried citizen, that they were not entitled to be enrolled with the Choctaw Nation. He assumed that, being of

Cherokee Indian blood, he should be enrolled as a Cherokee.

Mr. Chairman, I will make reference now to the fact that the Commissioner to the Five Civilized Tribes and the Dawes Commission prior to that time had notice of the fact that the mother of the applicant herein was a Cherokee Indian woman by blood. I have here a document that is part of the Howell report, but I have not the exhibit number here and can not give it. However, it is a part of the records of the Commissioner to the Five Civilized Tribes, the 1896 census roll of the Choctaw Nation, page 368. The document gives the names of the applicants in the John Ward case and the numbers after which they appear on the Choctaw roll, and after the statement of the names and the numbers appears the notation made by the commissioner:

Enrollment refused. Said to be Cherokees.

Also the decision of the Commissioner to the Five Civilized Tribes, rendered January 16, 1907, a copy of which was submitted to the department and is probably with the Howell report, marked "Exhibit G". As a part of the decision, it is stated that -

It does not appear from the records in the possession of this office that any of the applicants herein has ever been enrolled by the Cherokee tribal authorities as a member of the Cherokee tribe, or admitted to Cherokee citizenship by any duly constituted authority.

Now, Mr. Chairman, there is an exhibit attached to the Howell report, or I presume it is attached to the Howell report, which is a certified copy of a portion of the old settlers' roll of the Cherokee Nation of 1852, showing the enrollment of the mother of these applicants. The decision of the commissioner was therefore based upon a false premise. That is, one of the facts that they

base their decision on was that the mother of the applicants was not a Cherokee by blood.

The Chairman. Now, if I understand your contention, and admitting that this woman was enrolled as a Cherokee, but having moved into the Choctaw Nation and having become a resident there, she or her descendants were entitled to enrollment as Choctaws?

Mr. Hurley. That is the contention, Mr. Chairman - that they are descendants of a Cherokee Indian woman and an inter-married citizen of the Choctaw Nation. They have resided in that nation for three generations and enjoyed the rights and shared the responsibilities of citizenship; they were never denied that right by the nation and they should now be enrolled.

The Chairman. Do I understand that she was ever enrolled as a Choctaw in these rolls that you have described, in which York was enrolled.

Mr. Hurley. No; Eliza Jane Turner died before 1865. The Choctaw census roll of 1865 bears the names of her descendants, and also the Choctaw census roll of 1890.

The Chairman. Then her descendants are on the roll of 1885?

Mr. Hurley. Yes.

The Chairman. Is there anything in that enrollment to show whether they were enrolled as descendants of this woman or as descendants of the father, who was a citizen as early as or prior to 1855, I believe you stated?

Mr. Hurley. Mr. Chairman, there is nothing to show what the reason for their enrollment was.

The Chairman. But they were enrolled in fact?

Mr. Hurley. Yes they were enrolled. I have also submitted to the department certain affidavits which are probably

also a part of the Howell report. One of those affidavits was made by Mr. J. C. Folsom, of Atoka, Okla., on the 20th day of August, 1896. He made an affidavit subsequent to this which is also on file. Mr. Folsom served as county judge of Atoka County, and was a member of the revisory board that made the Choctaw census roll of 1896. He has also served in the council, and in both the lower house and as a member of the senate, and other official positions in the Choctaw Nation. He is now 78 years of age, and, during his public life, he has held positions that would give him an opportunity to be thoroughly conversant with the laws and customs of the Choctaw Nation. The affidavit referred to, made by Mr. Folsom, which is on file with the papers, is in part as follows:

Said Sam Ward married a Choctaw woman in 1848, thereby becoming a member of the Choctaw tribe of Indians; that according to the laws, customs, and usages of said Choctaw Indians, in 1848 the said Sam Ward by this said marriage acquired full and unconditional citizenship in said Choctaw Nation; that after the death of his said Choctaw wife, when the said Sam Ward married the said Cherokee woman, he imparted his citizenship both to his said Cherokee wife and to his children by said woman, as she was of Indian blood, and resided in the Choctaw Indian country.

There is also attached to the so-called "Howell report" other affidavits in support of this, setting forth the fact fully that Sam Ward was married to a Choctaw Indian woman in accordance with the Choctaw law, and that he was also married to a Cherokee Indian woman in accordance with the Choctaw law.

Let me say here, Mr. Chairman, that the right of the applicants to enrollment as Choctaws has never been disputed by the nation or its officers. Their right was questioned for the first time by the Dawes Commission.

One of the applicants herein, John Ward, served in public office under the Choctaw government as a citizen of the Choctaw Nation. He filled the office of school trustee, curator appointed by the Choctaw court, and deputy sheriff of Atoka County, in the Choctaw Nation. A copy of the commission given to John Ward as deputy sheriff of Atoka County under the Choctaw government is attached to the Howell report and marked Exhibit N.

The Chairman. This man who makes that affidavit states that he acted in some capacity in making the roll of the Choctaws in 1896, as I understand. Were these claimants on that roll?

Mr. Hurley. Mr. Chairman, these claimants appeared before the revisory board of the Choctaw Nation, of which Mr. J. C. Folsom was a member. Who were the other members of that board, Mr. Hastings? Do you remember?

Mr. Hastings. That may be in the Choctaw Nation.

Mr. Hurley. Doctor right, do you remember?

Dr. D. B. Wright. Was that under the law of 1896 or congressional act?

Mr. Hurley. That was authorized by the Choctaw council

Doctor Wright. Was that any special payment?

Mr. Hurley. These were the rolls upon which the rolls made by the Dawes Commission were based.

Doctor Wright. I suppose that commission, if there was one at that time, was acting conjointly with -

The Chairman. I am not particular as to who constituted the commission. But they were on the roll at that time?

Mr. Hurley. Yes.

The Chairman. Let me see if I understand this. Prior to 1855 Ward appears to have been intermarried.

Mr. Hurley. Yes.

The Chairman. He subsequently appears on the roll of 1885.

Mr. Hurley. His descendants.

The Chairman. Together with his descendants; that is, all of them?

Mr. Hurley. Yes.

The Chairman. Now, in a roll made in 1896 they were again all enrolled?

Mr. Hurley. Yes.

The Chairman. They were stricken from the rolls by the action of the Daves Commission under the act of 1896?

Mr. Hurley. Yes sir.

The Chairman. Which you contend did not confer jurisdiction upon the commission to eliminate?

Mr. Hurley. Yes, sir: it has been so held. It has been determined that the commission had no jurisdiction under that act.

The Chairman. Now, then, you may conclude.

Mr. Hurley. In conclusion, Mr. Chairman, I desire to read the opinion of the Assistant Attorney-General of the United States, rendered February 26, 1907, and approved by the Secretary of the Interior on the same date.

Mr. McGuire. What Attorney-General was that?

Mr. Hurley. Frank L. Campbell.

Department of the Interior,
Office of the Assistant Attorney-General,
Washington, February 28, 1907.

The Secretary of the Interior.

Sir:

I received by reference of February 26, 1907, for my opinion, the record in application of Martha Black for enrollment as a citizen of the Chickasaw Nation by intermarriage and for enrollment of her children.

The facts shown are that Martha Black, nee Stover, is a Cherokee by blood, who, in 1865, married in the Chickasaw Nation Thomas Bacon, and lived with him till his death in 1870, bearing to him three children, Harvey and Thomas, now living, and Nora, deceased. She married the petitioner. In 1873 Martha married George Black, a white noncitizen, and bore to him two children.

The applicant claims intermarried citizenship by virtue of her marriage to Thomas Bacon, who was the son of Harvey Bacon, a white missionary, adopted into the Chickasaw tribe in Mississippi prior to the treaty of May 24, 1834 (7 Stat., 450), under article 5, of which, as being an Indian or having an Indian family, he received two sections and a half of land. Harvey's descendants

have ever since been recognized by the tribal authorities as adopted white persons, are borne on the various rolls, and have been finally enrolled by the commission as adopted white persons. As to the applicant herself, the commissioner, August 27, 1906, was of opinion that:

"Following the - - - case of Mary Elizabeth Martin, April 24, 1906, Thomas Bacon, through whom the applicant claims her right to enrollment, was not capable of conferring any rights upon the applicant, Martha Fleck, as a citizen by intermarriage with the Chickasaw Nation, and that her application for enrollment as such should be denied."

Two facts seem, by the commissioner, to have been overlooked, viz, (1) that the applicant was herself of Indian (Cherokee) blood; (2) that Thomas Bacon was a full citizen of the Chickasaw Nation, descendant of a fully adopted white person. He was not in the position of an intermarried white person, but in legal status he and his ancestors were Indians since prior to 1834, and within the opinion of the Attorney-General of February 19, 1907, in case of Cyrus H. Kingsbury and Lucy Little *vs.*, so that his children are recognized enrolled Chickasaws.

But if he were not, his wife Martha, was a Cherokee, not a white citizen of the United States, and so not within the Chickasaw act of October 13, 1876. (Constitution, Laws and Treaties, Chickasaw Nation, State, 1890, p. 142.) The in-marrying and out-marrying provisions of that act do not relate to Indians of other tribes, but to citizens of the United States; and forfeiture of intermarriage rights is not imposed upon in-married Indians, and under the Chickasaw law her right is not lost.

I am therefore of the opinion that the commissioner erred in his conclusion and that Martha Fleck and her children are entitled to be enrolled.

Very respectfully,

Frank L. Campbell,
Assistant Attorney-General.

Approved February 27, 1907.

H. A. Hitchcock, Secretary.

Now, Mr. Chairman, that decision, of course, is in the Chickasaw Nation, but the reasons for the setting aside and overruling of the favorable judgment which was obtained in the United States court against the Choctaw Nation was that service was made upon the Choctaw Nation, but not upon the Chickasaw Nation. The Chickasaw Nation being an interested party, a citizen of the Chickasaw Nation was, of course, entitled to allotment in the Choctaw Nation, and that was true of the Choctaw in the Chickasaw Nation.

I think now I have covered the case; very briefly, of course, but I think I have covered it fully.

The Chairman. You have made a very clear exposition of your case, and I think probably in as good a form as if you had enlarged upon it. It has been very easy to comprehend it.

Mr. Hurley. There is one statement I would like to make Mr. Chairman, before closing. It should have been made in the statement of fact before I started to apply the law. It is that the applicants now named in the bill before you are descendants of Sam Ward and Eliza Jane Tyner, born prior to the closing of the rolls, and persons intermarried with those descendants prior to July 1, 1902. That is all.

The Chairman. I want to ask you one question. In the case of York, was York the claimant that went to the United States court?

Mr. Hurley. Yes, sir; York and the members of his family.

The Chairman. And was he subsequently stricken from the rolls as the result of a decision rendered in a test case in the citizenship court?

Mr. Hurley. Yes. That is the case of The Choctaw and Chickasaw Nations v. J. J. Riddle and other defendants. They were all under one test case.

The Chairman. There was no test specifically as to these claimants?

Mr. Hurley. No, sir. I do not know whether, Mr. Chairman, I have made it clear or not that these applicants had a hearing, of course, in 1896; but they were, so to speak, taken off their feet by that hearing. They could not go back and pick up facts and rights that had been slumbering for half a century and present them in ten days, and they were not able to present before the commission the case as it really was any more than one of us

would be able to tell all about our grandfathers at this time without making inquiry. In fact, they have never had a hearing. The Yorks have never had a hearing by a commission or court having jurisdiction to hear their case. The only tribunal passing upon their rights having jurisdiction was the commission that passed upon their rights on January 16, 1907, and at that time they were not given a hearing. The commissioner rendered his decision upon the records of his office, presumably. I do not know whether he has any other evidence or not. Anyway, the applicants were not heard. The rights of the Ward family, as I have stated, are identical with those of the York family; both families are Cherokee Indians by blood.

The Chairman. Evidently they intended to give him a hearing and then the applicant was told that he should not have it?

Mr. Hurley. It was in the rush at the close. They were rushing through matters. They found there was nothing to indicate that the applicants were of Choctaw blood, and they were denied as descendants of intermarried white citizens. The commissioner gave no attention to the fact that the applicants were Cherokees and that their ancestor was a citizen of the Choctaw Nation prior to 1855. Had the fact in this case been presented on appeal I feel certain the opinion of the Attorney-General would have been the same as in the case of Martha Black, above quoted.

There was no time for an appeal after the decisions of the commissioner which in York case was January 16, 1907, and in Ward case January 23, 1907, and the time the rolls closed, March 4, 1907, and the rush was so great between the dates of the decisions and the closing of the rolls that the applicants could

not get attention. There is attached to the Howell report the original of each exhibit that I have referred to here, together with other exhibits and affidavits, setting out the facts I have stated.

In the matter of the)
Application for enrollment as)
Citizens of the Choctaw Nation, by)
William C. York, et al.)

STATEMENT OF FACTS.

In the citizenship cases of William C. York, et al, and John Ward, et al, the facts upon which the rights of the applicants to enrollment in the cases depend, are identical; inasmuch, as John Ward and Mrs. Sarah York, the wife of William C. York, are brother and sister, and each family claims right to enrollment

1.

By virtue of the fact that Samuel Ward, the father of John Ward, Joseph Ward and Sarah York, nee Ward, was an intermarried citizen of the Choctaw Nation, having been married to Minerva Thompson, a Choctaw Indian woman, on the 29th day of September, 1848.

2.

That after the death of Minerva Ward, nee Thompson, the Choctaw wife of Samuel Ward, the said Samuel Ward married Eliza Jane Ramsey, nee Tyner, a Cherokee Indian woman by blood. The said Samuel Ward and Eliza Jane Ward, nee Ramsey, nee Tyner, are the parents of John Ward, Joseph Ward and Sarah York, nee Ward.

John Ward and Sarah York, nee Ward, are Cherokee Indians by blood; their mother, Eliza Jane Ward, nee Ramsey, nee Tyner, was the daughter of Jennie Carter, a Cherokee woman, and Reuben Tyner, a white man. The name of Jennie Tyner appears on the Old Settler Roll of the Cherokee Nation of 1852.

Jennie Tyner, nee Carter, the mother of Eliza Jane Ward, had two brothers, Alexander Carter and David Carter. The names of David Carter and Alexander Carter appear on the Old Settler Roll of 1852, and the names of their descendants appear on all subsequent Rolls of the Cherokee Indians.

There is attached hereto and made a part hereof, and marked "Exhibit 1," a letter from Mr. Guion Miller, of Washington, D. C., officer in charge of Eastern Cherokee Payments, showing that Eliza Jane Ramsey, and certain members of her family were enrolled in 1852 as Old Settler Cherokees.

Eliza Jane Ramsey, nee Tyner, settled in the Choctaw Nation at Boggy Depot in 1848, and on October 14th, 1852 said Eliza Jane Ramsey, nee Tyner, was married to Samuel Ward. The said Samuel Ward was married to Minerva Thompson, a Choctaw Indian woman, on September 29th, 1848, who died some time during the year of 1850, leaving one child surviving her. To the marriage between Samuel Ward and Eliza Jane Ramsey, nee Tyner, there were born three children:

Joseph Ward, now deceased,
John Ward,
Sarah York, nee Ward.

John Ward was married to Nancy E. York, a white woman, on September 19th, 1881. Said marriage being performed in accordance with the laws of the Choctaw Nation.

Sarah Ward was married to William C. York, a white man, in accordance with the laws of the Choctaw Nation, on the 2nd day of February, 1876.

Joseph Ward was married to Melissa C. York on September 15th, 1878. Said marriage being performed in accordance with the laws of the Choctaw Nation.

To the marriage between John Ward and Nancy E. Ward, nee York, the following named children were born:

Henrietta Ward,
Joseph B. Ward,
Chester A. Ward,
William E. Ward,
Elmer O. Ward,
John N. Ward.

To the marriage between Joseph Ward and Melissa C. Ward, nee York, one child was born:

Ada O. Ward.

The names of the persons above named, save that of Melissa C. Ward, appear on the approved Roll of the Choctaw Nation, which Roll was made by the Revisory Board authorized by the Choctaw Council to enroll citizens of said Nation in 1896.

Of the Children of John Ward, the following are married: Henrietta Ward was married to Sherman Macabee on December 24th, 1899. Of this marriage three children were born:

Clifford, age 8 years,
Pearl, " 6 "
Lucretia, " 4 " .

Joseph B. Ward was married to Minor May Springer, a white woman, on the _____ day of _____ of _____ which marriage were born two children:

Clara L. Ward, age 5 years,
Dalton Erba Ward, " 4 " .

Chester A. Ward was married to Cogie Baxter on the 7th day of July, 1907.

To the marriage between William C. York and Sarah York, nee Ward, the following children were born:

Maud E. York,
Leslie O. York,
Mabel L. York,
Erda C. York,
Willie P. York,
Benjamin H. York.

Of the children of William C. York and Sarah York, nee Ward, the following are married: Leslie O. York was married on the 20th of August, 1898, to Wardena a white woman. Of this marriage there were born three children:

Tabetha A. York, born July 20th, 1903,
J. C. York, born November 24th, 1904,
Clair York, born

Mabel L. York was married to William H. Summit, a white man, on the 15th day of December, 1901; Of this marriage there were born two children:

Erda York Summit, age 5 years, now deceased,
Thomas Ralls Summit, age 4 years.

Erda York Summit was born on the 6th day of November, 1903.

Erda C. York was married to Millie Cook, a white woman, December 24th, 19 .

Willie P. York was married to Coleman J. Ward, a citizen of the Choctaw Nation on the 6th day of March, 1907.

Ada O. Ward was married to Walter Winans on the 19th day of November, 1899. Of this marriage there were born three children:

Bertha D. Winans, born December 14, 1901,
Raymond Winans, " January 28, 1904,
Linton Edwards Winans, born Jan., 14, 1908.

Application for enrollment of Bertha D. and Raymond Winans was made to Commissioner to the Five Civilized Tribes May 6th, 1903, and June 30th, 1906, respectively.

The following persons claim right to enrollment in the Choctaw Nation by virtue of intermarriage:

William C. York,
Nancy E. Ward,
Melissa C. Ward, now Taylor,
Minor May Ward, nee Springer,
Wardena York,
William H. Summit,
Walter Winans,
Sherman Macabee.

Those claiming right to enrollment by virtue of the Cherokee Indian blood and acquired right of citizenship in the Choctaw Nation by length of residence and allegiance to the Choctaw government are:

John Ward,
Sarah York,
Ada O. Winans,
Bertha D. Winans,
Raymond Winans,
Linton Edwards Winans,
Henrietta Macabee,
Clifford Macabee,
Perl Macabee,
Lucretia Macabee,
Joseph B. Ward,
Clara L. Ward,
Dalton Erba Ward,
Chester A. Ward,
William E. Ward,
Elmer O. Ward,
John N. Ward,
Maud E. York,
Leslie O. York,
Tabetha A. York,
J. C. York,
Clair York,
Mabel L. Summitt,
Erda C. York,
Erda York Summitt, dec'd.,
Thomas Ralls Summitt,
Willie P. Ward, nee York,
Benjamin H. York,

All of these claiming by blood, except those born since 1896, were enrolled as citizens of the Choctaw Nation by the Choctaw Revisory Board in 1896. Certified copy of that portion of the Choctaw Roll of 1896, showing the enrollment of said persons, is attached hereto and made a part hereof, marked "Ex. A." and made a part hereof. The Roll prepared by the Choctaw Revisory Board was approved by the Act of Congress of June 10th, 1896. When this matter was taken up for consideration by the Dawes Commission it was divided in two cases. One case was designated as William C. York, et al, and the other designated as John Ward, et al.

The names of the parties in the case of William C. York, et al, were stricken from the Roll by the Dawes Commission.

Subsequently an appeal was taken from the decision of the Dawes Commission to the United States Court in and for the Central District of the Indian Territory, sitting at South McAlester. The case of William C. York, et al, in said court was Citizenship Case #46, and was referred to a special Master in Chancery for investigation. A report favorable to the applicants for enrollment as citizens of the Choctaw Nation was submitted to the above named court by the Special Master in Chancery on the 22nd day of June, 1897. A copy of said report is attached hereto, made a part hereof and marked "Ex. B."

In accordance with the recommendation made in the report of the Special Master, a judgment was rendered by the United States Court in and for the Central District of the Indian Territory on July 13th, 1897, adjudging the applicants in the said case of William C. York, et al, citizens of the Choctaw Nation. A copy of said judgment is attached hereto, made a part hereof, and marked "Ex. C."

On December 17th, 1902, the Choctaw and Chickasaw Citizenship Court, created under Act of Congress approved July 1st, 1902, (32 Stat. 641) "set aside, annulled and held for naught" the aforesaid judgment of the United States Court. On September 20th, 1904, the Commissioner to the Five Civilized Tribes entered of record an order dismissing the application of William C. York, et al, for enrollment in accordance with the opinion of the Attorney General of May 9th, 1904, (I. T. D. 3824-1904) and the opinion of the Assistant Attorney General for the Department of the Interior, dated July 30th, 1904, (I. T. D. 5246-1904).

Under the regulations adopted by the Commissioner to the Five Civilized Tribes, January 2nd, 1906, there was filed a petition praying for the enrollment of W. C. York, et al.

Concerning this application the applicants, W. C. York, et al, were advised by letter from the Commissioner to the Five Civilized Tribes, dated February 15th, 1906, that the case had been set for hearing March 12th, 1906. A copy of said letter is attached hereto, made a part hereof, and marked "Ex. D."

On March 6th, 1906, the applicants were advised by letter from the Commissioner to the Five Civilized Tribes that the case had been indefinitely continued. Said letter is attached hereto, made a part hereof and marked "Ex. B."

The applicant, William C. York, alleges that in this last case he was not given a hearing before the Commissioner to the Five Civilized Tribes, and was not advised of the action taken by said Commissioner until January 16th, 1907, when he received a letter enclosing the judgment of said Commissioner, denying the enrollment of the applicants. Said letter is attached hereto, made a part hereof, and marked "Ex. P."

The decision of the Commissioner to the Five Civilized Tribes, rendered January 16th, 1907, is attached hereto, made a part hereof, and marked "Ex. G."

Prior to the organization of the Commission to the Five Civilized Tribes the rights of the applicants herein as citizens of the Choctaw Nation were never questioned; in fact, the first question which made their citizenship in said Nation an issue was raised by the Dawes Commission, and not by any of the authorities of the Choctaw Nation. There is attached hereto and made a part hereof and marked "Ex. 2." an affidavit executed by J. C. Fulson, in which he states that he was a member of the Revisary Board appointed to enroll the citizens of the Choctaw Nation; that said Board enrolled William C. York, et al; that he has known William C. York for 33 years; that he knows that the wife of William C. York is a daughter of Samuel

Ward and Eliza Jane Ramsey, nee Tyner, who was a Cherokee Indian by blood; that William C. York and his family had, up until 1896, enjoyed all the rights and privileges of Choctaw citizenship.

In support of the affidavit made by J. C. Fulson, there is, also, attached hereto, an affidavit of Reverend J. S. Murrow, marked "Ex. 3," and made a part hereof.

In the case designated as John Ward, et al, the Dawes Commission denied the applicants enrollment in the first instance on the 7th day of September, 1896. No appeal was taken from that decision as in the York case.

Under the regulations adopted by the Commissioner to the Five Civilized Tribes, January 2nd, 1906, there was filed on January 22nd, 1906, a petition praying for the enrollment of John Ward, et al. On January 23rd, 1907, said applicants were denied enrollment by the Commissioner to the Five Civilized Tribes under the provision of the Act of Congress, approved June 28th, 1898, (30 Stat. 495). Copy of said decision is attached hereto and made a part hereof, and marked "Ex. H."

One of the applicants herein, John Ward, served in public office under the Choctaw government as a citizen of the Choctaw Nation. He filled the office of School Trustee, Curator appointed by the Choctaw Court, and Deputy Sheriff of Atoka County in the Choctaw Nation. A copy of the Commission given to John Ward as Deputy Sheriff of Atoka County under the Choctaw Government is attached hereto, made a part hereof, and marked "Ex. K."

Melissa C. Taylor was denied enrollment as an intermarried Choctaw citizen on January 23rd, 1907. In accordance with the provisions of the Act of Congress, approved June 28, 1898, (30 Stat. 495.).

7-4431

Muskogee, Indian Territory, September 20, 1904.

William C. York,

Atoka, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 20, 1904, dismissing your application for the enrollment of yourself, as a citizen by intermarriage, and of your wife, Sarah York, and children, Maud E. York, Leslie O York, Mabel L. York, Erda C. York Willie P. York and Benjamin York as citizens by blood of the Choctaw Nation.

Respectfully,

Registered.

Chairman.

Incl. 7-4431.

7-4431.

Muskogee, Indian Territory, September 20, 1904.

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

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated September 20, 1904, dismissing the application for the enrollment of William C. York as a citizen by intermarriage, and of Sarah York, Maud E. York, Leslie O. York, Mabel L. York, Erda C. York, Willie P. York and Benjamin York as citizens by blood of the Choctaw Nation.

Respectfully,

Chairman.

Incl. 7-4431.

7-4431

Muskogee, Indian Territory, January 5, 1906.

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

Dear Sir:

Receipt is hereby acknowledged of your letters of December 20 and 23, 1905, relative to the enrollment of W. C. York and his family, Anna Krebs and Ella Florence Cochran for whom contests have recently been instituted covering land upon which they have valuable improvements; you call attention to this matter for the reason that you believe, under the recent decision of the Department, that Mr. York and his family are entitled to enrollment as citizens of the Choctaw Nation.

For your information there is inclosed herewith circular giving full information relative to procedure in cases coming within the rulings of the Department in the Choctaw enrollment cases of Mary Elizabeth Martin and Lula West.

Respectfully,

Circular.

Commissioner.

COPY.

948
317

REFER IN REPLY TO THE FOLLOWING:

Land
6926-1907.

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

March 1, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed record of the proceedings in the matter of the application for the enrollment of William C. York, et al., including the decision of Commissioner Bixby dated January 16, 1907, denying the application and petition for the enrollment of Sarah York, Mand E. York, Leslie O. York, Mabel I. York, Erda C. York, Willie P. York, Benjamin York, Tabitha A. York, J. C. York and Thomas Falls Summit as citizens of the Choctaw Nation, denying the application and petition for the enrollment of William C. York, declining to receive or consider the application and denying the petition for the enrollment of Dena York as citizens by intermarriage of the Choctaw Nation.

The decision of Commissioner Bixby has been examined and found to be correct, and its approval is recommended.

Very respectfully,

C. F. Iarrabee,

Acting Commissioner.

EBM-W

MEMORANDA.

(Date) July 2 1899.

47 ✓ Name C. York
 Choctaw? Yes County _____ Year _____ No. _____
 Chickasaw? _____ County _____ Year _____ Page _____
 Citizen by blood? _____ Mother's citizenship Yes
 Intermarried citizen? _____
 Married under what law? _____
 License filed this day, _____

48 ✓ Wife's name, Sarah York
 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:

20 ✓ Ward C. County _____ Year _____ Page _____ No. _____
 18 ✓ Lottie C. County _____ Year _____ Page _____ No. _____
 17 ✓ Mabel L. County _____ Year _____ Page _____ No. _____
 15 ✓ Erda C. County _____ Year _____ Page _____ No. _____
 13 ✓ Willie P. County _____ Year _____ Page _____ No. _____
 8 ✓ Benjamin County _____ Year _____ Page _____ No. _____
 _____ County _____ Year _____ Page _____ No. _____
 _____ County _____ Year _____ Page _____ No. _____
 _____ County _____ Year _____ Page _____ No. _____
 _____ County _____ Year _____ Page _____ No. _____

x Erda York born July 13-97
 # 6 as
 Ben York
 residence in the territory

4431

choe 4432 ETta Kandle

4432

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

--:--oOo--:--

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

Charles J. Kendle ----- 7 D-414.

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

In the enrollment of Charles J. Kendle as an intermarried Choctaw; being sworn and examined by Com'r McKennon he states:

- Q What is your name? A Charles J. Kendle.
- Q How old are you? A Twenty-eight.
- Q You present here a license dated August 29th 1899 issued by the clerk of the county court of Atoka County, Choctaw Nation, to marry Etta Dillon, were you married to her before that?
- A Yes sir.
- Q When? A On the 5th of last August.
- Q Where? A In Sherman, Texas.
- Q Under the laws of Texas? A Yes sir.
- Q She is a Choctaw citizen? A Yes sir.
- Q Does she reside here in the Choctaw Nation? A Yes sir.
- Q Were you divorced or separated from her? A No sir.
- Q This was a second marriage then? A Yes sir.
- Q Your name in the license is Kendell, but your proper name is Kendle? A Yes sir.
- Q How long have you been living in the Choctaw Nation?
- A Almost four years.

 Department of the Interior,
 Commission to the Five Civilized Tribes,
 I hereby certify that the foregoing is a correct translation of
 the stenographic report of the examination of the above named
 individual as to his qualifications for enrollment in the Choctaw
 Nation, and that this is a correct translation of
 the stenographic report of the examination of the above named
 individual as to his qualifications for enrollment in the Choctaw
 Nation.

W. D. Green

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.

FILED IN REPLY TO THE FOLLOWING:

Choctaw D-414.

Muskogee, Indian Territory, March 1, 1902.

Charles I. Kendle,

Atoka, Indian Territory.

You are hereby notified that the application of _____
yourself

for enrollment as a citizen of the Choctaw Nation will be taken
up for final consideration by the Commission to the Five Civil-
ized Tribes, at its office in Muskogee, Indian Territory, on
the 10th day of April, 1902.

On said date you may, if you desire, appear before the Commis-
sion in person or by attorney when an opportunity will be given
you to introduce any additional testimony affecting said appli-
cation which you may think proper or necessary.

You are further notified that the representatives of the
Choctaw Nation will also, at the same time, be afforded an op-
portunity to introduce testimony affecting your right to en-
rollment, but said representatives will be required to notify
you of their intention to introduce such testimony before they
will be permitted to do so.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Register.

Commissioner in Charge.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, Indian Territory, April 10, 1902.

.....
:: In the matter of the application ::
:: of Charles J. Kendle for enrollment :: D-414.
:: as a citizen by intermarriage of ::
:: the Choctaw Nation. ::
.....

On the 1st 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 Nation were notified by registered mail that the application of Charles J. Kendle for enrollment as a citizen by intermarriage 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 10th day of April, 1902, for final consideration.

Now on this 10th 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.

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 10, 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 11 day of April, 1902.

Hal Belford
James M. Fullwood
Notary Public.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
TUSHKAHOMMA, I.T. Dec.9, 1902.

7-D414

In the matter of the application of Charles J. Kendle for enrollment as an inter married citizen of the Choctaw Nation.

Charles J. Kendle being sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Charles J. Kendle
Q How old are you? A I am, thirty five.
Q What is your post office address? A South McAlester.
Q How long have you been a resident of the Choctaw Nation? A About 6 years.
Q Have you lived here continuously for the past six years? A Yes sir; for a short time I was out once; I lived about 7 months in Little Rock.
Q When was that? A One year ago. I have been in South McAlester about one year and then I lived in Little Rock about 8 months.
Q Do you claim inter married rights in the Choctaw Nation? A Yes sir.
Q What is the name of your Choctaw wife through whom you claim?
A Her name was Etta Dillon.
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 Etta Dillon? A Three years ago last August, I believe it was the 5th.
Q Where was this marriage ceremony performed? A In Ateka.
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 I don't know; I had a committee signed up to get it under the regular Choctaw laws. Brother Murrow was the man that married us.
Q From whom did you get the license? A Joe Ward I believe.
Q What official was he? A I don't know what his official title was.
Q How much did you pay for the license? A \$100.00
Q Who performed the marriage ceremony? A Brother Murrow.
Q A minister of the gospel? A Yes sir.
Q Were you ever married previous to your marriage to Etta Dillon?
A No sir.
Q Was she ever married prior to her marriage to you? A No sir.
Q Were you ever married to this woman more than once? A We were married according to the United States laws.
Q When was that first marriage? A About 6 months prior to the sec-

ond marriage. Q

Q Where was this first marriage ceremony performed? A Sherman, Tex.

Q Were you living in Texas at that time? A No sir, In Atoka.

Q Then afterwards you re-married the same woman according to the tribal laws? A Yes sir.

Q Was there any separation between these two marriages? A No sir.

Q What was the purpose of this second marriage? A To obtain a right in the Choctaw Nation I suppose.

Q Since your marriage to Etta Dillon 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.

Henry G. Hains being sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on December 9, 1902, 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 2 day of January, 1903.

Charles K. Sawyer

Notary Public.

Next

MARRIAGE LICENSE.



Choctaw Nation, }
Worth County. } ss. To any person authorized by law to solemnize marriages—
 Greeting:

You are hereby commanded to solemnize the Rite and publish the Banns of Matrimony between Mr. *W. J. Henderson*, of *Alabama*, in the *County*, aged *28* years, a citizen of the *United States*, and Miss *Anna*, of *Alabama*, a citizen of the *State* in the *County*, aged *20* 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 *30th* day of *August*, A. D., 189*9*.
[Signature]
 Clerk of the County Court.

By _____ Deputy.

CERTIFICATE OF MARRIAGE.

Choctaw Nation, }
Worth County. } ss. I, *J. S. Murrow*, a *lawful* *and* *ordained* Minister of the Gospel

Do hereby certify, that on the *30th* day of *August*, A. D., 189*9*, 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 *30th* day of *August*, A. D., 189*9*
Witness
Sam Downing
Joseph S. Murrow
 A Clergyman

116

7-D-411.

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

In the matter of the application for the enrollment of Charles J. Hendle as a citizen by intermarriage of the Choctaw Nation.

DECISION.

It appears from the record that Charles J. Hendle, on August 30, 1891, was married in accordance with the laws, customs and usages of the Choctaw Nation to Atta Billen, a race mixed and unrolled citizen by blood of the Choctaw Nation, whose name appears as Atta Hendle, number 12331, upon the list 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 March 6, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation, and that, with the exception of about eight months when they lived in Little Rock, Arkansas, they have lived together continuously in Indian Territory as husband and wife from the date of their said marriage up to and including September 23, 1902.

It is, therefore, the opinion of this Commission that Charles J. Hendle 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.

[Signature]

Commissioner.

[Signature]

Commissioner.

[Signature]

Commissioner.

Washington, Indian Territory,
MAR 15 1904

Choctaw D-414

COPY

Muskogee, Indian Territory, March 29, 1904.

Charles J. Kendle,
South McAlester, 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 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 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 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 Choctaw D-414

Commissioner in Charge.

COPY.

Choctaw D-414

Washoe, Indian Territory, March 27, 1904.

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 March 15, 1904, granting the application of Charles J. Wendle 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 in which to file protest against the action of the Commission in enrolling said Charles J. Wendle 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,

Registered.
Enc Choctaw D-414

Commissioner in Charge

MEMORANDA.

(Date) 11/11/1899

gene

Name Gene

Choctaw? County Choctaw Year 1899 No. 1

Chickasaw? County Choctaw Year 1899 Page 1

Citizen by blood? Mother's citizenship is

Intermarried citizen?

Married under what law? Choc

License filed this day, yes

36

Wife's name, Gene

Choctaw? County Choctaw Year 1899 No. 1

Chickasaw? County Choctaw Year 1899 Page 1

Citizen by blood? Mother's citizenship is

Intermarried citizen?

Married under what law? Choc

License filed this day yes

Names of children:

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

As to ...
11/11/1899
Gene

Muscogee, Indian Territory,

August 18th, 1900.

Charles J. Kendle,

Atoka, Indian Territory,

Dear Sir:

You are hereby notified that the Choctaw Nation, through its attorneys, Messrs McKennon, Manafield, 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-414.

Muskogee, Indian Territory, September 18, 1900.

Charles J. Kendle,

Atoka, 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.

Choc 4433 Francis Taaffee

4433

MEMORANDA.

32 Name Francis Trauffe (Date) April 2 1899.

Choctaw? yes County Johnson Year 96 No. 12015-

Chickasaw? County Year Page 311

Citizen by blood? yes Mother's citizenship Chae

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 4 columns: County, Year, Page, No. for listing children.

Handwritten notes at the bottom of the table area.

Handwritten signature or initials in the bottom right corner.

Choc 4434

David F. Rainey
Gertrude Rainey

4434

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

DAVID F. RAINEY,

7 - 4434

7-4434.

Department of the Interior,
Commission to the Five Civilized Tribes.
Atoka, Indian Territory,
March 13, 1903.

In the matter of the application of David F. Rainey for enrollment as an intermarried citizen of the Choctaw Nation.

David F. Rainey being duly sworn testifies as follows:

Examination by the Commission.

- Q What is your name? A David F. Rainey.
Q How old are you? A Forty-three last January.
Q What is your post office address? A Stringtown.
Q That is in the Choctaw Nation? A Yes sir.
Q How long have you resided in the Choctaw Nation? A About four years, a little over.
Q Have you lived here continuously for the past four years? A Yes sir.
Q Never have made your home anywhere else during that time? A No sir.
Q Are you a white man? A Yes sir.
Q Do you claim the right to enrollment as an intermarried citizen of the Choctaw Nation? A Yes sir.
Q What is the name of your Choctaw wife through whom you claim this right? A Gertrude M. Taaffe.
Q Is she a recognized and enrolled citizen by blood of the Choctaw Nation? A That is my understanding.
Q When were you married to this woman? A I was married by the United States five years ago the 30th day of this month.
Q You were first married to her under United States law? A Yes sir.
Q Where did this marriage take place? A Tecumseh, Oklahoma.
Q Were you living in Oklahoma at that time? A Yes sir.
Q Did you afterwards remarry the same woman? A Yes sir.
Q What was the date of your second marriage? A I couldn't say.
Q How long after this first marriage? A About a year, a little over.
Q Where were you living at the time of your second marriage? A Up by Coalgate in the Choctaw Nation.
Q How long had you been here? A About six months.
Q Your wife was here with you? A Yes sir.
Q Were you married in accordance with the Choctaw tribal law? A Yes sir.
Q Did you obtain a license? A Yes sir.
Q From whom did you get that license? A Henry Johns, Clerk of Jacksfork County.
Q How much did you pay for that license? A I think it was forty dollars; I bought a hundred dollars worth of County scrip.
Q Who performed the marriage ceremony? A John M. Harrison, Judge of Atoka County at that time.
Q Were you ever married before your marriage to this woman? A No sir.

David F Rainey-----2

- Q Was she ever married before her marriage to you? A No sir.
Q Since your 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 There was no separation between your first and second marriage between you and this woman? A No sir.
Q Your second marriage was only for the purpose of complying with the tribal laws? A My way of looking at it was to satisfy her and her people.

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 Atoka, Indian Territory, on the 13th day of March, 1903, and that the within and foregoing is a full, true, and correct transcript of his stenographic notes in the same.

W. H. Martin

Subscribed and sworn to before me this 30 day of March, 1903.

Charles H. Sawyer

Notary Public.

MARRIAGE LICENSE.

Choctaw Nation, |
Jacksfork County. | ss. To any person authorized by law to solemnize marriages-- Greeting:

You are hereby commanded to solemnize the Rite and publish the Banns of Matrimony between Mr. David F. Rainey, of Coal Gate, in the Indian Territory, aged 40 years, a citizen of the United States, and Miss Gartrude M. Taaffe, of Coal Gate, a citizen of the Choctaw Nation in the Indian Territory, aged 23 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 8th day of April, A. D., 1899.

H. A. Johns,
Clerk of the County Court.

(L. S.)

By----- Deputy.

-----o-----

CERTIFICATE OF MARRIAGE.

Choctaw Nation, |
----- County. | ss. I, John M. Harrison, a County Judge of Atoka Co., I. T. Do hereby certify, that on the 20th day of April, A. D., 1899, 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 20th day of April, A. D., 1899.

John M. Harrison,
A Judge County Court Atoka Co. I. T

This is to certify that the within License is recorded in my office in Book No 1 Page 239

R W Harrison

Co Clerk Atoka Co

- Indian Territory, | ss.
Western District. |

I, Milo Blair, stenographer to the Commission to the Five Civilized Tribes, hereby certify on oath that the above and foregoing is a true and correct copy of the original marriage license of David F. Rainey and Gartrude M. Taaffe, together with certificates thereto attached as the same appears on file with the records of the Commission in Choctaw case 4434.

Milo Blair

Subscribed and sworn to before me this 4th day of May, 1903.

Charles H. Sawyer

Notary Public.

Bill
JRB

7 - 4434

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

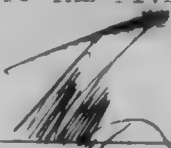
In the matter of the application for the enrollment of David F. Rainey as a citizen by intermarriage of the Choctaw Nation.

DECISION.

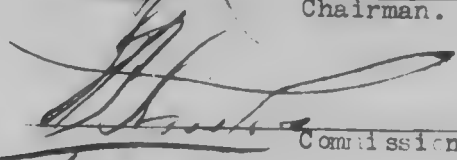
It appears from the record herein that David F. Rainey, on April 8, 1899, was married in accordance with the laws, customs and usages of the Choctaw Nation to Gertrude M. Rainey (nee Taaffe), a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 12333 upon the 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 March 6, 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 David F. Rainey 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.



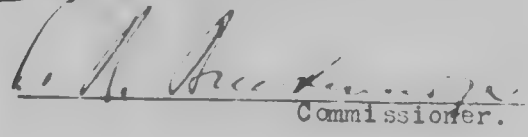
Chairman.



Commissioner.

Muskogee, Indian Territory,

JUL 28 1902



Commissioner.



Commissioner.

Chectaw-4434

COPY.

Muskogee, Indian Territory, July 28, 1903.

David F. Rainey,

Stringtown, Indian Territory.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission, rendered July 28, 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 Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

T. B. Needles.
Commissioner in Charge.

Registered.

Enc. HG. 7/28

COPY.

Muskogee, Indian Territory, July 28, 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 28, 1903, granting the application of David F. Rainey, 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. E. Woodlee,
Commissioner in Charge.

Registered.

Enc.HQ.8/28

IN RE

Application for Enrollment of

INFANT CHILD

Joseph Aloysius Ruiney

as a citizen of the

Choclaw Nation.

Approved MAY 14 1902 190
Commissioner.DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

MAY 14 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 Joseph Aloysious Rainey, born on the 25th day of Feb'y, 1902
(Here insert name of child.)
 Name of Father: David F. Rainey, a citizen of the Choctaw Nation.
 Name of Mother: Gertrude P. Rainey, a citizen of the Choctaw Nation.
 Post-Office: Strungtown, T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,

Central Judicial INDIAN TERRITORY. District.

I, Gertrude P. Rainey, 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 David F. Rainey, who is a citizen, by
Marriage, of the Choctaw Nation, that a Male child was
(State or female.)
 born to me on the 25th day of Feb'y, 1902, that said child has been
 named Joseph Aloysious Rainey, and is now living.

WITNESSES TO MARK: Gertrude P. Rainey

(Must be Two Witnesses.)

Subscribed and sworn to before me this 17th day of May, 1902
L. J. Kennedy
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,

Central Judicial INDIAN TERRITORY. District.

I, Sarah Thompson, a Midwife, on oath state that I
 attended on Mrs. Gertrude P. Rainey, wife of David F. Rainey,
 on the 25th day of Feb'y, 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
(State or female.)
 named Joseph Aloysious Rainey.

WITNESSES TO MARK: Sarah Thompson

(Must be Two Witnesses.)

Subscribed and sworn to before me this 17th day of May, 1902
L. J. Kennedy
 Notary Public.

MARRIAGE LICENSE.



Choctaw Nation,

Jacksoh County.

ss.

To all person authorized by law to solemnize marriages—
Greeting:

You are hereby commaned to solemnize the Rite and publish the
Banns of Matrimony between Mr. *Harriet J. Mearns* of
Coal Gate, in the *Indian Territory*, aged *40* years, a citi-
zen of the *United States* and *Miss Sarah W. Parry*
of *Coal Gate*, a citizen of the *Choctaw Nation* in the
Indian Territory, aged *20* 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 *3rd* day
of *April*, 189*9*.

J. C. [Signature]
Clerk of the County Court.

By

Deputy.

CERTIFICATE OF MARRIAGE.

Choctaw Nation,

County.

ss.

1. John W. Karsia a
County Judge of Choctaw Co. T.T.

Do hereby certify, that on the *20th* day of *April*, A. D., 189*9*, 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 *20th* day of *April*, A. D., 189*9*

J. W. Karsia
County Judge Choctaw Co.

MEMORANDA.

(Date) Sept 2 1899.

110

Name David F. Rainey

Choctaw? County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law? Choctaw

License filed this day,

32

Wife's name, Gertrude Rainey

Choctaw? County Year 16 No. 12 522

Chickasaw? County Year Page 550

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.

Gertrude 2 pp

4/1/54

IN RE

Application for Enrollment of
INFANT CHILD.

William Franklin Ramsey

As a citizen of the

Choctaw Nation.

Approved

MAY 24 1900

[Signature]
Commissioner.

FILED
MAR 27 1900
COMMISSION TO FIVE TRIBES.

Handwritten note:
11/21/11

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of William Franklin Rainey, born on the 13 day of March, 1900.

Name of father: David Franklin Rainey, a citizen of the Choctaw Nation.

Name of mother: Gertrude Thayer Rainey, a citizen of the Choctaw Nation.

Post Office: One End

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Gertrude Thayer Rainey, 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 David Franklin Rainey, who is a citizen, by marriage, of the Choctaw Nation; that one child was born to me on the 13 day of March, 1900; that said child has been named William Franklin Rainey and is now living.

Subscribed and sworn to before me this 27 day of March, 1900.

R. P. Breedlove
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, V. C. Withers, a midwife, on oath, state that I attended on Mrs. Gertrude Rainey, wife of David Franklin Rainey on the 13 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 William Franklin Rainey.

Subscribed and sworn to before me this 27 day of March, 1900.

V. C. Withers
R. P. Breedlove
Notary Public.

7-4434

Maskogee, Indian Territory, May 14, 1902.

David F. Rainey,
Stringtown, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Joseph Aloysius Rainey, infant son of David F. and Gertrude T. Rainey, born February 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.

Yours truly,

Asting Chairman.

Choctaw 44324

Muskogee, Indian Territory, July 25, 1902.

C. B. Smith,

Hickory, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 2nd instant, in which you state that you are an intermarried citizen of the Choctaw Nation, that your wife has no land but that you are desirous of securing for her and yourself your prorata share of the land of the Choctaw country and desire to be advised relative to the law defining the amount of land that the citizens of the Choctaw and Chickasaw Nations can now hold.

You are advised that it does not appear from an examination of our records that you have ever been recognized by the Choctaw tribal authorities as a citizen by intermarriage of that Nation nor are we able to find that you have ever made application to this Commission for enrollment as a citizen by intermarriage of the Choctaw Nation.

You do not give the name of your wife and we are therefore unable to advise you whether she appears upon our records as listed for enrollment as a citizen of the Choctaw Nation.

You are further advised that we cannot at this time render any opinion or consider any controversies existing

persons relative to the possession of any certain tracts of land within the Choctaw and Chickasaw Nations. 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 citizens of these two tribes to make selection of and file upon their prospective allotments.

Relative to the amount of land that each citizen of the Choctaw and Chickasaw Nations is now entitled to hold, you are now advised that the act of Congress approved May 27, 1902, entitled "An Act making appropriation for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30th, 1903, and for other purposes", provides relative to the amount of land that each citizen of the Choctaw and Chickasaw Nations is now entitled to hold in final allotment as follows:

"That the just and reasonable share of each member of the Chickasaw and Choctaw nations of Indians, in the lands belonging to the said tribes, which each member is entitled to hold in his possession until allotments are made, as provided in the Act entitled "An Act for the protection of the people of the Indian Territory and for other purposes," approved June 28th, 1898, be, and the same is hereby, declared to be three hundred and twenty acres for each member of the Chickasaw Nation and three hundred and twenty acres for each member of the Choctaw Nation."

0283

This legislation is now effective and any citizens of the Choctaw and Chickasaw Nations who are maintaining possession of as their individual rights, land in excess of three hundred and twenty acres, irrespective of value, are liable to prosecution under sections seventeen and eighteen of the act of Congress of June 28, 1898.

Yours truly,

Commissioner in Charge.

Chootaw 4434

Muskogee, Indian Territory, January 6, 1903.

David F. Rainey,
Stringtown, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of December 19, stating that you received the notice of the Commission regarding appointments too late for any appointments but Wister and South McAlester; that your wife and child are sick, but you will endeavor to go to South McAlester if it is possible for you to do so.

In reply to your letter you are advised that it does not appear from our records that you have appeared before the Commission for the purpose of giving testimony relative to your status as an intermarried citizen of the Chootaw Nation on September 25, 1902, the date of the ratification by the Chootaw and Chickasaw Nations of the act of Congress of July 1, 1902.

You are further advised that the Commission is now preparing rolls of the citizens and freedmen of the Chootaw and Chickasaw Nations for submission to the Secretary of the Interior under the provisions of the act of Congress above referred to, and it is necessary that all intermarried citizens of said nations give testimony relative to their status as such intermarried citizens on September 25, 1902.

D.F.R. 2

You are informed that it is desirable that you appear before the Commission at Muskogee, Indian Territory, at the earliest possible date for the purpose of testifying relative to your status on September 25, 1902, as no further consideration can be given your application for enrollment as an intermarried citizen of the Choctaw Nation until your testimony has been taken therein.

Respectfully,

Acting Chairman.

Muskogee, Indian Territory, February 3, 1903.

Mrs. D. F. Rainey,

Stringtown, Indian Territory.

Dear Madam:

~~Receipt is hereby acknowledged of your letter of January 8, 1903, in which you state that your husband was unable to appear before the Commission at one of its appointments because your baby was very sick, and you ask if there is any way in which he might now appear in the matter of his enrollment.~~

In reply to your letter you are advised that it appears from our records that David F. Rainey has been listed for enrollment as an intermarried citizen of the Choctaw Nation.

You are informed that on January 6, 1903, a letter was addressed to David F. Rainey at Stringtown, Indian Territory, giving him full information as to the manner in which he may appear before the Commission in the matter of his application for enrollment as an intermarried citizen of the Choctaw Nation.

The matter of the classification of your land has been made the subject of another communication.

Respectfully,

Acting Chairman.

COMMISSIONERS

HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. DRECKINRIDGE.

A. LISON L. AYLESWORTH,
SECRETARY.

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

REFER IN REPLY TO THE FOLLOWING

7-4434

Muskogee, Indian Territory, February 28, 1903.

David F. Rainey,
Coalgate, 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, February 28, 1903.

David F. Rainey,
Coalgate, 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.

7-4434

Muskogee, Indian Territory, January 18, 1907.

Floyd Nevins,

Chant, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 10, 1907, inclosing the affidavits of Mattie Wade nee Cooper and P. L. Bernard to the birth of Allester Elisabeth Wade, child of John P. Wade and Mattie Wade (nee Cooper,) September 19, 1906.

You are advised that it is stated in the affidavit of the mother and the midwife that this child was born September 19, 1906, and 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.

choc 4435 mary A. Leader

4435

MEMORANDA.

(Date) July 1 1899.

19

Name Susan Leader

~~Choctaw?~~ County Atoka Year 96 No. 5250

Chickasaw? ye County _____ Year _____ Page 305

Citizen by blood? _____ Mother's citizenship Chickasaw

Intermarried citizen? _____

Married under what law? _____

License filed this day, _____

30

x Wife's name, Mary A. Leader

Choctaw? ye County Atoka Year 96 No. 13995

Chickasaw? _____ County _____ Year _____ Page 367

Citizen by blood? ye Mother's citizenship Atoka

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.

x On roll Mary A. Marker

1544
4435

choc 4436 Alinton Telle

4436

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 -

EMMA TELLE, - - - Choctaw - 4436

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, November 19th, 1902.

Choctaw 4436.
Intermarried.

In the matter of the application of Emma Telle for enrollment as an intermarried citizen of the Choctaw Nation.

Emma Telle, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Emma Telle.
Q How old are you? A Thirty seven.
Q What is your post office address? A Atoka, Indian Territory.
Q How long have you been a resident of the Choctaw Nation? A Since 1877, I believe, twenty-five years.
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 Alinton Telle.
Q He is a recognized and enrolled citizen of the Choctaw Nation?
A Yes sir.
Q When were you married to Alinton Telle? A October 8, 1890.
Q Where was this marriage ceremony performed? A At Atoka.
Q Since that marriage in 1890 have you and Mr Telle 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 citizenship in the Choctaw Nation as an intermarried citizen?
A Yes sir.
Q What action was taken on your application at that time? A It was granted.
Q Was your case appealed to the United States Court? A No 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 19th 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

1620
J.P.R.
7 - 4436

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

In the matter of the application for the enrollment of
Emma Telle as a citizen by intermarriage of the Choctaw Nation.

DECISION.

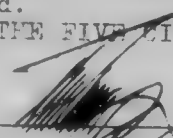
It appears from the record herein that Emma Telle appeared before the Commission and made personal application for enrollment as a citizen by intermarriage of the Choctaw Nation, by reason of her marriage with Alinton Telle, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as No. 12337 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 March 6, 1903.

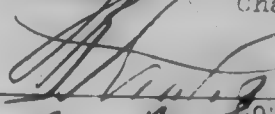
It further appears from the records of the Commission that on September 7, 1896, in the case entitled "Mrs. Emma Telle vs. Choctaw Nation", (1896 Choctaw Citizenship Docket, case No. 293), the applicant herein made original application to this Commission under the provisions of the act of Congress approved June 10, 1896 (29 Stat., 321) for admission to citizenship in the Choctaw Nation by virtue of her marriage to the said Alinton Telle, and on December 2, 1896, the said Emma Telle 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 Emma Telle 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,

JUL 28 1903

COPY:

Choctaw-4436.

Muskogee, Indian Territory, July 28, 1903.

Emma Telle,

Atoka, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 28, 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,

Registered.

Enc. IBS. 22/28

T. D. Hedrick.
Commissioner in Charge.

Choctaw-4436.

COPY.

Muskogee, Indian Territory, July 28, 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 28, 1903, granting the application of Emma Telle 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. E. Woodlee,
Commissioner in Charge.

Registered.

Enc. IBS. 23/28

MEMORANDA.

(Date) _____ 1899.

39

Name Winton _____

Choctaw? 1899 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, E. ... _____

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:

6 x
1 page

Al ... County _____ Year _____ Page _____ No. _____

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

County _____ Year _____ Page _____ No. _____

County _____ Year _____ Page _____ No. _____

County _____ Year _____ Page _____ No. _____

County _____ Year _____ Page _____ No. _____

County _____ Year _____ Page _____ No. _____

County _____ Year _____ Page _____ No. _____

County _____ Year _____ Page _____ No. _____

County _____ Year _____ Page _____ No. _____

~~MISSILE~~

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
 of Manima L. Telle, born on the 24th day of June, 1895.
 Name of father: A. Telle, a citizen of the Choctaw Nation.
 Name of mother: Emma Telle, a citizen of the Choctaw Nation.
 Post Office: Atoka, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
 District.

I, Emma Telle, on oath, state that I am 34 years of age and a
 citizen, by interracial marriage, of the Choctaw Nation; that I am the
 lawful wife of A. Telle who is a citizen, by blood, of the
Choctaw Nation; that a female child was born to me on the 24th day
 of June, 1895; that said child has been named Manima Louise Telle,
 and is now living.

Subscribed and sworn to before me this 30th day of August, 1895.
Emma Telle
[Signature]
~~Notary Public~~
 Commissioner

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Central District.

I, E. W. Wright, a Physician, on oath, state that I
 attended on Mrs. Emma Telle, wife of A. Telle
 on the 24th day of June, 1895; 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 Manima Louise Telle

Subscribed and sworn to before me this 30th day of August, 1895.
[Signature]
 Commissioner

7-4436

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskegee, I. T. Oct. 29th, 1900.

In the matter of the death of Nannima L. Telle.

Alinton Telle, being duly sworn by the Commission, testified as follows: Examination by the Commission.

Q What is your name? A Alinton Telle.
Q What is your age? A Forty one.
Q Are you a citizen of the Choctaw Nation? A Yes sir.
Q Are you the father of Nannima L. Telle? A Yes sir.
Q Is she dead? A Yes sir.
Q When did she die? A She died on the 11th day of October,
1900.

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, 1900 and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young.

Subscribed and sworn to before me this 29th day of October, 1900.

Guy L. V. Compton,
Notary Public.

LETTERS OF ADMINISTRATION.

UNITED STATES OF AMERICA
INDIAN TERRITORY
CENTRAL - - - - DISTRICT.

THE PRESIDENT OF THE UNITED STATES OF AMERICA,
TO ALL PERSONS TO WHOM THESE PRESENTS SHALL COME, GREETING:

Know ye, that whereas, Alinton Telle, of the Central District of the Indian Territory, died intestate, as it is said, on or about the 8th day of March, A. D. 1903, having at the time of his death personal property in the Indian Territory, which may be lost, destroyed or deminished in value, if speedy care be not taken of the same, to the end, therefore, that said property may be collected, preserved and disposed of according to law, we do hereby appoint James H. Chambers of said Central District of the Indian Territory, Administrator of all and singular the goods and chattels, rights and credits which were of the said Alinton Telle at the time of his death, with full power and authority to dispose of the said property, according to law, and to collect all moneys due the said deceased, and in general to do and perform all other acts and things which are or hereafter may be required of him by law.

WITNESS THE HONORABLE Wm. H. H. Clayton, Judge of the United States Court in the Central District of the Indian Territory, and the seal thereof, at Atoka, in the Indian Territory, this 23rd day of April, A. D. 1903.

(signed) E. J. FANNIN, Clerk.

By J. D. Catlin, Deputy.

SEAL:

INDORSED "United States Court, Central District, Indian Territory, Administrator's Letters estate of Alinton Telle, deceased. Recorded in Administrator's Record 1, page 80, E. J. Fannin, Clerk.

By J. D. Catlin, Deputy.

Fred V. Kinkade being first duly sworn on oath states that above and foregoing is a true, full and correct copy of original paper which is now on file in Choctaw Allotment Jacket No. 12337

Sworn to before me this December 22, 1903.

Fred V. Kinkade
Notary Public
Notary Public.

7-4456.

Muskogee, Indian Territory, February 2, 1903.

W. E. Orr,

Brady, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 17, 1903, protesting against the classification of your land, and asking if the same can not be corrected.

In reply to your letter you are advised that the appraisal of the lands of the Choctaw and Chickasaw Nations heretofore made is considered by the Commission final, and your request can not, therefore, be granted.

Respectfully,

Acting Chairman.

Choc 4437 Robert Roach
Joanna Roach

4437

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 -

ROBERT W. ROACH, - - - 7-4437

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, November 20, 1902...

Choctaw 4437.
Intermarried.

In the matter of the application of Robert W. Roach for enrollment as an intermarried citizen of the Choctaw Nation.

Robert W. Roach, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Robert W. Roach.
Q What is your age? A Forty three.
Q What is your post office address? A Waupanucka, Indian Territory.
Q Is that in the Choctaw Nation? A Chickasaw.
Q How long have you been a resident of the Chickasaw Nation? A I have been a resident of the two nations since 1891.
Q You have lived in these two nations continuously since 1891?
A Yes sir, I have been in Texas for a few visits.
Q Never made your home there? A No sir, I spent part of a winter there.
Q Was this your permanent home all of 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 Choctaw wife through whom you claim these rights? A Joanna Choate.
Q Was she a recognized and enrolled citizen of the Choctaw Nation?
A Yes sir.
Q Her rights have never been disputed? A No sir.
Q When were you married to Joanna Choate? A June 26, 1891.
Q Where was this marriage ceremony performed? A In Tobucksey County.
Q You were married in accordance with the laws of the Choctaw Nation? A Yes sir, the judge of the county married me; Judge Connors.
Q Since your marriage to Joanna Choate in 1891 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 of any description? A No sir.
Q Are you at present living together as bona fide residents of the Chickasaw 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 At that time what action was taken on your application? A It was accepted.
Q Your application as an intermarried citizen was granted? A Yes sir.
Q Was your case ever appealed to the United States Court? A No 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.

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

Charles H. Sawyer

Notary Public.

566
JR

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

In the matter of the application for the enrollment of Robert W. Roach as a citizen by intermarriage of the Choctaw Nation.

DECISION.

It appears from the record herein that Robert W. Roach appeared before the Commission and made personal application for enrollment as a citizen by intermarriage of the Choctaw Nation, claiming his right thereto by reason of his marriage to Joanna Roach (nee Choate), a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as No. 12339 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 March 6, 1903.

It further appears from the records of the Commission that on September 7, 1896, in the case entitled "R. W. Roach vs. Choctaw Nation", (1896 Choctaw Citizenship Docket, case No. 1188), 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 Joanna Roach (nee Choate), and on December 7, 1896, the said Robert W. Roach 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 Robert W. Roach 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.

Luskoge, Indian Territory.

Choctaw-4437

COPY.

Muskogee, Indian Territory, July 23, 1903.

Robert W. Roach,
Waupanucka, Indian Territory.

Dear Sir:

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,

I. D. Needles.
Commissioner in Charge.

Registered.

Enc.HG.2/23

Choctaw-4127

COPY.

Muskogee, Indian Territory, July 26, 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 3, 1903, granting the application of Robert W. Roach, 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. D. Woodlee.
Commissioner in Charge.

Registered.

Enc.HG.1/23

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
 of Jesse J. J., born on the 7 day of Dec., 1897.
 Name of father: Robt. W. Roach, a citizen of the Choctaw Nation.
 Name of mother: Joanna Roach, a citizen of the Choctaw Nation.
 Post Office: Jesse Ind. Terr.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
 District.

I, Joanna Roach, 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. W. Roach who is a citizen, by Marriage, of the
Choctaw Nation; that a Male child was born to me on the 7 day
 of Dec., 1897; that said child has been named Garnet Roach,
 and is now living.

Subscribed and sworn to before me this 23 day of Sept., 1899.
J. E. Kerr
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
 District.

I, Robt. W. Roach, a Physician on oath, state that I
 attended on Mrs. Joanna Roach, wife of Robt. W. Roach
 on the 7 day of Dec., 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 Garnet Roach.

Subscribed and sworn to before me this 23 day of Sept., 1899.
J. E. Kerr
 Notary Public.

IN RE

Application for Enrollment of

INFANT CHILD

Siamond Prach

as a citizen of the

Choctaw - Nation.

Approved _____ 1902 190




Commissioner.

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

FILED

JUL 28 1902



ACTING CHAIRMAN.

11107

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,
 of Diamond Roach, born on the 6 day of July, 1902
(Here insert name of child)
 Name of Father: Robert Wade Roach, a citizen of the Choctaw Nation.
 Name of Mother: Joanna Roach, a citizen of the Choctaw Nation.
 Post-Office: Wapanucka Ind. T.

AFFIDAVIT OF MOTHER.

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

I, Joanna Roach, 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 Robert Wade Roach, who is a citizen, by
Marriage, of the Choctaw Nation, that a Male child was
(Male or female.)
 born to me on the 6 day of July, 1902; that said child has been
 named Diamond Roach, and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 22 day of July, 1902

A. A. Faulk
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, Dr. R. H. Roach, a Physician, on oath state that I
 attended on Mrs. Joanna Roach, wife of R. H. Roach,
 on the 6 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 Diamond Roach.

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 22 day of July, 1902

A. A. Faulk
 Notary Public.

IN RE

Application for Enrollment of

INFANT CHILD

Cyrus Roach
as a citizen of the

Choctaw Nation.

Approved, **MAY 24 1901**

[Signature]
Commissioner.

01
HUB7.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,
 of *Omyx Roach*, born on the *22* day of *March*, *1901*
(Here insert name of child.)
 Name of Father: *Robert Wade Roach*, a citizen of the *Choctaw* Nation.
 Name of Mother: *Joanna Roach*, a citizen of the *Choctaw* Nation.
 Postoffice, *Jesse Lind Tenn.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
Southern District.

I, *Joanna Roach*, 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 *R. W. Roach*, who is a citizen, by
Marriage of the *Choctaw* Nation; that a *Male* child was
(male or female)
 born to me on the *22* day of *March*, *1901*; that said child has been
 named *Omyx Roach*, and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses.)

Price Statter
W. A. Frame

J. S. L. Roach

Subscribed and sworn to before me this *27* day of *April*, *1901*
J. C. Jones
 NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
Southern District.

I, *R. W. Roach*, a *Physician*, on oath state that I
 attended on Mrs. *Joanna Roach*, wife of *R. W. Roach*,
 on the *22* 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 *Omyx Roach*.

WITNESSES TO MARK:

(Must be Two Witnesses.)

Price Statter
W. A. Frame

R. W. Roach

Subscribed and sworn to before me this *27* day of *April*, *1901*

MEMORANDA.

(Date) April 1 1899.

40 ✓

Name Robert M. Roach

Choctaw? yes County Atoka Year 96 No. 1411

Chickasaw? County Year Page 271

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day,

76 x

Wife's name Jessie

Choctaw? yes County Atoka Year 96 No. 14915

Chickasaw? County Year Page 252

Citizen by blood? yes Mother's citizenship Choe

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

6 Jessie L. Roach County Atoka Year 96 Page 282 No. 10756

5 Ruby M. County Year Page No. 10757

3 Vernie O. County Year Page No. 10758

James L. Roach County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

Had in P.M.

Roach

✓

4/1/99

Muskogee, Indian Territory, July 26, 1902.

Robert W. Reach,
Wapanucka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Diamond Reach, infant son of Robert W. and Joanna Reach, born July 6, 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.

Replying to your letter of the 24th instant requesting to be advised as to how the names of the members of your family appear upon the records of the Commission, you are informed that our records show that on September 2, 1899, Robert W. Reach was duly listed for enrollment as a citizen by intermarriage, and his wife Joanna and his minor children Jewel I., Ruby W., Winnie O. and Garnett Reach as citizens by blood of the Choctaw Nation. Our records further show that Oryx Reach, infant son of Robert W. and Joanna Reach was listed for enrollment as a citizen of the Choctaw Nation, May 24, 1900.

Yours truly,

Commissioner in Charge.

Choctaw 4325.

Muskogee, Indian Territory, March 31, 1905.

Peoshe & Brunson,

Coalgate, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of March 27th, enclosing affidavits of Viola Mowdy and S. S. McCullough to the birth of Ruby Mowdy, daughter of Frank Mowdy and Viola Mowdy, March 6, 1904, and the same have been filed with our records as an application for the enrollment of said child.

Respectfully,

Chairman.

Choc 4438 Robert E. Link

4438

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 -

ROBERT F. LINK, - - - - - 7-4438

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

In the application of Robert E. Link for enrollment as an intermarried Choctaw; being sworn and examined by Com'r McKennon he testifies as follows:

Q What is your name? A Robert E. Link.

Q How old are you? A Forty.

Q You present here a license issued February 10th 1886 to marry Ida Chuna? A Yes sir.

Q You have no marriage certificate? A No sir.

Q Never had any? A No sir.

Q Were you in fact married to her about that date under this license? A Yes sir.

Q You have been living with her ever since? A Yes sir.

Department of the Interior
Commissioner
I hereby certify that the foregoing is a true and correct translation of my stenographic notes.
Stenographer, _____
transcript is _____ and correct translation of
my stenographic notes.

McGreen

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, November 17, 1902.

Choctaw
4438.

In the matter of the application of Robert E. Link for enrollment as a citizen by intermarriage of the Choctaw Nation.

Robert E. Link, being first duly sworn, upon his oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Robert E. Link.
Q How old are you? A Forty four.
Q What is your post office address? A Lehigh, Indian Territory.
Q How long have you resided in the Choctaw Nation? A Eighteen years.
Q Have you lived here continuously for the past eighteen 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 Indian wife? A Ida Chunn.
Q Is she a recognized and enrolled citizen of the Choctaw Nation?
A Yes sir.
Q Have her rights ever been disputed? A No sir.
Q When were you married to Ida Chunn? A Eighty six.
Q Where was this marriage ceremony performed? A At Savanna.
Q Were both you and your wife 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 Did you obtain a marriage license? A Yes sir.
Q From whom did you obtain that license? A Judge Albert Carney, Judge of Tobucksy County.
Q How much did you pay for that license? A Twenty five dollars.
Q Who performed the marriage ceremony? A Parson Bryce.
Q Were you ever married before your marriage to Ida Chunn? A No sir.
Q Was she ever married before her marriage to you? A No sir.
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 Are you at present living together as bona fide residents of the Choctaw Nation? A Yes sir.

---o---

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, at Atoka, Indian Territory 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 17th day of November, 1902.
Harry C Risteen
G. J. Barneo Notary Public.

Choctaw Nation,

County of *Tobacco*

To any Minister of the Gospel, Judge or any Person in the

Choctaw Nation, authorized to solemnize the Rites of Matrimony, GREETING:

Whereas *Robert E. Link* a non-citizen of the Choctaw Nation, has duly made application to the undersigned Judge of the County Court, within and for the county of *Tobacco*, for license to enter into the bonds of matrimony with one *Ida Chisum*, a citizen of the Choctaw Nation; and the undersigned being satisfied that the said *Robert E. Link* is a suitable person to be granted a license to enter into the bonds of matrimony with the said *Ida Chisum*, doth therefore grant unto said *R. E. Link* a license to marry the said *Ida Chisum* and any minister of the gospel, or person authorized by law in the Choctaw Nation, is hereby authorized to join in matrimony the said *Robert E. Link* and the said *Ida Chisum*.

In testimony whereof, I hereunto set my hand and seal, this the *10th* day of *February*, 18*96*.

W. H. Barnes

County and Probate Judge, Tobacco County, Choctaw Nation.

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

Before me the undersigned authority on this
day personally appeared N A Hill who after being by me first
duly sworn upon oath says; my name is N A Hill my age
is 57 years and post office Savanna, I.T. I am personally well
acquainted with R.E.Link and his wife Ica Link, (Nee Chunn) and
was present at their marriage which taken place in Savanna, I.T. on
or about the 16th day of February ~~1902~~ 1906. They were married by
Rev Brice. I know that they were legally married and that they
have since lived together continuously as husband and wife.

N A Hill
Subscribed and sworn to before me this the 3 day of June, 1906.

H B Cowley
Notary Public.

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

Before me the undersigned authority on this
day personally appeared John A. Baumert who after being by me
first duly sworn upon his oath say; My name is John A. Baumert
my age 39 years my residence is South, McAlester, I.T. I am

personally well acquainted with R.E. Link and his wife Ida Link, who
was Ida Chunn, I have known the both for ^{about} 18 years, I was present
at their marriage, which occurred in Savanna, I.T. on the 16-day of February
1886. I heard the marriage ceremony,; they were married by Rev Brice,
and I have known very well since their marriage, knew that they have
since continuously lived together as man and wife, I knew that they
were married according to the Cheetaw Laws, and that they had a
Cheetaw Marriage license when they were married as aforesaid.

I have no interest in the application of R.E. Link that has been made
applying for citizenship in the Cheetaw Nation as an intermarried
citizen.

Subscribed and sworn to before me this the 21-day of May, 1903.

H. P. Rowley
Notary Public.

My Commission Expires November 1905

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

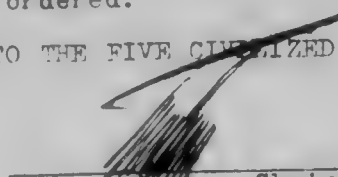
In the matter of the application for the enrollment of
Robert E. Link as a citizen by intermarriage of the Choctaw Nation.

DECISION.

It appears from the record herein that Robert E. Link, on February 18, 1896, was married in accordance with the laws, customs and usages of the Choctaw Nation to Ida Link (nee Chunn), a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as No. 12346 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 March 6, 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 Robert E. Link 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,

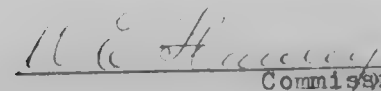

Chairman.


Commissioner.


Commissioner.

Muskogee, Indian Territory,

SECRET


Commissioner.

COPY.

Choctaw-4438

Muskogee, Indian Territory, December 3, 1903.

Robert E. Link,
Lehigh, Indian Territory.

Dear Sir:

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 this date 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,

Registered.

Enc. 7-4438

Chairman.

COPY.

Choctaw-4438

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 Robert E. Link 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 Robert E. Link 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)

Samuel D. King

Chairman.

Register.

Enc. 7-4438

MEMORANDA.

(Date) 4/1/2 1899.

40

Name Robert E. Link

Choctaw? yes County Atoka Year 96 No. 12178

Chickasaw? County Year Page 373

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law? Choc

License filed this day, yes

30

Wife's name, Ida

Choctaw? yes County Atoka Year No. 8281

Chickasaw? County Year Page 206

Citizen by blood? Mother's citizenship Choc

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

- 11 x Robert E. Link County Year Page No. 27
- 9 = Edna County Year Page No.
- 7 # Arthur C County Year Page No. 278
- 5 = Ida County Year Page No.
- 2 Wynona County Year Page No.
- 2 Bertha J County Year Page No.
- County Year Page No.
- County Year Page No.
- County Year Page No.
- County Year Page No.

[Handwritten signature/initials]

[Faint handwritten notes and signatures]

Department of the Interior,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Bertha J Link, born on the 28 day of June, 1899
Name of father: R E Link, a citizen of the Choctaw Nation.
Name of mother: Ida Link, a citizen of the Choctaw Nation.
Post Office: Lehigh 97

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Can District.

I, Ida Link, 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 R E Link who is a citizen, by adoption, of the
Choctaw Nation; that a female child was born to me on the 28th day
of June, 1899; that said child has been named Bertha J Link,
and is now living.

Subscribed and sworn to before me this 9th day of Sept, 1899
Ida Link
A. T. Wren
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Can District.

I, H G Gaben, a Physician, on oath, state that I
attended on Mrs. Ida Link, wife of R E Link
on the 28 day of June, 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 Bertha J Link.

Subscribed and sworn to before me this 9th day of Sept, 1899
H. G. Gaben M.D.
A. T. Wren
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 Myrtle A Link, born on the 7th day of Sept, 1897
 Name of father: R E Link, a citizen of the Choctaw Nation.
 Name of mother: Ida Link, a citizen of the Choctaw Nation.
 Post Office: Lehigh I.T.

AFFIDAVIT OF MOTHER.

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

I, Ida Link, 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 R E Link who is a citizen, by adoption, of the
Choctaw Nation; that a female child was born to me on the 7th day
 of Sept, 1897; that said child has been named Myrtle A Link,
 and is now living.

Subscribed and sworn to before me this 9th day of Sept, 1899.
A T West
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, H G Goben, a Physician, on oath, state that I
 attended on Mrs. Ida Link, wife of R E Link
 on the 7th day of Sept, 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 Myrtle A Link.

Subscribed and sworn to before me this 9th day of Sept, 1899.
A T West
 Notary Public.

Choctaw-4438

Muskogee, Indian Territory, May 9, 1903.

Robert E. Link,
Lehigh, 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 Choctaw Nation by reason of your marriage to Ida Link (nee Chunn), but it does not appear that there is filed with the Commission a certificate of your marriage to her.

You are advised that it will be necessary for you to furnish the Commission with the original or a certified copy of your marriage certificate. If you are unable to obtain same you should file with the Commission the affidavits of at least two disinterested witnesses to said marriage.

This matter should receive your prompt attention.

Respectfully,

Chairman.

Atoka, Indian Territory, June 2, 1903.

E. W. Tank,
c/o A. F. West,
Lehigh, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 29, 1903, enclosing a letter from David L. Jackson, county clerk, dated Savanna, Indian Territory, May 16, 1903, stating his inability to find your certificate of marriage upon the county records in his office.

It is stated in your letter that you filed your marriage license with the Commission at Atoka, Indian Territory, in August 1898, and you are advised that such appears to be the fact from an examination of the records in this office in the matter of your application for enrollment as an intermarried citizen of the Choctaw Nation. It does not appear, however, that any evidence of your marriage under said license has ever been received by the Commission.

If for any reason you are unable to furnish the certificate of your marriage, the sworn statements of at least two witnesses, the same if duly executed and forwarded to this office, will receive proper consideration. This matter should receive prompt attention.

-2-

The letter from David H. Mackey is returned you herewith.

Respectfully,

Commissioner in Charge.

Enc. MT. 33

7-4438

Muskogee, Indian Territory, July 3, 1903.

R. E. Link,

Lehigh, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 6, 1903, enclosing the affidavits of N. A. Hill and John B. Baumert relative to the residence and marriage of yourself and wife, 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.

Respectfully,

Commissioner in Charge.

7-4458

Muskogee, Indian Territory, July 3, 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. 4438:

"Affidavits of N. A. Hill and John B. Baumert
as to residence and marriage of Nos. 1 and 2,
filed July 3, 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.

7-4438

Muskogee, Indian Territory, July 3, 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. 4438:

"Affidavits of N. A. Hill and John B. Baumert
as to residence and marriage of Nos. 1 and 2,
filed July 3, 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.

Choc 4439

Alverado
Alvardo Dilbeck .

4439

4439

Department of the Interior
Commission to the Five Civilized Tribes
Chickasaw Land Office
Tishomingo, I.T.
Dec. 18, 1903.

In the matter of the enrollment of Benjamin H. Dilbeck, a citizen by blood of the Choctaw Nation Choctaw card 4439.

Alvarado Dilbeck being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Alvarado Dilbeck.
- Q What is your post office address? A Roff, Indian Territory.
- Q What is the name of your father? A Jackson Taylor.
- Q What is the name of your mother? A Rebecca Taylor.
- Q Are they both living? A No sir, they are both dead.
- Q Have you got any children, A Yes sir.
- Q What are their names? A Benjamin Harrison, Bessie Gertrude William McKinley.
- Q Are these the only children you have living at the present time? A Yes sir.
- Q Who old is William McKinley? A Seven months old.
- Q He is not on the roll? A No sir.
- Q How old is Benjamin Harrison? A Nine years old.
- Q He's living at the present time is he? A Yes sir.
- Q How old is Bessie G. A She's going on seven years old.
- Q Is she living at the present time? A Yes sir.
- Q Did you ever have any other children who were enrolled. A Yes sir.
- Q What were their names? A Sarah Jane and Artemis Dilbeck and Andrew Jackson.
- Q Was Sarah Jane enrolled? A Yes sir.
- Q When did Artemissey die? A I declare I forget the year; she's been dead five years I think.
- Q When did Andrew Jackson die? A He died in 1900.
- Q Did you ever furnish the Commission with proof of his death in the way of affidavits or anything of that kind? A Well, I cant say for certain, whether I did nor not; I've forgotten.
- Q It appears from the records of the Commission that on December 23, 1902 proof of was filed with the Commission of the death on August 17, 1901 of Benj. H. Dilbeck your child? Q Do you know anything about that? A No sir it must have been a mistake.
- Q Did you appear before the Commission during December 1902? A No sir.
- Q Did you at South McAlester at the time we were there? A No sir my husband did.
- Q At that time and at the present time Benjamin H. Dilbeck is living? A Yes sir.
- Q What was your husband's name? A John Dilbeck.
- Q Is he living at the present time? A Yes sir.
- Q Is there anyone else here who knows you and knows Benj. H. is living? A Yes sir, I've got a couple of brothers here.

BenJ. H. Dilbeck--2.

J. L. Dilbeck being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A J. L. Dilbeck.
Q What is your post office address? A Roff.
Q Are you an applicant for citizenship in the Choctaw or Chickasaw Nations? A No sir.
Q What is the name of your wife? A Alverado Dilbeck.
Q Is she living at the present time. A Yes sir.
Q This is her is it? A Yes sir.
Q How many living children have you at the present time?
A Three, only two are on the roll.
Q What are the names of those two? A Benjamin Harrison, Bessie Gertrude.
Q Did you appear before the Commission at South McAlester during the week before Christmas last year? A Yes sir.
Q At that time did you give the Commission proof of the death of any of your children, A Yes sir I told him which ones was dead but never paid no attention to how he checked them off; I just said it like this here and he had the book over there and I never paid no attention to how he checked them off.
Q Which two were dead at that time? A Artemissey and Andrew Jackson.
Q How long has Artemissey been dead? A Five years ago last November I think it is.
Q How long has Andrew Jackson been dead? A Two years ago last August 28, of August I believe.
Q You think it was in 1901 he died? A Yes sir I think so.
Q Then if at the time of your appearance before the Commission in December 1902 they received the death -- the proof of the death of Benjamin H. Dilbeck as having occurred on August 17 1901 it was a mistake? A Yes, they made that mistake themselves; I'm sure I called the names right but they just happened to check it in wrong, because Harrison is living or was yesterday and I'm sure I called the names correct.

JOHN TAYLOR BEING FIRST DULY SWORN TESTIFIED AS FOLLOWS:

Examination by the Commission:

- Q What is your name? A John Taylor.
Q What is your post office address? A Roff.
Q Are you a citizen of the Choctaw Nation? A Yes sir.
Q Are you acquainted with a woman named Alverado Dilbeck?
A Yes sir.
Q Is she your sister? A Yes sir.
Q How many minor children has she at the present time?
A Three.
Q What are their names? A Harrison and Bessie and a small one.
Q Has Harrison got any other name? A Benjamin Harrison.
Q Benjamin Harrison and Bessie Gertrude are the only children who are on the roll? A Yes sir.
Q Were you before the Commission at South McAlester during the month of December 1902? A Yes sir.

Q Did you at that time make affidavit to the death of any of your sister's children, A Yes sir.

Q What children at that time did you suppose you were making affidavit of their death? A I never noticed it; he made a statement that two was dead and they just asked me if I knew those two were dead.

Q Which two were the ones that were dead at that time
A One of them I never saw.

Q What was the name of the one you knew. A I forget the name.

Q Would you know it if you were to hear it. A Yes sir.

Q Artemissey? A Yes, Artemissey is one.

A Andrew Jackson? A Yes sir.

Q You are certain of them are you? A Yes sir.

Q You intended to make proof of their death? - of the death of Artemissey and Andrew Jackson? A Yes sir.

Q If at that time you stated that Benjamin Harrison was dead it was a mistake was it? 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 the above proceedings on the 18th day of December, 1904 and that this is a correct transcript of her stenographic notes.

(signed) Clara Mitchell Wood.

Subscribed and sworn to before me this 15th day of January 1904

(signed) J. R. Williams

(S E A L)

Notary Public.

--0--

I, Lola Mann, stenographer to the Commission to the Five Civilized Tribes, hereby certify that the above is and true and correct copy of the original now on file with the Commission.

Lola Mann

Subscribed and sworn to before me this 23rd day of February 1905.

J. Mann
Notary Public

7-4439

INDEXED

32

IN RE
THE DEATH OF

Artemissa L. Dilbeck
a citizen of the

Choctaw Nation.

Approved: *[Signature]* 190

Commissioner.

COMMISSION TO THE CHOCTAW NATION
COMMISSION TO THE CHOCTAW NATION

DEC 2 190

[Signature]

ACTING CHAIRMAN

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

In the matter of the death of Artemissa S Dilbeck
(Here insert name of deceased.)
a citizen of the Cherokee Nation, who formerly resided at or near
Limestone, Ind. Ter., and died on the 27th day of
November, 1899.
(Here insert name of postoffice.)

AFFIDAVIT OF RELATIVE.

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

I, J. L. Dilbeck, on oath state that I am 39
years of age and a citizen, by _____ of the United States Nation;
that my post office address is Rapp, Ind. Ter.; that I am
the father of Artemissa S Dilbeck,
(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 Artemissa S Dilbeck died on the 27 day of
November 1899.

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 23rd day of December 1902

J. C. Humphrey
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

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

I, John Daylon, on oath state that I am 29
years of age, and a citizen, by blood, of the Cherokee Nation;
that my post office address is Rapp, Ind. Ter.;
that I was personally acquainted with Artemissa S Dilbeck
who was a citizen, by blood, of the Cherokee Nation;
and that said Artemissa S Dilbeck died on the 27 day of
November, 1899.

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 23rd day of December 1902

J. C. Humphrey
Notary Public.

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

In the matter of the death of Benjamin H. Dilbeck
(Here insert name of deceased.)
a citizen of the Choctaw Nation, who formerly resided at or near
Limestone, Ind. Ter., and died on the 17th day of
August, 1901.
(Here insert name of postoffice.)

AFFIDAVIT OF RELATIVE

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

I, J. L. Dilbeck, on oath state that I am 39
years of age and a citizen, ~~of~~ of the United States
that my postoffice address is Roff, Ind. Ter.; that I am
(Here insert name of postoffice.)
the father of Benjamin H. Dilbeck
(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 Benjamin H. Dilbeck died on the 17 day of
August, 1901.
(Here insert name of deceased.)

WITNESSES TO MARK: J. L. Dilbeck

(Must Be Two Witnesses)
(Seal)

Subscribed and sworn to before me this 23rd day of December, 1902.

T. C. Humphrey
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

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

I, John Taylor, on oath state that I am 29
years of age, and a citizen by blood of the Choctaw Nation;
that my postoffice address is Roff, Ind. Ter.;
(Here insert name of postoffice.)
that I was personally acquainted with Benjamin H. Dilbeck
(Here insert name of deceased.)

who was a citizen, by blood, of the Choctaw Nation;
and that said Benjamin H. Dilbeck died on the 17 day of
August, 1901.
(Here insert name of deceased.)

WITNESSES TO MARK: John Taylor

(Must Be Two Witnesses)
(Seal)

Subscribed and sworn to before me this 23rd day of December, 1902.

T. C. Humphrey
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 Andrew Jackson Dilbeck (Here insert name of child.) , born on the 19 day of October , 1900
Name of Father: John L. Dilbeck a citizen of the Intermarriage Nation.
Name of Mother: Alvarado Dilbeck a citizen of the Choctaw Nation.
Postoffice Tamaha I. T.

AFFIDAVIT OF MOTHER.

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

I, Alvarado Dilbeck , 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 John L. Dilbeck

Intermarriage , of the Choctaw Nation; that a Male child was
(Male or Female.)
born to me on 19 day of October , 1900; that said child has been named
Andrew Jackson Dilbeck is now living

Alvarado Dilbeck

WITNESSES TO MARK:

(Seal)
(Must be Two Witnesses.)

Subscribed and sworn to before me this 9 day of January , 1901

Wm. B. Davidson
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

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

I, D. P. Barbour , a physician , on oath state that I
attended on Mrs. Alvarado Dilbeck , wife of John L. Dilbeck
on the 19 day of October , 1900; that there was born to her on said date a Male
(Male or Female.)
child; that said child is now living and is said to have been named Andrew Jackson Dilbeck

D. P. Barbour

WITNESSES TO MARK:

(Seal)
(Must be Two Witnesses.)

Subscribed and sworn to before me this 9 day of January , 1901

Wm. B. Davidson
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,

59 ✓ Wife's name, *Beck*

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:

<i>X A</i>	County	Year	Page	No.	<i>5</i>
<i>30 - Benj</i>	County	Year	Page	No.	<i>✓</i>
<i>3 - P. W.</i>	County	Year	Page	No.	<i>5</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.	

44-59

Muskegee, Indian Territory, January 14, 1901.

John B. Dilbeck,

Tamaha, Indian Territory.

Dear Sir:

The Commission is in receipt of the application for enrollment as a citizen of the Choctaw Nation of Andrew Jackson Dilbeck, the infant son of John I. and Alvarado Dilbeck, born October 19th, 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.

7-4439

7-4439

Muskogee, Indian Territory, October 5, 1903.

Edwin O. Clark,
Whitefield, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of September 25, 1903, requesting to be advised if any person by the name of Dillbeck appears on the rolls of the Choctaw Nation and if so whether by blood or intermarriage.

You are informed it appears from our records that Alverado Dilbeck and her minor children, Bessie G. and Andrew Jackson Dilbeck, have been enrolled by this Commission as citizens by blood of the Choctaw Nation and their enrollment as such approved by the Secretary of the Interior March 6, 1903.

Respectfully,

Chairman.

Choctaw 4439

Muskogee, Indian Territory, March 7, 1904.

J. S. Gibson,

Tishomingo, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of March 1, asking the status of the enrollment of Benjamin H. Dilbeck, son of Alverado Dilbeck, and her husband, J. L. Dilbeck, a noncitizen.

In reply to your letter you are advised that the name of Benjamin H. Dilbeck will be placed upon the next schedule of citizens by blood of the Choctaw Nation prepared for forwarding to the Secretary of the Interior.

Respectfully,

Commissioner in Charge.

Muskogee, Indian Territory, February 21, 1905.

S. A. Apple,

Attorney at Law,

Tishomingo, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of February 16, stating that as soon as the weather and their health will permit, Alverado and J. L. Dilbeck expect to appear before the Commission in Muskogee, Indian Territory, for the purpose of giving testimony in the matter of the death of their minor child, Andrew Jackson Dilbeck.

You state, however, that in the meantime the administrator of the estate of Andrew Jackson Dilbeck desires to file a declaration of allotment, asking that certain land be indicated on the records of the Commission as belonging to this estate. You therefore request that the Chickasaw Land Office be notified that the citizenship of said Andrew Jackson Dilbeck is still pending, in order that the allotment clerk will make proper record of the claim of this estate.

In reply to your letter you are advised that the testimony now of record in this case establishes very clearly that Andrew Jackson Dilbeck died either in 1900 or in 1901, prior to September 25, 1902, and his citizenship is, therefore, not pending and no record

S A A E

can be made of the claim for land for his estate.

Respectfully,

Chairman.

Muskogee, Indian Territory, April 12, 1905.

J. I. Dilbeck,

Womack, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of April 5, 1905, enclosing affidavits of Alvarado Dilbeck and Delia Wall to the birth of William L. Dilbeck, son of John L. and Alvarado Dilbeck, May 2, 1903; also affidavits of Alvarado Dilbeck and E. J. Barnett to the birth of John L. Dilbeck, Jr., son of J. I. and Alvarado Dilbeck, February 24, 1905, and the same have been filed with our records as an application for the enrollment of said children.

Respectfully,

Commissioner in Charge.

Choctaw 4439

Muskogee, Indian Territory, April 5, 1904.

J. L. Dilbeck,
Womaack, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of March 29, relative to the enrollment of your son, Benjamin H. Dilbeck, as you state you desire to file for him as early as possible.

~~In reply to your letter you are informed that the name of Benjamin H. Dilbeck has been placed upon a schedule of citizens by blood of the Choctaw Nation which is being prepared for forwarding to the Secretary of the Interior. Pending the approval of his enrollment by the Secretary of the Interior no selection of allotment can be made in his behalf.~~

Respectfully,

Commissioner in Charge.

Muskogee, Indian Territory, July 7, 1904.

J. L. Dillbeck,

Womack, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 26, 1904, requesting to be advised relative to the enrollment of your minor son, B. H. Dillbeck.

You are informed it appears from our records that Benjamin ~~H.~~ Dillbeck, minor son of J. L. and Alverado Dillbeck, 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, May 9, 1904.

Respectfully,

Commissioner in Charge.

7-4439

Muskogee, Indian Territory, January 11, 1905.

J. L. Dilbeck,

Womack, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 2, 1905, stating that your child Andrew Jackson Dilbeck died September 29, 1902, and asking if it is right for you to lose his allotment on account of a mistake.

In reply to your letter you are informed that it is not understood what mistake you refer to in regard to the death of your child Andrew Jackson Dilbeck. If you will fully explain the matter to which you refer you will be further advised.

Respectfully,

Chairman.

Muskogee, Indian Territory, January 13, 1905.

S. A. Apple,

Attorney at Law.

Tishomingo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 9, 1905, in which you state that Andrew Jackson Dilbeck, son of J. L. and Alverado Dilbeck died in December 1902, but that when proof of death was made ~~on~~ this case it was confounded with the date of the death of another child who died in 1899 or about that time. You ask in their behalf that the Chickasaw Land Office be authorized to hear further testimony relative to the enrollment and death of Andrew Jackson Dilbeck in order that the date of his death may be correctly shown upon the records.

In reply to your letter you are informed it appears from the testimony of Alverado Dilbeck that Andrew Jackson Dilbeck died in 1900 while the testimony of her husband J. L. Dilbeck gives the date of the death of this child as August 28, 1901.

If it is now desired to insist that this child was living on September 25, 1902, it will be necessary for the parents to appear in person before the Commission at its office in Muskogee, Indian Territory, accompanied by such witnesses as they desire to introduce, at which time they will be examined as to the correct date of the death of Andrew Jackson Dilbeck.

S. A. A. #2

If they allege in their testimony that the child was living on September 25, 1902, the Commission will then make investigation of this matter for the purpose of ascertaining the date of the death of said child.

Respectfully,

Chairman.

7 4439.

Muskogee, Indian Territory, May 10, 1905.

J. L. Dilbeck,

Womack, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of April 28, asking what evidence will be required in regard to the death of your son, Andrew Jackson Dilbeck.

In reply to your letter you are advised that the matter of ascertaining the correct date of the death of your son, Andrew Jackson Dilbeck, will be investigated by the Commission, and no further action on your part is required in this matter at this time.

Respectfully,

Chairman.

Muskogee, Indian Territory, December 19, 1905.

Chief Clerk,

Chickasaw Land Office,

Ardmore, Indian Territory.

Dear Sir:

This office has received evidence of the death of Andrew Jackson Dilbeck, Choctaw by blood, Roll No. 12355, prior to September 25, 1905, and you are directed to take no further action relative to an allotment to the said Andrew Jackson Dilbeck.

Recommendation will be made in due time to the Secretary of the Interior that the name of Andrew Jackson Dilbeck be cancelled from the approved rolls of citizens of the Choctaw Nation, and you will be advised of any action that may be taken relative thereto.

Respectfully,

Commissioner.

Choc 4440 Robert M. Moore
Olive M. Moore

4440

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

ROBERT M. MOORE,

7 - 4440

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, I.T. Nov.22, 1902.

7-4440

In the matter of the application of Robert M. Moore for enrollment as an intermarried citizen of the Choctaw Nation.

Robert M. Moore being duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Robert M. Moore.
Q How old are you? A About 40.
Q What is your post office address? A Atoka.
Q How long have you been a resident of the Choctaw Nation? A About twelve years.
Q Have you lived here continuously for the past twelve years?
A Yes sir, since I come here about 12 years ago.
Q Never made your home anywhere else during tht time? A No sir.
Q Do you claim inter-married rights in the Choctaw Nation? A Yes sir.
Q What is the name of your Choctaw wife through whom you claim those rights? A Ollie Ben Hebart.
Q Was she a recognized and enrolled citizen of the Choctaw Nation?
Q Her rights have never been disputed? A No sir; never that I have heard of.
Q When were you married to Ollie B. Hebart? A In '95.
Q Where was this marriage ceremony performed? A I was married under the Choctaw laws in the town of Atoka.
Q Were you married to her twice? A Yes sir.
Q Where was the first marriage performed? A It was prior to the Choctaw marriage; it was in July 1895; I don't remember the date of the Choctaw marriage; it was some time in the Fall following.
Q And your marriage the second time was according to the Choctaw tribal laws? A Yes sir.
Since your marriage to Ollie B. have you lived together 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 as an intermarried citizen of the Choctaw Nation? A Yes sir.
Q What action was taken upon your application at that time? Application was granted; I was admitted.
Q Was your case appealed to the United States Court? A No sir.

Henry G. Hains being sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribe he reported the above case and that this is a full, true and correct transcript of his stenographic notes in same on the 22nd day of November, 1902.

Subscribed and sworn to before me this 15 day of December, 1902.

Henry G. Hains
J. C. Balguy

Notary Public.

*Case
10/13*

7 - 4440

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

In the matter of the application for the enrollment of Robert M. Moore as a citizen by intermarriage of the Choctaw Nation.

DECISION.

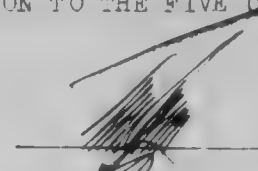
It appears from the record in this case that Robert M. Moore appeared before the Commission and made personal application for enrollment as a citizen by intermarriage of the Choctaw Nation, claiming his right thereto by virtue of his marriage with Olive M. Moore, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 12356 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 March 6, 1903.

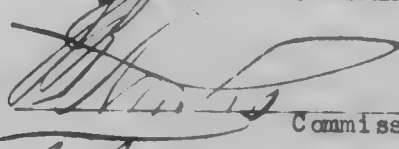
It further appears from the records of the Commission that on September 5, 1896, in the case entitled "R. M. Moore vs. Choctaw Nation", (1896 Choctaw Citizenship Docket, case number 369), the applicant herein made original application to this Commission under the provisions of the act of Congress approved 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 Olive M. Moore, and on December 2, 1896, the said Robert M. Moore 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.

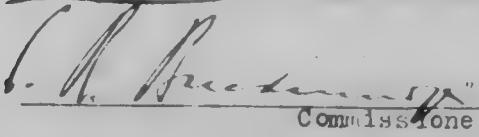
It further appears from the evidence in this case that the applicant herein was a resident in good faith of Indian Territory on June 28, 1898, and that his status as an intermarried citizen has remained unchanged from the date of his said admission in 1896 up to and including September 25, 1902.


It is, therefore, the opinion of this Commission that Robert M. Moore 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,

JUL 30 1903

Choctaw-4440

COPY.

Muskogee, Indian Territory, July 30, 1903.

Robert M. Moore,
Atoka, Indian Territory.

Dear Sir:

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 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,

I. B. Needles,
Commissioner in Charge.

Registered.

Enc.HG.15/3 0

Choctaw-4440

COPY.

Muskogee, Indian Territory, July 30, 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 30, 1903, granting the application of Robert M. Moore, 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. D. S. Cowley
Commissioner in Charge.

Registered.

Enc.HG.16/30

IN RE

Application for Enrollment of

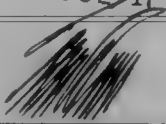
INFANT CHILD

Selma Moore

as a citizen of

Choctaw Nation.

Approved, JUL 17 1902 190



Commissioner.

FILED
JUL 17 1902

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

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Delma (Here insert name of child) , born on the 24th day of March , 1901
Name of Father: Robert M. Moore a citizen of the Choctaw Nation.
Name of Mother: Olive M. Moore a citizen of the Choctaw Nation.
Post-office, Atoka, I.T.

AFFIDAVIT OF MOTHER.

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

I, Olive M. Moore , 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 Robert M. Moore , who is a citizen, by
marriage , of the Choctaw Nation, that a female child was
(male or female)
born to me on the 24th day of March , 1901; that said child has been
named Delma , and is now living.

WITNESSES TO MARK

(Must be Two Witnesses)

Olive M. Moore

Subscribed and sworn to before me this 11th day of July , 1902

Just H. Chambers
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, J. S. Fulton , Physician , on oath state that I
attended on Mrs. Olive M. Moore , wife of Robt. M. Moore ,
on the 24th day of March , 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 Delma

WITNESSES TO MARK:

(Must be Two Witnesses)

J. S. Fulton

Subscribed and sworn to before me this 15th day of July , 1902

Just H. Chambers
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 Lucile, born on the 27 day of November, 1898.
 Name of father: R M Moore, a citizen of the Choctaw Nation.
 Name of mother: Oliver M Moore, a citizen of the Choctaw Nation.
 Post Office: Atoka Ind Ter

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Central District.

I, Oliver M Moore, 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 R M Moore who is a citizen, by marriage, of the
Choctaw Nation; that a Female child was born to me on the 27 day
 of Nov, 1898; that said child has been named Lucile
 and is now living.

Subscribed and sworn to before me this 2 day of Sept, 1899.

Oliver M. Moore.
Don J. Galsom
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Central District.

I, J. S. Fulton, a Physician, on oath, state that I
 attended on Mrs. Oliver M. Moore wife of R M Moore
 on the 27 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 Lucile.

Subscribed and sworn to before me this 2 day of Sept, 1899.

J. S. Fulton
Don J. Galsom
 Notary Public.

MEMORANDA.

(Date) 11/1 = 1899.

36

Name Robert W. Moore

Choctaw ? 1/2 County Chickasaw Year 1895 No. 1012

Chickasaw ? 1/2 County Chickasaw Year 1895 Page 1012

Citizen by blood ? 1/2 Mother's citizenship 1/2

Intermarried citizen ?

Married under what law ?

License filed this day,

Wife's name, Lucille

Choctaw ? 1/2 County Chickasaw Year 1895 No. 1012

Chickasaw ? 1/2 County Chickasaw Year 1895 Page 1012

Citizen by blood ? 1/2 Mother's citizenship 1/2

Intermarried citizen ?

Married under what law ?

License filed this day

Names of children:

- 3 x James H. Moore County Chickasaw Year 1895 Page 1012 No. 1012
- 9mo Lucille County Chickasaw Year 1895 Page 1012 No. 1012
- County Chickasaw Year 1895 Page 1012 No. 1012
- County Chickasaw Year 1895 Page 1012 No. 1012
- County Chickasaw Year 1895 Page 1012 No. 1012
- County Chickasaw Year 1895 Page 1012 No. 1012
- County Chickasaw Year 1895 Page 1012 No. 1012
- County Chickasaw Year 1895 Page 1012 No. 1012
- County Chickasaw Year 1895 Page 1012 No. 1012
- County Chickasaw Year 1895 Page 1012 No. 1012

4440

Choctaw 4440

Muskogee, Indian Territory, July 17, 1902.

Robert H. Moore,

Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Selma Moore, the infant daughter of Robert H. and Olive H. Moore, born March 24, 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.

choc 444/ Eliza A. Fronterhouse

444

MEMORANDA.

(Date) Sept 2 1899.

we
45

Name J. P. ...
 Choctaw? yes County Jackson Year 72 No. 14142
 Chickasaw? County Year Page 387
 Citizen by blood? Mother's citizenship us
 Intermarried citizen? yes
 Married under what law? Ches

License filed this day

27 X Wife's name, Eliza A. ...
 Choctaw? yes County Jackson Year 90 No. 14141
 Chickasaw? County Year Page
 Citizen by blood? Mother's citizenship Ches
 Intermarried citizen?

Married under what law?

License filed this day

Names of children:

County	Year	Page	No.
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INDEXED

IN RE
THE DEATH OF

Elize A. Frontenhouse

a citizen of the

Choctaw

Nation.

Approved

~~DEC 10 1902~~

190

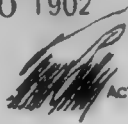


Commissioner.

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

FILED

DEC 10 1902



ACTING CHAIRMAN.

CHOCTAW. # 1111-1

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

In the matter of the death of Eliza A Fronterhouse
(Here insert name of deceased.)
a citizen of the Choctaw Nation, who formerly resided at or near
Autlers, Ind. Ter., and died on the 9 day of
March, 1900.
(Here insert name of postoffice.)

AFFIDAVIT OF RELATIVE.

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

I, John Fronterhouse, on oath state that I am 47
years of age and a citizen, by intermarriage, of the Choctaw Nation;
that my post office address is Autlers, Ind. Ter.; that I am
husband of Eliza A Fronterhouse,
(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 Eliza A Fronterhouse died on the 9 day of
March, 1900.
(Here insert name of deceased.)

WITNESSES TO MARK: John X Fronterhouse
(Must be Two Witnesses.)

Henry S. V. J. Hains A.M.
Subscribed and sworn to before me this 4 day of December, 1902
H. C. Risten
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

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

I, V. M Locke, on oath state that I am 56
years of age, and a citizen, by marriage, of the Choctaw Nation;
that my post office address is Autlers, Ind. Ter.;

that I was personally acquainted with Eliza A Fronterhouse
who was a citizen, by blood, of the Choctaw Nation;
and that said Eliza A Fronterhouse died on the 9 day of
March, 1900.
(Here insert name of deceased.)

WITNESSES TO MARK: V. M Locke
(Must be Two Witnesses.)

Subscribed and sworn to before me this 4 day of December, 1902
H. C. Risten
Notary Public.

William M. Harkins

4442

MEMORANDA.

(Date) Sept 2 1899.

37

Name *Miriam M. [unclear]*

Choctaw? *ye* County *Blue* Year *75* No. *7719*

Chickasaw? County Year Page *142*

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

~~Handwritten scribble~~

County Year Page No.

County Year Page No.

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County Year Page No.

County Year Page No.

4442

Choc 4443

Robert B. Brinkley

4443

Memo.-

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
Muskogee, Indian Territory, August 19, 1905.

In the matter of the application for the enrollment of
Carrie Brinkley as a citizen by intermarriage of the Choctaw
Nation.

John Stewart being first duly sworn testified as follows:
Examination by the Commissioner.

- Q What is your name? A John Stewart.
- Q What is your postoffice address? A Atoka, Indian Territory.
- Q State your age? A In my eightieth year.
- Q Are you a citizen by blood of the Choctaw Nation? A No,
by intermarriage.
- Q Are you acquainted with Carrie Brinkley? A Yes sir.
- Q Is she a relative of yours? A No, only by marriage.
- Q She married your grand son? A Yes sir.
- Q Do you know anything about any application that was ever
made for the enrollment of Carrie Brinkley as an intermarried
citizen? A Nothing only about an application made by myself.
- Q You claim that you made application for her? A Yes sir.
- Q When did you make it? A I don't recollect the date; my
memory isn't so good.
- Q As near as you can remember when was it? A They was at
Atoka several times; I don't recollect; I am hard of hearing
and my memory isn't so good.
- Q You understand that if you are seeking to prove that applica-
tion was made for Carrie Brinkley, it will be necessary to
prove when it was made. A I don't know whether I can tell
you; there was a good many applicants. What time was the last time
that the Dawes Commission come to Atoka? It was the last time;
I don't know what date that was.
- Q Your answer to the question is that you do not know when it
was made? A No, it was when they was at Atoka.
- Q While the Commission was in session at Atoka? A Yes, they
was there several times.
- Q Can you tell within a year or two when it was? Was it two
years ago, or four or five, or what?
- A Yes, I suppose it must be two years.
- Q Do you know before whom you appeared at that time? A No,
I don't recollect. This man Lewis, the Choctaw Commissioner,
was with them.
- Q Was the Dawes Commission in session at Atoka at that time?
- A I think so, yes.
- Q Did you appear before the Dawes Commission? A Certainly.
I think Col. Lewis was one of the Commissioners then.
- Q What did you say to the Commission, if anything, with
reference to Carrie Brinkley? A I spoke then about getting her
on the rolls, and they didn't know anything about it, the people
didn't, at the time.
- Q But what did you say about her? A I wanted to get her on the
rolls.
- Q What was said to you in response? A They couldn't enroll
her.
- Q Was any reason given? A No, I don't know. I don't recollect

2-Carrie Brinkley.

My case was contested at the same time, and they didn't do anything in regard to my case.

Q Where was Carrie Brinkley living at that time? A I think she was living in Texas, across the river from the Choctaw Nation.

Q Do you know how long they had been living in the state of Texas at that time? A They had been living there--well, I couldn't tell how long they had been living there.

Q Then you don't know how long they had been living in Texas at that time? A Not exactly. They hadn't been there very long; six or eight months I guess.

Q Did you claim on her behalf that she was entitled to enrollment as an intermarried citizen? A Yes sir.

Q What is the name of the Choctaw husband she had married? A Robert Brinkley.

Q He is a citizen by blood of the Choctaw Nation? A Yes sir.

Q Was he also living in Texas? A I suppose so.

Q How did it come, if you know, that neither Carrie Brinkley made application for herself, nor her husband made it for her--why it was left to you? A They was not there. They was foolish and young; this boy was ignorant.

Q Then you state that it is impossible for you to remember when it was that you made this application, but you do know that it was made at Atoka? A Yes sir.

Q Can you tell me who was present at that time, if anyone, and heard you make this application? A I wasn't acquainted with the Dawes Commission. I never noticed who was there.

Q Was there anyone present with whom you were personally acquainted, and knew of your making the application? A Not that I know of.

Q So you have no other witnesses to offer in the matter at all? A No sir.

Q Did you ever do anything else in the matter of making application for Carrie Brinkley excepting to make this appearance at Atoka? A That is all.

Q That is all you ever did? A Yes sir.

A At the time you made this application you state that they would not enroll Carrie Brinkley? A No sir.

Q Can you remember what reason was given for their refusal to enroll her? A No, I don't. They didn't want to enroll me until that contest of mine--this fellow Lewis; contest all around; my whole family went to the Secretary of the Interior; There was a contest all around and I came up here three or four times, once to South McAlester.

Q You say that this Robert Brinkley through whom Carrie Brinkley claims the right to enrollment is a grandson of yours? A Yes sir.

Q Did you make application for the enrollment of Robert Brinkley, or did he look after that? A I had him enrolled--made application.

Q Do you know when it was that you applied for Robert Brinkley? A I do not.

Q Did you apply for Robert Brinkley at the same time or at another time than the time you applied for Carrie Brinkley? A I applied for him before.

Q At the time you applied for Carrie Brinkley, Robert Brinkley was already enrolled? A Robert Brinkley was single when I had him enrolled.

Witness excused.

3-Carrie Brinkley.

Robert Brinkley being first duly sworn testified as follows:

Examination by the Commissioner:

- Q What is your name? A Robert Brinkley.
- Q Are you a citizen by blood of the Choctaw Nation? A Yes sir.
- Q What is your postoffice address? A Atoka.
The witness is identified on Choctaw Field Card No. 4443, and as No. 12361 on the final roll approved by the Secretary of the Interior approved March 6, 1903.
- Q Are you the husband of Carrie Brinkley? A Yes sir.
- Q Did you ever make any application to the Commission to the Five Civilized Tribes for the enrollment of Carrie Brinkley? A No, I did not.
- Q You have heard the testimony of Mr. Stewart relative to an application he claims to have made. Do you know anything about that? A No sir. When I came back and got to his house he told me that he had made application for my wife.
- Q When was it that he told you that? A Why, its been about a couple of years ago. I don't know just exactly the date; two or three years ago.
- Q You say when you got back to his house from somewhere--
A From Texas.
- Q How long had you been living in Texas? A Something like six or eight months.
- Q And prior to going to Texas where did you live? A I lived at Atoka.
- Q When were you married to Carrie Brinkley? A In 1900.
- Q Where were you living at the time you married her? A In Atoka.
- Q Where was she living at that time? A She was living at Atoka too.
- Q Was she your first wife? A Yes sir.
- Q Were you her first husband? A No sir.
- Q She had been married before? A Yes sir.
- Q How many times? A Once.
- Q Was her first husband living or dead? A He was dead.
- Q And you never made any application yourself, for her enrollment? A No sir.
- Q Why was that? A Because I had never looked after things like that. My grandfather raised me from childhood up and he always looked after those things for me.
- Q When did you say you went to Texas? A About three years ago--hardly three years.
- Q How soon after you were married did you go to Texas?
A Well, it was a couple of years, a couple or three, something like that. When we was first married we traveled all over the Chickasaw Nation; that is the reason I don't remember. I was going to see my kin folks.
- Q At the time you were married your home was in the Choctaw Nation? A Yes sir.
- Q And sometime after that you moved from there to Texas?
A Yes sir.
- Q Now how soon after your marriage was it, if you can remember?
A Why, it must have been a couple of years.
- Q What was the date of your marriage? A July 9, 1900.
- Q Were you married under United States license? A Yes sir.
- Q And you say it was about two years after you were married

4-Carrie Brinkley.

that you went to Texas? A It was about a year I suppose--a year or two; something like that; we rambled the Chickasaw Nation over right smart.

Q Well, can't you tell whether it was one or two years after you were married before you went to Texas without all this?

A One year, I guess.

Q How long did you stay in Texas? A Six or eight months.

Q Then did you return to the Choctaw Nation? A I worked on through. I was a poor man.

Q How long was it after you left Texas before you landed back in the Choctaw Nation? A Three or four months.

Q So that altogether, you were about a year from the time you left the Nation before you got back to it? Is that right?

A Yes, nearer two years that we left Atoka, but you see, I was around in the Chickasaw Nation; the best I remember--

Q You testified that you lived in Texas for about 6 or 8 months? A Yes sir.

Q And it was about three months after you left Texas before you got back to the Choctaw Nation? Is that right? A Why, I don't exactly recollect; I think it is if I am not mistaken. I may be mistaken; the best I remember it was.

Q You were married in 1900 and lived in the Choctaw Nation, as you testify, for about two years after you were married, and then you went to Texas and didn't get back for about a year. It was 1903 when you got back to the Choctaw Nation, wasn't it? A Yes sir.

Q And you say that when you got back your grandfather told you that he had made application for Carrie Brinkley? A Yes sir.

Q Did he say when you got back how long it was since he had made that application? A No, he didn't. I asked him if he had me enrolled and he said yes, and he said that he made application for my child, but as for my wife, he didn't know what they did. I have my marriage license.

The applicant offers in evidence marriage license issued under the laws of the United States, and certificate of marriage showing that he was married to Mrs. Carrie Moody on July 9, 1900.

Q You offer this marriage license in connection with the alleged application for the enrollment of your wife, Carrie Brinkley, and also, in connection with the application for the enrollment of your son, Benjamin Brinkley? Is that correct? A Yes sir.

Q This child, Benjamin Brinkley, when was he born? A 1902.

Q What date do you remember? A 21st of June.

Q Benjamin Brinkley is still living? A Yes sir.

Witness excused.

Carrie Brinkley being first duly sworn testified as follows:

By the Commissioner:

Q What is your name? A Carrie Brinkley.

Q How old are you? A Thirty-six.

Q You are the wife of Robert B. Brinkley? A Yes sir.

Q You were married to him July 9, 1900? A Yes sir.

Q Are you the same person as Mrs. Carrie Moody who is referred to in the marriage license and certificate just offered in evidence? A Yes sir.

Q At the time you married Robert B. Brinkley you had been married before? A Yes sir.

Q How many times? A Once.

5-Carrie Brinkley.

- Q What is the name of your first husband? A Matthew Moody.
- Q Was he living or dead at the time you married Robert Brinkley? A Dead.
- Q Are you a white woman? A Yes sir.
- Q You don't claim any Indian blood? A I am Indian blood but it is not good; it is on my father's side and I don't claim any.
- Q Are your parents living? A No sir.
- Q What is your father's name? A Henry Steed.
- Q And your mother's name? A Maria Steed.
- Q Was your father a white man? A Part Choctaw; didn't have any right, though.
- Q Was he ever enrolled on the tribal rolls of the Choctaw Nation? A I can't answer as to that because I know nothing of my people. I have heard of my mother speaking of his being part Choctaw Indian. They was northern people and come to Texas.
- Q Your parents are both dead, are they? A Yes sir.
- Q At the time you married Robert B. Brinkley, were were you living? A At Atoka.
- Q How long had you been living in the Choctaw Nation at that time? A I came to the Choctaw Nation in 1884. I went off and staid two years and then I come back and lived in the Choctaw Nation ever since.
- Q What two years was it that you went out? A 1896 and 7.
- Q Robert B. Brinkley was living in the Choctaw Nation at the time you were married to him? A Yes sir.
- Q How long after you were married did you continue to live there? A I was married on the 9th and sometime about the 15th we left and went to the Chickasaw Nation; we was married the 9th of July and the following October, year, we went to Texas.
- Q You were married July 9, 1900, and went to Texas October, 1901? Is that right? A Yes, and In Jany., 1903, we left Texas and went back to the Choctaw Nation.
- Q Then you lived in Texas from October, 1901, to January, 1903? A Yes sir.
- Q Then you returned to the Choctaw Nation? A Yes sir.
- Q Did you ever make application to the Commission to the Five Civilized Tribes for enrollment as an intermarried citize? A No sir.
- Q Did your husband ever make application in your behalf? A Not that I know of.
- Q Did anyone? A Not that I know of with the exception of Mr. Stewart's testimony.
- Q You have heard his testimony this morning? A Yes sir.
- Q All you know is what he testified to here? A Yes sir.
- Q When you returned from Texas in 1903, did you have any conversation with him about the matter at all? A I didn't, myself.
- Q Did anyone else that you know of? A Bob Brinkley.
- Q Your husband? A Yes sir.
- Q Did you hear that conversation? A No, I didn't.
- Q You are the mother of Benjamin Brinkley? A Yes sir.
- Q That child is still living is it? A Yes sir.
- Q Your name does not appear on the tribal rolls of the Choctaw Nation, does it? A No sir.
- Q Why was it that you never made application for yourself? A I can't give any reason only just I didn't think anything about it, I cared so little.
- Q Did you know anything about your rights? A Yes, I knew that Robert B. Brinkley was a citizen by blood, but I didn't think

6-Carrie Brinkley.

about making application for myself.

Q And you never suggested to him to make one for you?

A No sir.

Witness excused.

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 cause and that the foregoing is an accurate transcript of her stenographic notes thereof.

Frances R. Lane

Susbscribed and sworn to before me this August 26, 1905.

Myron White.

Notary Public.

MARRIAGE LICENSE.

NO. 778

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. R. B. Brinkley of
Atoka in the Indian Territory, aged 22 years, and Mrs. Carrie
Moody of Atoka in the Indian Territory, aged 26 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 9th day of July
A. D. 1900

(Signed) E. J. Fannin

Clerk of the United States
Court.

(SEAL)

Don J. Folsom

Deputy.

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA |
INDIAN TERRITORY, | SS
CENTRAL DISTRICT. |

I, J. S. Murrow a minister of the Gospel do hereby
CERTIFY that on the ninth day of July 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 ninth day of July 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 47.

(Signed) Joseph S. Murrow

a clergyman.

(STAMP)

Endorsed.

No. 778

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. R. B. Brinkley and Mrs. Carrie Moody was filed in my office in said Territory and District the 15 day of Aug A. D. 1900 and duly recorded in Book one of Marriage Record, Page 389

WITNESS my hand and seal of said Court, at Atoka this 15 day of Aug A. D. 1900

E. J. FANNIN CLERK

BY DON J. FOLSOM DEPUTY.

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

FILED AUG 19 1905

TAMS BIXBY COMMISSIONER.

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

In the matter of the alleged application for the enrollment of Carrie Brinkley 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 August 19, 1905, Carrie Brinkley 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).

John Stewart, the grandfather of the applicant's husband, testified that he appeared before the Commission to the Five Civilized Tribes at Atoka, Indian Territory, and attempted to make application for the enrollment of the applicant as a citizen by intermarriage of the Choctaw Nation, but was informed, that "they couldn't enroll her;" that he does not remember the date of said appearance, nor who was present on said occasion, and that at said time the applicant and her husband were residing in the state of Texas.

Robert Brinkley, husband of the applicant, testified that he had never made application for the enrollment of his wife as a citizen by intermarriage of the Choctaw Nation, but that on his return from Texas, his grandfather, John Stewart, informed him that he had made application for the enrollment of his (witnesses') wife and also for the enrollment of himself (witness) and child.

Carrie Brinkley, the applicant, testified that she or her husband had never made application for her enrollment; that they returned from Texas in January, 1903, at which time she had no conversation with her husband's grandfather, John Stewart, relative to her enrollment and all her information relative to said application was derived from the latter's testimony.

It appears from the records of the Commission to the Five Civilized Tribes that application was made for the enrollment of Robert B. Brinkley, husband of the applicant, on September 2, 1899, prior to his marriage to the applicant, and for his minor child, Benjamin Brinkley, on March 30, 1903.

I am of the opinion that the evidence does not establish that any application was made for the enrollment of Carrie Brinkley as a citizen by intermarriage of the Choctaw Nation within the time limited by the provisions of said Act of Congress approved July 1, 1902 (32 Stats., 641), and that no authority exists for the receipt of any application for her enrollment at this time, and I therefore decline to receive the same.

Muskogee, Indian Territory,



Commissioner.

JAN 2 1906

Memo. 129.

Muskogee, Indian Territory, January 23, 1906.

Carrie Brinkley,
Atoka, Indian Territory.

COPI

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, dated January 23, 1906, declining to receive 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,

J. A. [Signature]

Registered.

Commissioner.

Inc. Memo. 129.

Memo. 129.

Muskogee, Indian Territory, January 23, 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 January 23, 1906, declining to receive the application for the enrollment of Carrie Brinkley 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,

Jame Dixby

Inc. Memo. 129.

Commissioner.

COPY.

Muskogee, Indian Territory, January 24, 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 Carrie Brinkley as a citizen by intermarriage of the Choctaw Nation, including the decision of the Commissioner to the Five Civilized Tribes, dated January 23, 1906, declining to receive said application.

Respectfully,

Redd
Acting Commissioner.

2 Inc. Memo. 129.

Through the
Commissioner of Indian Affairs.

Muskogee, Indian Territory, January 29, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

On January 23, 1906, a decision was rendered by the Commissioner to the Five Civilized Tribes declining to receive the application of Carrie Brinkley for enrollment as an intermarried citizen of the Choctaw Nation and on the same date this decision was forwarded the Secretary of the Interior.

I have the honor to inclose herewith a petition of J. M. Humphreys in behalf of this applicant for a rehearing and reconsideration of this case.

Respectfully,

Acting Commissioner.

Through the Commissioner
of Indian Affairs.

Mem 139.

Muskogee, Indian Territory, June 12, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

January 23, 1906, the Commissioner to the Five Civilized Tribes rendered a decision declining to receive the application of Carrie Brinkley for enrollment as an intermarried citizen of the Choctaw Nation and on the same date the record in this case, together with decision was forwarded the Secretary of the Interior.

I now have the honor to transmit herewith for Departmental consideration motion of J. E. Humphreys, Attorney at Law, Atoka, Indian Territory, for reopening of this case.

Respectfully,

Mem. 129.

Commissioner.

Through the Commissioner
of Indian Affairs.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER OF THE FIVE CIVILIZED TRIBES.

In the matter of the
Enrollment of Carrie Brinkley
as an intermarried Citizen of the
Choctaw Nation.

COMES now Carrie Brinkley, by her attorney, J. M. Humphreys
and moves the Honorable Commissioner of the Five Civilized Tribes
that the Citizenship case of Carrie Brinkley be reopened for the
following reasons, to-wit:

FIRST: It appears that Carrie Brinkley was legally married
to a Citizen of the Choctaw Nation.

SECOND: That she made personal application to be enrolled
as a citizen of the Choctaw Nation prior to December 1st, 1905, and
was rejected for the reasons that he had not made application prior
to the 25th day of September, 1902.

WHEREFORE: She desires that her application be heard and
her rights be considered and that additional testimony may be given
if necessary to a final determination of her rights as an intermar-
ried citizen of the Choctaw Nation, of the Indian Territory.

Carrie Brinkley

By J. M. Humphreys

Her Attorney.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

G.R.

D. C. #51165.-1906.
I.T.D.22836-1906.
LRS.

LLB

November 20, 1906.

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

January 24, 1906, you transmitted the record in the matter of the application of Carrie Brinkley for enrollment as an intermarried citizen of the Choctaw Nation, including your decision of January 23, 1906, denying said application, on the ground that said application was not filed within the time limited by the provisions of the act of Congress approved July 1, 1902 (32 Stat., 641).

January 29, 1906, you transmitted a motion for rehearing therein filed by J. W. Humphrey on behalf of applicant.

The record shows that a hearing was had August 19, 1905, and prior to December 1, 1905, as to an attempted application made by John Stewart for the enrollment of Carrie Brinkley within the time limited by the act of July 1, 1902.

Construing the hearing had August 19, 1905, as an application made on behalf of applicant prior to December 1, 1905, as prescribed by the act of April 26, 1906 (34 Stat., 137), the record as submitted shows that Carrie Brinkley was married at

Atoka, Choctaw Nation, Ind. T., on July 9, 1900, under a United States court license, to Robert Brinkley, whose name appears opposite No. 12361 on the final roll of citizens by blood of the Choctaw Nation, approved by the Secretary of the Interior March 6, 1903, and their child, Benjamin Brinkley, is enrolled opposite No. 15942 upon the roll of Choctaw citizens by blood, approved by the Secretary of the Interior November 24, 1905, and record evidence of said marriage is filed with the papers in the case.

In view of the record and of section 1 of the act of April 26, 1906 (34 Stat., 137), the Department is of opinion that the applicant is entitled to enrollment as an intermarried citizen of the Choctaw Nation, and your decision of January 23, 1906, declining to receive said application is hereby set aside, and you are directed to enroll applicant as such.

The Indian Office will notify local counsel of this action and you are requested to notify resident counsel.

A copy of Indian Office letter of November 9, 1907, relative thereto is inclosed.

The papers in the case have been sent to the Indian Office, for its files.

Respectfully,

(Signed) THOS. RYAN,

Through the Commissioner
of Indian Affairs.

First Assistant Secretary.

1 inc. and 6 to Ind. Of.

COPY

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

Land.
8601-1906.
10640- "
50567- "

November 9, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith a communication from the Acting Commissioner to the Five Civilized Tribes, dated January 24, 1906, enclosing record in the matter of the application for the enrollment of Carrie Brinkley as a citizen by intermarriage of the Choctaw Nation; also a communication dated January 29, 1906, enclosing petition filed by J. M. Humphreys, as attorney for Carrie Brinkley, praying for a re-hearing and reconsideration of her case, and a communication from the Commissioner dated June 12, 1906, enclosing a motion in behalf of the applicant filed by J. M. Humphreys, her attorney, praying to have the case re-opened and reconsidered under the provisions of the Act of April 26, 1906.

(Public No. 149)

The motion appears to come within the provisions of this Act. The Office therefore respectfully recommends that it be granted.

EVR--SD

Very respectfully,
L. H. Larrabee.
Acting Commissioner.

Memo. 129

Muskogee, Indian Territory, December 6, 1906.

Carrie Brinkley,

Atoka, Indian Territory,

Dear Madam:

You are hereby advised that on November 20, 1906, the Secretary of the Interior reversed the decision of this office of January 23, 1906, declining to receive your application for enrollment as a citizen by intermarriage of the Choctaw Nation, and directed your enrollment as such citizen.

Your name will be placed upon the next schedule of citizens by intermarriage of the Choctaw Nation, to be prepared for forwarding the Secretary of the Interior.

Respectfully,

Acting Commissioner.

Memo. 129

Muskogee, Indian Territory, December 6, 1906.

J. M. Humphreys,
Attorney at Law,
Atoka, Indian Territory,

Dear Sir:

You are hereby advised that on November 20, 1906, the Secretary of the Interior reversed the decision of this office of January 23, 1906, declining to receive the application for the enrollment of Carrie Brinkley as a citizen by intermarriage of the Choctaw Nation.

Her name will be placed upon the next schedule of citizens by intermarriage of the Choctaw Nation to be prepared for forwarding the Secretary of the Interior.

For your information there is inclosed herewith a copy of Departmental letter of November 20, 1906, above referred to.

Respectfully,

LM 20/6

Acting Commissioner.

Memo. 129

Muskogee, Indian Territory, December 6, 1906.

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

Gentlemen:

You are hereby advised that on November 20, 1906, the Secretary of the Interior reversed the decision of this office of January 23, 1906, declining to receive the application for the enrollment of Carrie Brinkley as a citizen by intermarriage of the Choctaw Nation, and directed her enrollment as such citizen.

Her name will be placed upon the next schedule of citizens by intermarriage of the Choctaw Nation to be prepared for forwarding the Secretary of the Interior.

For your information there is inclosed herewith a copy of Departmental letter of November 20, 1906, above referred to.

Respectfully,

LM 21/6

Acting Commissioner.

INDEXED

IN RE

Application for Enrollment of

INFANT CHILD

Benjamin Brinkley

as a citizen of the

Choctaw Nation.

Approved _____ 190

Commissioner.

Born June 21, 1902

Received

MAR 3 1903

CHOCTAW

41143

MAR 4 1905

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,
 of Benjamin Brinkley, born on the 21st day of June, 1902
(Here insert name of child.)
 Name of Father: Robert B. Brinkley, a citizen of the Choctaw Nation.
 Name of Mother: Carrie Brinkley, a citizen of the Choctaw Nation.
by marriage
 Post-Office: Atoka Ind. Ter.

AFFIDAVIT OF MOTHER.

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

I, Carrie Brinkley, 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 Robert B. Brinkley, who is a citizen, by
blood, of the Choctaw Nation, that a male child was
(Male or female.)
 born to me on the 21 day of June, 1902; that said child has been
 named Benjamin, and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 2nd day of February, 1903.

Jno. H. Hinebaugh
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

State of Texas
 UNITED STATES OF AMERICA, }
INDIAN TERRITORY,
Lamar Co District. }

I, Clive H. Hinebaugh, on oath state that I
 attended on Mrs. Carrie Brinkley, wife of Robert B. Brinkley
 on the 21st day of June, 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 Benjamin.

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 24 day of February, 1903.

Clive H. Hinebaugh
 Notary Public. Lamar Co Texas

MEMORANDA.

(Date) July 1 1899

11 E
73

Name W. H. T.

Choctaw? Yes County Chickasaw Year 1899 No. 1

Chickasaw? Yes County Chickasaw Year 1899 Page 1

Citizen by blood? Yes Mother's citizenship 1899

Intermarried citizen? No

Married under what law? None

License filed this day, None

Wife's name, None

Choctaw? No County None Year None No. None

Chickasaw? No County None Year None Page None

Citizen by blood? No Mother's citizenship None

Intermarried citizen? No

Married under what law? None

License filed this day None

Names of children:

<u>19</u>	<u>Robt. I. T.</u>	County <u>Chickasaw</u>	Year <u>1899</u>	Page <u>1</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.

[Faint handwritten notes]

44113
420

No. 778

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. *R B Brinkley* and

M^{rs} *Carrie Moody*

was filed in my office in said Territory and District the *15* day of *Aug* A. D. *1900* and duly recorded in Book *one* of Marriage Record, Page *389*

WITNESS my hand and seal of said Court, at *Otawa* this *15* day of *Aug* A. D. *1900*

E. J. FANNIN,
Clerk.

By

Don J. Tolson

Deputy.

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. *P. B. Brinkley*
of *Atoka* in the Indian Territory, aged *27*
years, and Mrs. *Carrie Moody*
of *Atoka* in the Indian Territory, aged *26*
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

9th day of *July* A. D. *1900*

Doug Tolson
Deputy

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

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
CENTRAL DISTRICT. } ss.

1. J. S. Murrow
a *Ministry of the Gospel*

do hereby CERTIFY, that on the *14th* day of *July* 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 *14th* day of *July* 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 *47*

Joseph S. Murrow
a *Clergyman*

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).

7--4443.

Muskogee, Indian Territory, May 22, 1906.

E. A. Newman,

Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 16, asking the status of the application for the enrollment of Carrie Brinkley, wife of Robert D. Brinkley, as an inter-married citizen of the Choctaw Nation.

In reply to your letter you are advised that it does not appear from our records that application has been made to this Commission by or on behalf of Carrie Brinkley, wife of Robert D. Brinkley, for enrollment as an intermarried citizen of the Choctaw Nation, and under the act of Congress approved July 1, 1902, the Commission is now without authority to receive or consider an application in her behalf.

Respectfully,

Chairman.

7-4443.

Muskogee, Indian Territory, March 30, 1903.

J.G. Ralls,

Attorney at Law,

Atoka, 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 Benjamin Brinkley, infant son of Robert B. and Carrie Brinkley, born June 21, 1902.

Your attention is invited to the following provision of section thirty-four of the act of Congress approved July 1, 1902, which was ratified by the citizens of 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 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."

7-4443

J O R 2

Under the above legislation the Commission is now without authority to receive original applications for enrollment in the Choctaw and Chickasaw Nations.

Respectfully,

Chairman.

7-4443

Muskogee, Indian Territory, November 11, 1904.

Walter B. Paschall,

Atoka, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of November 8, 1904, in which you state that Robert B. Brinkley, a Choctaw citizen, is married and has a child born prior to September 25, 1902, but neither his wife nor child is enrolled because he did not understand the necessity of making the application within the three months required by law. You state that you presume all such cases will be properly adjusted by the Commission before the final winding up of the business, and you request the necessary blanks that he may file an application for citizenship for his wife and child so that the latter may be properly placed before the Commission in the event subsequent legislation is provided for cases of this character.

In reply to your letter you are informed that it appears from our records that Robert B. Brinkley is enrolled as a citizen of the Choctaw Nation, and his enrollment approved by the Secretary of the Interior.

It further appears from our records that on March 30, 1903, there was received by the Commission the application for the enrollment of Benjamin Brinkley, infant child of Robert Brinkley and Car-

W. B. P. #2

rie Brinkley born June 21, 1942. The Commission was at that time, however, and is now without jurisdiction to receive or consider original applications for enrollment as citizens of the Choctaw or Chickasaw Nations.

You are further advised that the Commission has no blanks for the purpose of filing applications for enrollment as intermarried citizens of the Choctaw and Chickasaw Nations and it is therefore impracticable to comply with your request and as affidavits have already been forwarded relative to the birth of the child of Robert E. Brinkley, it is presumed that you will not require a blank of this description.

Respectfully,

Chairman.

Muskogee, Indian Territory, March 22, 1905.

E. A. Newman,

Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of March 15, 1905, in which you ask if anything further is necessary in the matter of the application of Carrie Brinkley for enrollment as an intermarried citizen of the Choctaw Nation; you also ask if the proof of birth of Bennie Brinkley, son of Carrie and Robert B. Brinkley prior to September 25, 1902, is sufficient.

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 Carrie Brinkley, wife of Robert B. Brinkley 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 an application in her behalf.

You are further advised that the affidavits heretofore filed to the birth of Benjamin Brinkley, infant child of Robert B. and Carrie Brinkley, June 21, 1902 have been filed with our records as an application for the enrollment of said child.

Respectfully,

Chairman.

Memo. 129.

Muskogee, Indian Territory, January 20, 1906.

J. M. Humphreys,

Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 10, 1906, in which you ask the status of the application for the enrollment of Carrie Brinkley, wife of Robert B. Brinkley, as an intermarried citizen of the Choctaw Nation.

In reply to your letter you are advised that no decision has yet been reached upon the question of whether or not application was made for the enrollment of Carrie Brinkley, as a citizen by intermarriage of the Choctaw Nation, within the time provided by the Act of Congress approved July 1, 1902, but when a decision is reached you will be notified of the action taken therein.

Respectfully,

Commissioner.

Mem 106
Mem 129
Mem 134

Muskogee, Indian Territory, January 29, 1906.

J. W. Humphreys,
Attorney at Law,
Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the petitions for re-hearing in the matter of the alleged application for enrollment of Agnes Quarles, Carrie Brinkley and Tom Brown as intermarried citizens of the Choctaw Nation and the same have been forwarded the Secretary of the Interior for consideration in connection with these cases.

Respectfully,

Acting Commissioner.

Mem 106
Mem 129
Mem 134

Muskogee, Indian Territory, May 24, 1906.

J. L. Humphreys,
Attorney at Law,
Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 14, 1906, inclosing motions to reopen the applications for enrollment as intermarried citizens of the Choctaw Nation of Agnes Quarles, Carrie Brinkley and Tom Brown and the same have been filed with the records in the respective cases.

You are advised, however, that on January 17, 1906, decisions were rendered declining to receive the applications of Tom Brown and Agnes Quarles for enrollment as citizens of the Choctaw Nation and on that date the records in these cases were transmitted to the Secretary of the Interior.

It further appears that on January 23, 1906, an order was entered declining to receive the application of Carrie Brinkley for enrollment as a citizen of the Choctaw Nation and on the same date the record in this case was forwarded to the Department. This office has not yet been advised of Departmental action on these cases.

Respectfully,

Acting Commissioner.

Mem 129

Muskogee, Indian Territory, October 16, 1906.

J. M. Humphreys,
Attorney at Law,
Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of September 10, 1906, asking the status of the intermarried Choctaw case of Carrie Brinkley.

In reply to your letter you are advised that a motion for rehearing in the matter of the application of Carrie Brinkley for enrollment as a citizen by intermarriage of the Choctaw Nation was forwarded the Secretary of the Interior June 12, 1906 and this office has not been notified of Departmental action therein.

Respectfully,

Commissioner.

G.R.

DEPARTMENT OF THE INTERIOR, LLB
WASHINGTON.

October 24, 1906.

I.T.D.13129-1906.

D. C. 46934

L.R.S.

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

You are requested to advise the Department whether there appears from the records of your office an application for the enrollment of Carrie Brinkley as an intermarried citizen of the Choctaw Nation.

Attorney for applicant claims that he has filed a motion for a reopening of said case under the act of Congress approved April 26, 1906 (34 Stat.,137). No such case appears of record in the Department.

Respectfully,

Jesse E. Wilson,

Assistant Secretary.

Through the Commissioner
of Indian Affairs.

COPY

Muskogee, Indian Territory, November 1, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

Receipt is hereby acknowledged of Departmental letter of October 24, 1906 (I.T.D. 13129-1906) requesting to be advised whether the records of this office show that an application has been made for the enrollment of Carrie Brinkley as an intermarried citizen of the Choctaw Nation as the attorney for the applicant claims to have filed a motion for a reopening of this case under the Act of Congress approved April 26, 1906 and the records of the Department do not show any such case.

Reporting in this matter I have the honor to advise that on January 23, 1906 a decision was rendered holding that no application was made for the enrollment of Carrie Brinkley 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 and declining to receive or consider the application for her enrollment. On January 24, 1906, the record in this case together with the decision was forwarded the Secretary of the Interior.

January 29, 1906, a motion for rehearing submitted by J.

Secretary #2

... Humphreys, Attorney at Law, Atoka, Indian Territory was forwarded the Department and on June 12, 1906, a motion for readjudication of this case under the provisions of the Act of Congress approved April 26, 1906 (34 Stats. 137) was forwarded the Department. This office has not yet been notified of Departmental action in this case.

Respectfully,

SIGNED *James Dwyer*

Commissioner.

Through the Commissioner
of Indian Affairs.

7-4443

Muskogee, Indian Territory, December 8, 1906.

Chief Clerk,
Chickasaw Land Office,
Ardmore, Indian Territory.

Dear Sir:

There is inclosed herewith for your information, copy of name and information this day placed at No. 3 Carrie Brinkley, Choctaw roll card No. 4443 Robert B. Brinkley et al., and you are directed to make duplicate Choctaw roll card of same number in your possession conform to the information thereon, and add the name of this person to your list of undetermined applicants for enrollment in the Choctaw Nation.

Respectfully,

BB 2-8.

Acting Commissioner.

7-4443

Muskogee, Indian Territory, December 8, 1906.

Chief Clerk,
Choctaw Land Office,
Atoka, Indian Territory.

Dear Sir:

There is inclosed for your information, copy of name and information this day placed at No. 3 Carrie Brinkley, Choctaw roll card No. 4443 Robert B. Brinkley et al., and you are directed to make duplicate Choctaw roll card of same number in your possession conform to the information thereon, and add the name of this person to your list of undetermined applicants for enrollment in the Choctaw Nation.

Respectfully,

Acting Commissioner.

EBB 1-8

G.R.

DEPARTMENT OF THE INTERIOR, MLB
WASHINGTON.

October 24, 1906.

I.F.D.13129-1906.
D. C. 46934

L.R.S.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

You are requested to advise the Department whether there appears from the records of your office an application for the enrollment of Carrie Frinkley as an intermarried citizen of the Choctaw Nation.

Attorney for applicant claims that he has filed a petition for a reopening of said case under the act of Congress approved April 26, 1906 (34 Stat., 137). No such case appears of record in the Department.

Respectfully,

Jesse E. Wilson,

Assistant Secretary.

Through the Commissioner
of Indian Affairs.

choc 4444 Rhoda L. Davis

see petition C #12

for record see choc 4448

4444

Commission to the Five Civilized Tribes,

Atoka, Indian Territory.

In the enrollment of Rhoda L. Davis and children as Choctaws;
being sworn and examined by Com'r McManis she states:

- Q What is your name? A Rhoda L. Davis.
- Q How old are you? A Forty-eight.
- Q Are you a citizen of the Choctaw Nation, by blood?
- A By marriage.
- Q Are these children are your children by a Choctaw? A Well
Rhoda wasn't a Choctaw only by adoption; his first wife was a
Choctaw;
- Q And she died and he married you? A No, married his second
wife, she was a white lady, and then married me.
- Q All of you are white people? A Yes sir.
- Q You have got no Choctaw blood at all? A No sir.
- Q All of these people contained in this judgment are white peo-
ple, and have got no Choctaw blood at all? A Yes sir, no sir,
none at all.
- Q Where have you been living with this family? A Right here.
- Q How long? A Seventy years.
- Q Never were admitted before? A No sir.

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify that this
transcript is a true and correct translation of
my stenographic notes.

[Signature]

7-4448
4446
4447
R-558
4445
R-432
4444

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

In the matter of the application for the enrollment of Anna Krebs, et al., as citizens of the Choctaw Nation.

D E C I S I O N .

It appears from the record herein and from the records in the possession of the Commissioner to the Five Civilized Tribes that on September 2, 1899, application was made to the Commission to the Five Civilized Tribes for the enrollment of Anna Krebs (now Anna J. Mason) as a citizen of the Choctaw Nation; That on September 2, 1899, application was made for the enrollment of Alonzo M. Davis as a citizen of said nation; that on September 2, 1899, application was made for the enrollment of Clara Standifer (now Clara Travel) as a citizen of said nation; that on July 27, 1901, application was made for the enrollment of Georgena Ethel Travel as a citizen of said nation; that on June 8, 1900, application was made for the enrollment of Willie Gertrude Standifer as a citizen of said Nation; that on September 2, 1899, application was made for the enrollment of Robert M. Davis as a citizen of said nation; that on June 4, 1900, application was made for the enrollment of Cora Delvina Davis as a citizen by intermarriage of said nation; and that on September 2, 1899, application was made for the enrollment of Rhoda L. Davis as a citizen by intermarriage of the Choctaw Nation, and for the enrollment of her six minor children, Clarence, Neta, Arthur, Mamie, Virgin and James Davis, as citizens of said nation.

The right of the applicant, Anna Krebs, (now Anna J. Mason) to enroll as a citizen by intermarriage of the Choctaw Nation by virtue of her marriage to one Henry Krebs, an alleged Choctaw by blood, was denied by the Commission to the Five Civilized Tribes on May 6, 1905, and is now pending before the Department. Her rights as a citizen by intermarriage of the Choctaw Nation will, therefore, not be passed upon herein.

It further appears from the records of the Commission to the Five Civilized Tribes that on September 9, 1896, in the case entitled "J. B. Davis, et al., vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, Case No. 317), original application was made 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 of the applicants, Anna Krebs, Clara Standifer, Robert M. Davis, Rhoda L. Davis, Clarence Davis, Neta Davis, Arthur Davis, Virgil Davis, Mamie Davis and James Davis, as citizens of said nation; and that on December 2, 1896, said Commission rendered its decision therein denying said application.

It further appears from the records of the Commission to the Five Civilized Tribes that on September 7, 1896, in the case entitled "Alonzo M. Davis vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, Case No. 325), original application was made 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 of the applicant, Alonzo M. Davis, as a citizen by intermarriage of the Choctaw Nation, said applicant claiming his right thereto by virtue of having married a citizen by blood of the Choctaw Nation; and that on December 2, 1896, said Commission rendered its decision therein admitting said applicant as an intermarried citizen of the Choctaw Nation.

Thereafter appeals were taken in the above cases to the United States Court for the Central District of the Indian Territory, where on July 15, 1897, the court ordered that the above cases be consolidated under the style of "A. M. Davis, et al., vs. Choctaw Nation" (Central District Court Case No. 174). On August 25, 1897, said court tendered its decision therein decreeing that all of the above named applicants "be enrolled as Members of the Choctaw Nation and entitled to all the privileges of such citizens."

On December 17, 1902, the Choctaw and Chickasaw Citizenship court, created under the provisions of the Act of Congress approved July 1, 1902, (32 Stats., 641) "set aside, annulled, vacated and held for naught" the aforesaid judgment of the United States Court for the Central District of the Indian Territory.

Subsequently, said case was certified to said Choctaw and Chickasaw Citizenship Court for a trial de Novo, and on November 29, 1904, said court, in the case entitled "Viney Davis, et al., vs. Choctaw and Chickasaw Nations" (Choctaw-Chickasaw Citizenship Court Case No. 100, McAlester Docket), rendered its decision therein, wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, Viney Davis, or Mrs. R. L. Davis, Clarence Thomas Davis, or Clarence Davis, Jaunita Levina Davis, or Neter Davis, Arthur Earl Davis, or Arthur Davis, Marie Ethel Davis, or Mamie Davis, Virgie Jerome Davis, or Vergie Davis, James Russell Davis, or James Davis, Alonzo McConnel Davis, or Alonzo L. Davis, Anna James Mason, or Annie Krebs (nee Davis), Clara Louise Davis Travel, (or Trowel) or Clara Standifer, and Robert Burrow Davis, or Robert M. Davis, be denied, and that they be declared not citizens of the Choctaw Nation, and not entitled to enrollment as such citizens, and not entitled to any rights whatever flowing therefrom; and as to the petitioners, Willie Gertrude Standifer and Georgina Ethel Travel (or Trowel), the court having no jurisdiction their case is dismissed."

January 21, 1905, the Commission to the Five Civilized Tribes entered of record orders dismissing the applications for the enrollment of Georgina Travel and Cora Delivina Davis as citizens of the Choctaw Nation for the reason that the persons through whom they claimed their said right were denied by the Choctaw and Chickasaw Citizenship Court.

On April 1, 1903, the Commission to the Five Civilized Tribes denied the application for the enrollment of Willie Gertrude Standifer as a citizen of the Choctaw Nation, which decision was on January 16, 1905 (I T D 370-1905) affirmed by the Department.

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there was filed in January, 1906, petitions praying for the enrollment of Anna J. Mason, Alonzo M. Davis, Clara L. Travel, Willie G. Standifer, Georgina E. Travel, Kathrena A. Travel, Robert M. Davis, Gertrude M. Davis, Cora D. Davis, Rhoda L. Davis, Arthur Davis, James Davis, Virgil Davis, Mamie (or Minnie) Davis, Neta Crum (nee Davis), and Clarence Davis, as citizens of the Choctaw Nation.

Hearings were had in the matter of said petitions at Muskogee, Indian Territory, on March 6, 1906.

The applicants, Anna Krebs (now Anna J. Mason), Alonzo M. Davis, Clara Standifer and Robert M. Davis, claim their right to enrollment as citizens of the Choctaw Nation by reason of being the children of J. D. Davis, a white man, who is alleged to have been a citizen by intermarriage of the Choctaw Nation, and Mattie Davis, a non-citizen white woman; that the applicants, Clarence Davis, Neta Davis, (now Crum), Arthur Davis, Mamie Davis, Virgil Davis and James Davis claim their right to enrollment as citizens of said nation by reason of being the children of the said J. D. Davis (above mentioned) and the applicant, Rhoda L. Davis, a white woman; that Cora

Delvina Davis claims her right to enrollment as a citizen by intermarriage of said nation by reason of her marriage to the applicant, Robert M. Davis; that Rhoda L. Davis claims her right to enrollment as a citizen by intermarriage of the Choctaw Nation by virtue of her marriage to J. D. Davis (now deceased), an alleged citizen by intermarriage of the Choctaw Nation; and Alonzo M. Davis also claims his right to enrollment as a citizen of said nation by virtue of his marriage in 1890 to Lorena Davis, a recognized citizen by blood of the Choctaw Nation, whose name appears as number 12321 upon the final roll of citizens by blood of the Choctaw Nation approved by the Secretary of the Interior March 6, 1903. Willie Gertrude Standifer is the minor daughter of the applicant, Clara Standifer, and Robert Standifer, a non-citizen white man; Georgena Ethel Travel and Kathrena A. Travel are the minor daughters of said Clara Standifer and one Travel, a non-citizen white man; and Gertrude M. Davis is the daughter of the applicants, Robert M. Davis and Cora Delvina Davis.

The record in this case shows that Alonzo M. Davis was not married to his Choctaw wife by virtue of a license issued by the tribal authorities of the Choctaw Nation.

Upon an examination of the tribal rolls of the Choctaw Nation in the possession of this office it appears that the applicants, Rhoda L. Davis, Alonzo M. Davis, Clara Standifer (now Travel) Robert M. Davis, Clarence Davis, and Neta Davis (now Crum) are identified upon the 1885 Choctaw Census Roll, Atoka County, opposite numbers 630, 631, 632, 633, 635 and 636, respectively. The applicant, Anna Krebbs, (now Mason) is identified upon the 1896 Choctaw Census Roll, Atoka County, No. 14421.

I am of the opinion that the orders of the Commission to the Five Civilized Tribes of January 21, 1905, dismissing the applications for the enrollment of Georgena Ethel Travel and Cora Delvina Davis as citizens of the Choctaw Nation should be rescinded, and it is so ordered.

I am further of the opinion that following the ruling of the Department of April 24, 1906, (I T D 4048-1906) in the case of Mary Elizabeth Martin, the application and petition for the enrollment of Anna Krebbs (now Mason), Alonzo M. Davis, Clara Standifer, Georgena Ethel Travel, Robert M. Davis, Clarence Davis, Neta Davis, (now Crum), Arthur Davis, Mamie Davis, Virgil Davis, and James Davis as citizens 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.

I am further of the opinion that the petition for the enrollment of Willie Gertrude Standifer as a citizen of the Choctaw Nation should be dismissed, and it is so ordered.

I am further of the opinion that the application and petition for the enrollment of Alonzo M. Davis and Cora Delvina Davis as citizens 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.

I am further of the opinion that following the ruling of the Department in the case of Emma McMenamain (I T D 11582-1904), the application and petition for the enrollment of Rhoda L. Davis 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.

I am further of the opinion that the petition for the enrollment of Katherena A. Travel and Gertrude M. Davis as citizens of the Choctaw Nation should be denied, under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137), as amended by the Act of Congress approved June 21, 1906 (Public No. 258), and it is so ordered.

(Signed) Tams Bixby
Commissioner.

Muskogee, Indian Territory,
Nov 9 1906.

7-4444

Wuskogee, Indian Territory, November 9, 1906.

Rhoda L. Davis,
Olney, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered November 9, 1906, denying the application and petition for your enrollment as a citizen by intermarriage of the Choctaw Nation, and the application and petition for the enrollment of your children, Arthur Davis, Mamie Davis, Virgil Davis and James Davis, as citizens of said 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.

Incl. 7-4448 et al.

7- 4444

COPY

Muskogee, Indian Territory, November 9, 1906.

Neta Crum,

Olney, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered November 9, 1906, denying the application and petition for the enrollment of Neta Davis (now Crum), 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,

Commissioner.

Registered.

Incl. 7-4448 et al.

7-4444

Muskogee, Indian Territory, November 9, 1906.

Clarence Davis,
Olney, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered November 9, 1906, denying the application and petition for your enrollment 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,

Commissioner.

Registered.

Incl. 7-4448. et al.

Muskogee, Indian Territory, November 9, 1906.

J. C. Ballis,
Attorney at Law,
Atoka, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered November 9, 1906, denying the application and petition for the enrollment of Anna Krebs (now Mason), Clara Standifer, Georgena Ethel Travel, Robert W. Davis, Clarence Davis, Heta Davis (now Crum), Arthur Davis, Marie Davis, Virgil Davis, and James Davis, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cora Delvina Davis and Rhoda L. Davis, as citizens by intermarriage of said nation, the petition for the enrollment of Kathrena A. Travel and Gertrude W. Davis, as minor citizens of the Choctaw Nation, under the Act of Congress approved April 26, 1906, the application and petition for the enrollment of Alonzo W. Davis as a citizen, and also as a citizen by intermarriage of said nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer, 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.

J. G. R. -- #2.

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.

Incl. 7-4448 et al.

7-4448 et al.

0000

Muskogee, Indian Territory, November 9, 1906.

Chilton Wiley,
Attorney at Law,
Ardmore, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered November 9, 1906, denying the application and petition for the enrollment of Anna Krebs (nee Mason), Clara Standifer, Georgena Ethel Travel, Robert W. Davis, Clarence Davis, Meta Davis (nee Crum), Arthur Davis, Vannie Davis, Virgil Davis, and James Davis, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cora Belvina Davis and Rhoda L. Davis, as citizens by intermarriage of said nation, the petition for the enrollment of Kathrena A. Travel and Gertrude W. Davis, as minor citizens of the Choctaw Nation, under the Act of Congress approved April 26, 1906, the application and petition for the enrollment of Alonzo M. Davis, as a citizen, and also as a citizen by intermarriage of said nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer, 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.

C. R. -- #2.

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.

Incl. 7-4448 et al.

4448 et al.

COPY.

Muskogee, Indian Territory, November 9, 1906.

Charles von Weisse,
Attorney at Law,
Ardmore, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered November 9, 1906, denying the application and petition for the enrollment of Anna Kreebs (now Mason), Clara Standifer, Georgena Ethel Travel, Robert M. Davis, Clarence Davis, Meta Davis (now Crum), Arthur Davis, Mamie Davis, Virgil Davis and James Davis, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cora Delvina Davis and Rhoda L. Davis, as citizens by intermarriage of said nation, the petition for the enrollment of Kathrena A. Travel and Gertrude M. Davis, as minor citizens of the Choctaw Nation, under the Act of Congress approved April 26, 1906, the application and petition for the enrollment of Alenzo M. Davis as a citizen, and also as a citizen by intermarriage of said nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer, 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.

C. von W.---2

The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

[Faint signature]
Commissioner.

Registered.

Incl. 448 et al.

Muskogee, Indian Territory, November 9, 1906.

Linebaugh Brothers,
Attorneys at Law,
Atoka, Indian Territory.

Gentlemen:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on November 9, 1906, rendered his decision denying the application and petition for the enrollment of Anna Krebs (now Mason), Clara Standifer, Georgena Ethel Travel, Robert W. Davis, Clarence Davis, Meta Davis (now Crum), Arthur Davis, Mamie Davis, Virgil Davis and James Davis, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cora Delvina Davis and Rhoda L. Davis, as citizens by intermarriage of said nation, the petition for the enrollment of Kathrena A. Travel, and Gertrude W. Davis, as minor citizens of the Choctaw Nation, under the Act of Congress approved April 26, 1906, the application and petition for the enrollment of Alonzo W. Davis as a citizen, and also as a citizen by intermarriage of said nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer, 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.

L. B. -- 2.

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 Dwyer*

Commissioner.

Registered.

7-4446 et al

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6000

Muskogee, Indian Territory, November 9, 1906.

W. V. Wright,
Corcoran Bldg.,
Washington, D. C.

Dear Sir:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on November 9, 1906, rendered his decision denying the application and petition for the enrollment of Anna Krebbs (now Mason), Clara Standifer, Georgena Ethel Travel, Robert J. Davis, Clarence Davis, Weta Davis (now Cruz), Arthur Davis, Mamie Davis, Virgil Davis and James Davis, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cora Belvina Davis, and Rhoda L. Davis, as citizens by intermarriage of said nation, the petition for the enrollment of Kathrena A. Travel and Gertrude M. Davis, as minor citizens of the Choctaw Nation, under the Act of Congress approved April 26, 1906, the application and petition for the enrollment of Alenzo V. Davis, as a citizen, and also as a citizen by intermarriage of said nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer, 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.

W. W.W. - - #2.

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.

COPY:

Muskogee, Indian Territory, November 9, 1906.

A. T. West,

Attorney at Law,

Lehigh, Indian Territory.

Dear Sir:

You are hereby notified that the Commissioner of the Five Civilized Tribes, on November 4, 1906, rendered his decision denying the application and petition for the enrollment of Anna Krebs (now Wason), Clara Standifer, Georgena Ethel Travel, Robert W. Davis, Clarence Davis, Feta Davis (now Cruz), Arthur Davis, Mamie Davis, Virgil Davis, and James Davis, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Gora Melvina Davis and Rhoda L. Davis, as citizens by intermarriage of said nation, the petition for the enrollment of Kathrena A. Travel and Gertrude M. Davis, as minor citizens of the Choctaw Nation, under the Act of Congress approved April 26, 1906, the application and petition for the enrollment of Alonso W. Davis as a citizen, and also as a citizen by intermarriage of said nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer, 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.

A. T. W. - - #2.

The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED *John Bixby*
Commissioner.

Registered.

7-4448 et al.

Muskogee, Indian Territory, November 9, 1906.

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 wife Civilized Tribes, rendered November 9, 1906, denying the application and petition for the enrollment of Anna Krebbs (now Wason), Clara Standifer, Georgena Ethel Travel, Robert M. Davis, Clarence Davis, Meta Davis (now Crum), Arthur Davis, Mamie Davis, Virgil Davis, and James Davis, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cora Delvina Davis and Rhoda L. Davis, as citizens by intermarriage of said nation, the petition for the enrollment of Kathrena A. Travel and Gertrude W. Davis, as minor citizens of the Choctaw Nation, under the Act of Congress approved April 26, 1906, the application and petition for the enrollment of Alonzo M. Davis as a citizen and also as a citizen by intermarriage of said nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer, 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.

M. W. & C. - - #2.

The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

James H. ...

Commissioner.

Incl. 7-4448 et al.

Wuskogee, Indian Territory, November 9, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith record of proceedings in the matter of the application and petition for the enrollment of Anna Krebbs, et al., as citizens of the Choctaw Nation, including the decision of the Commissioner to the five Civilized Tribes, dated November 4, 1906, denying the application and petition for the enrollment of Anna Krebbs (now Mason), Clara Standifer, Georgiana Ethel Travel, Robert W. Davis, Clarence Davis, Feta Davis (now Crum), Arthur Davis, Mamie Davis, Virgil Davis and James Davis, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cora Delvina Davis and Rheda L. Davis, as citizens by intermarriage of said nation, the petition for the enrollment of Kathrena A. Travel and Gertrude W. Davis, as minor citizens of the Choctaw Nation, under the Act of Congress approved April 16, 1906, the application and petition for the enrollment of Alonzo W. Davis as a citizen and also as a citizen by intermarriage of said nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer, as a citizen of the Choctaw Nation.

Respectfully,

2 Incl 7-4446 et al.
Through the
Commissioner of Indian Affairs.

Commissioner.

DEPARTMENT OF THE INTERIOR

WASHINGTON

GR

O.K.

D.C. 12335-1907.
I.T.D. 5302-1907.

March 1, 1907.

1RS

Direct.

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

In conformity with the opinion of the Attorney General of the United States, of February 19, 1907 (I.T.D. 4564), ~~in the consolidated case of Myrtie Randolph et al., and in~~ accordance with the recommendation of the Indian Office of February 26, 1907 (Land 99858-1906), copy whereof is enclosed, your decision of November 9, 1906, denying the applicants named in the consolidated case of Anna Krebbs et al., for enrollment as citizens of the Choctaw Nation, and dismissing the applications of certain other named applicants therein for enrollment as citizens of the Choctaw Nation, is hereby affirmed. You will advise applicants and their attorneys of this action.

The record in the case and a carbon copy hereof have been sent to the Indian Office.

Respectfully,

1 inc. and 2 inc.
for Ind. Of.

Jesse E. Wilson,

Assistant Secretary.

A.F.Mc.
3-1-07.

Land
99858-1906

--Copy--

DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS
WASHINGTON

February 26, 1907.

The Honorable,
The Secretary of the Interior.

Sir:

There is enclosed the record of proceedings in the matter of the application and petition for the enrollment of Anna Krebs et al., as citizens of the Choctaw Nation, including the decision of the Commissioner to the Five Civilized Tribes dated November 9, 1906, denying the application and petition for the enrollment of Anna Krebs (now Mason), Clara Standifer, Georgena Ethel Travel, Robert M. Davis, Clarence Davis, Neta Davis (now Crum), Arthur Davis, Mamie Davis, Virgil Davis and James Davis as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cora Delvina Davis and Rhoda L. Davis as citizens by intermarriage of the Choctaw Nation, the petition for the enrollment of Kathrena A. Travel and Gertrude M. Davis as minor citizens of the Choctaw Nation, the application and petition for the enrollment of Alonzo M. Davis as a citizen by intermarriage of the Choctaw Nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer as a citizen of the Choctaw Nation.

The applicants, Anna Krebs (now Anna J. Mason), Alonzo M. Davis, Clara Standifer and Robert M. Davis claim their

right to enrollment as citizens of the Choctaw Nation by reason of being the children of J. D. Davis, a white man, who is alleged to have been a citizen by intermarriage of the Choctaw Nation, and Mattie Davis, a non-citizen white woman; that the applicants Clarence Davis, Neta Davis (now Crum), Arthur Davis, Mamie Davis, Virgil Davis and James Davis claim their right to enrollment as citizens of the Choctaw Nation by reason of being the children of J. D. Davis and the applicant, Rhoda L. Davis, a white woman; that Cora Delvina Davis claims her right to enrollment as a citizen by intermarriage of the Choctaw Nation by reason of her marriage to the applicant, Robert M. Davis; that Rhoda L. Davis claims her right to enrollment as a citizen by intermarriage of the Choctaw Nation by virtue of her marriage to J. D. Davis, now deceased, an alleged citizen by intermarriage of the Choctaw Nation; and Alonzo M. Davis also claims his right to enrollment as a citizen of the Choctaw Nation by virtue of his marriage in 1890 to Lorena Davis, a recognized citizen by blood of the Choctaw Nation. Willie Gertrude Standifer is the minor daughter of the applicant, Clara Standifer, and Robert Standifer, a non-citizen white man; Georgena Ethel Travel and Kathrena A. Travel, are the minor daughters of Clara Standifer and one Travel, a non-citizen white man; and Gertrude M. Davis is the daughter of the applicants Robert M. Davis and Cora Delvina Davis.

The record shows that Alonzo M. Davis was not married to his Choctaw wife by virtue of a license issued by the tribal authorities of the Choctaw Nation.

Therefore, by reason of the provisions of the Act of Congress approved June 28, 1898 (30 Stat. L., 495) and the Act of April 26, 1906 (34 Stat. L., 137) as amended by the Act of June 21, 1906 (34 Stat. L., 325), the Office concurs in the decision of Commissioner Bixby denying the enrollment of the applicants herein as citizens of the Choctaw Nation.

Very respectfully,

C. F. LARRABEE

Acting Commissioner.

EBM.Ph.

Choctaw 4444-4445
and 4448.

Muskogee, Indian Territory, October 9, 1902.

Noone Williams,

Lehigh, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 3rd instant, in which you desire to be advised if John Davis, Jr., Robt. M. Davis, Anna Krebs, and Mrs. John Davis, Sr. are on the rolls of the Choctaw Nation without dispute.

In reply to your letter you are advised that it does not appear from our records that any person by the name of John Davis, Jr., has been listed for enrollment by this Commission as a citizen of the Choctaw Nation. If you will state his full name and age and the time and place application was made for his enrollment, the matter will receive further consideration.

It appears from our records that on September 2, 1899, Robert M. Davis, 27 years of age, of Nixon, Indian Territory, Anna Krebs, 31 years of age, of Lehigh, Indian Territory and Rhoda L. Davis, 48 years of age of Lehigh, Indian Territory, and her children, Clarence, Meta, Arthur, Mamie, Virgil and James Davis, were listed for enrollment by this Commission as citizens of the Choctaw Nation, in pursuance of a judgment of the United States Court for the Central District of the Indian Territory, rendered

B V 2

at South McAlester, Indian Territory, August 24, 1897 in
Choctaw citizenship case No. 60.

Respectfully,

Commissioner in Charge.

Muskogee, Indian Territory, March 18, 1905.

Linebaugh Brothers,

Attorneys at Law.

Atoka, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of March 14, 1905, asking the status of the citizenship in the Choctaw Nation of Rhoda Lovinia Davis and her children Clarence, Thomas, Juanita, Arthur, Earl, Mary Ethel, Virgil Jerome, and James William Davis.

In reply to your letter you are informed that Rhoda Lovinia Davis and her children Clarence, Weta, Arthur, Mamie, Virgil and James Davis were denied citizenship in the Choctaw Nation on November 29, 1904, by the Choctaw and Chickasaw Citizenship Court in case No. 100 on the South McAlester docket.

Respectfully,

Chairman.

7-4444

Muskogee, Indian Territory, June 10, 1905.

John W. Crum,

Olney, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 3, 1905, stating that your wife was Jaunita Davis, daughter of James D. Davis and Vina Davis and her Choctaw citizenship was refused in the Choctaw and Chickasaw Citizenship Court, case 100.

In reply to your letter you are advised that it appears from our records that on November 29, 1904, the Choctaw and Chickasaw Citizenship Court denied the citizenship in the Choctaw Nation of Jaunita Levina or Neter Davis and as it does not appear from our records that Jaunita Davis had prior to 1896 been recognized and enrolled as a citizen of that tribe by the Choctaw tribal authorities the Commission is without jurisdiction to take further action in this case.

Respectfully,

Chairman.

7-4444

Muskogee, Indian Territory, September 18, 1905.

W. W. Wright,
Bond Building,
Washington, D. C.

Dear Sir:

Replying to your letter of August 22, 1905, you are advised that on December 20, 1904, the Choctaw-Chickasaw citizenship court rendered a decree denying the petition of Viney Davis, or Mrs. R. L. Davis, and the members of her family for admission to citizenship in the Choctaw Nation.

You are further advised that it appears from the records of this office that Rhoda L., or Viney Davis, is the daughter of Stephen Pate and Louisa Pate. A thorough examination has been made of the tribal rolls of the Choctaw Nation in the possession of this office, and Mrs. Davis is not identified upon such rolls under the name of Rhoda L. or Viney Pate or Rhoda L. or Viney Davis. This examination of the tribal rolls has extended to the 1885 census roll, the 1893 leased district payment roll, and the 1896 census roll of the citizens of the Choctaw Nation.

Respectfully,

Acting Commissioner.

7-4444

Muskogee, Indian Territory, January 3, 1906.

J. H. Crum,

Olney, Indian Territory.

Dear Sir:

Your letter of December 16, 1905, addressed to the Secretary of the Interior has been by him referred to this office for consideration and appropriate action. Therein you ask if under the ruling of the Department in the Lula West and Mary Elizabeth Martin cases your wife who is a member of the J. D. Davis family is entitled to file a contest.

In reply to your letter you are advised that if your wife desires to institute contest for land on which she owns improvements, her testimony relative thereto will be received upon her personal appearance at the land office for the nation in which the land is located and the same will then be forwarded to this office for consideration.

Respectfully,

Commissioner.

Muskogee, Indian Territory, July 3, 1906.

Chilion Riley,

Attorney at Law,

Ardmore, Indian Territory.

Dear Sir:

This office is in receipt of your letter of June 1, 1906, transmitting a brief and argument in the matter of the application of Rhoda L. Davis for enrollment as a citizen by intermarriage of the Choctaw Nation.

Said brief has been filed with the record in the case.

Respectfully,

Commissioner.

Muskogee, Indian Territory, August 4, 1906.

Weta Crum,

Olney, Indian Territory.

Dear Madam:

On July 28, 1906, the Assistant Secretary of the Interior referred to this office a letter signed by you and dated July 23, 1906, requesting to be advised what action has been taken in the matter of your application for enrollment as a citizen of the Choctaw Nation.

This office is also in receipt of a letter from you dated July 23, 1906, addressed to the Commission to the Five Civilized Tribes, requesting similar information.

You are advised that your application for enrollment is pending before this office and will be taken up for consideration at an early date.

A letter from this office addressed to you and enclosed with your letter to the Secretary of the Interior is returned herewith in accordance with your request.

Respectfully,

Commissioner.

DeB--3/4

7-4444

Muskogee, Indian Territory, October 30, 1906.

Mrs. Neta Crum,

Olney, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of October 23, 1906, asking that an early decision be rendered in the matter of your application for enrollment.

In reply to your letter you are advised that a decision will be reached in your case as early as practicable and you will be notified of the action taken therein.

Respectfully,

Commissioner.

7-4444

Muskogee, Indian Territory, October 16, 1906.

Chilion Riley,

Attorney at Law,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of October 12 asking the status of the application for the enrollment of Rhoda L. Davis, et al, as citizens of the Choctaw Nation.

In reply you are advised that no action has yet been taken upon the petition for a rehearing in the matter of the application for the enrollment of Rhoda L. Davis, et al, under the ruling of the Department in the Choctaw enrollment case of Loula West.

Respectfully,

MI

Commissioner.

7-4444

Muskogee, Indian Territory, November 9, 1906.

Mrs. Neta Crumm,
Olney, Indian Territory.

Dear Madam:

Your letter of October 23, 1906, addressed to the Secretary of the Interior has been by him referred to this office for consideration and appropriate action. Therein you ask that a decision be rendered in the matter of your application for enrollment; you state that land on which you have improvements has been selected in allotment by other persons and you are forbidden the use of such improvements.

In reply to your letter you are advised that on November 9, 1906, a decision was rendered denying the petition for your enrollment as a citizen of the Choctaw Nation, under the ruling of the Department in the Choctaw enrollment case of Loula West, and on the same day the record in this case was forwarded the Secretary of the Interior.

You are further advised that if other persons have

N.C.2

selected land on which you have improvements, you will be permitted to make application therefor for the purpose of instituting contest upon your personal appearance at the land office for the nation in which your land is located.

The communications from the Department and this office, enclosed with your letter, are herewith returned.

Respectfully,

EB 1-5

Commissioner.

7-4444

Muskogee, Indian Territory, November 9, 1906.

Clarence Davis,
Olney, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of October 25, 1906, asking that an early decision be rendered in the case of Rhoda L. Davis, et al.

In reply to your letter you are advised that on November 9, 1906, a decision was rendered denying the application and petition for the enrollment of Rhoda L. Davis, et al. as citizens of the Choctaw Nation, under the ruling of the Department in the Choctaw enrollment case of Loula West, and due notice of such action was forwarded you on the same date.

Respectfully,

Commissioner.

Muskogee, Indian Territory, November 9, 1906.

Rhoda L. Davis,
Olney, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of October 25, 1906, asking that an early decision be rendered in the case of Rhoda L. Davis, et al.

In reply to your letter you are advised that on November 9, 1906, a decision was rendered denying the application and petition for the enrollment of Rhoda L. Davis, et al. as citizens of the Choctaw Nation, under the ruling of the Department in the Choctaw enrollment case of Loula West, and notice of such action was forwarded you on the same day.

Respectfully,

Commissioner.

7-4448

Muskogee, Indian Territory, November 9, 1906.

Mrs. Anna Mason,
Olney, Indian Territory.

Dear Madam:

~~Receipt is hereby acknowledged of your letter of October~~
26, 1906, asking that an early decision be rendered in the case of
Rhoda L. Davis et al.

In reply to your letter you are advised that on November
9, 1906, a decision was rendered denying the application and peti-
tion for the enrollment of Rhoda L. Davis et al. as citizens of
the Choctaw Nation under the ruling of the Department in the
Choctaw enrollment case of Loula West and notice of such action
was forwarded you on the same date.

Respectfully,

Commissioner.

MEMORANDA.

(Date) Jan 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,

48 ✓ Wife's name, Rhoda L. ...

Choctaw ? ye County Year No.

Chickasaw ? County Year Page

Citizen by blood ? Mother's citizenship

Intermarried citizen ? ye

Married under what law ?

License filed this day

Names of children:

<u>1901</u>	County	Year	Page	No.
<u>1101</u>	County	Year	Page	No.
<u>1201</u>	County	Year	Page	No.
<u>1301</u>	County	Year	Page	No.
<u>1401</u>	County	Year	Page	No.
<u>1501</u>	County	Year	Page	No.
<u>1601</u>	County	Year	Page	No.
<u>1701</u>	County	Year	Page	No.
<u>1801</u>	County	Year	Page	No.
<u>1901</u>	County	Year	Page	No.

214.161

Choc 4445 Robert M. Davis

see choc R. 482

see 7-4448 for record

see per #C-12

Shhh

MEMORANDA.

27

(Date) pt 2 1899.

Name Robert M. Davis

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? _____ 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. _____

*Admitted to citizenship
11, 1899
his first wife*

4444

Commission to the Five Civilized Tribes,

Atoka, Indian Territory.

In the enrollment of Robert M. Davis as a Choctaw; being sworn and examined by Com'r McPherson he testifies as follows:

- Q What is your name? A Robert M. Davis.
- Q How old are you? A Twenty-seven.
- Q Where have you been living? A Here in Atoka, Indian Territory.
- Q All your life? A Yes sir.
- Q Was it all of your family to be enrolled? A Yes sir, I was enrolled after my petition.
- Q Your wife hasn't been admitted? A No sir.
- Q You have no Indian blood? A No sir.
- Q Your father first married a Choctaw woman and she died and he then married your mother, who is a white woman? A Yes sir.
- Q Your father is a white man? A Yes sir.

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify that the official and as
stenographer to the said Commission that this
transcript is a true and correct translation of
my stenographic notes.

W. D. Green

7-4448
4446
A447
R-558
4445
R-482
4444

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

In the matter of the application for the enrollment of Anna Krebbs, et al., as citizens of the Choctaw Nation.

D E C I S I O N .

It appears from the record herein and from the records in the possession of the Commissioner to the Five Civilized Tribes that on September 2, 1899, application was made to the Commission to the Five Civilized Tribes for the enrollment of Anna Krebbs (now Anna J. Mason) as a citizen of the Choctaw Nation; That on September 2, 1899, application was made for the enrollment of Alonzo M. Davis as a citizen of said nation; that on September 2, 1899, application was made for the enrollment of Clara Standifer (now Clara Travel) as a citizen of said nation; that on July 27, 1901, application was made for the enrollment of Georgena Ethel Travel as a citizen of said nation; that on June 8, 1900, application was made for the enrollment of Willie Gertrude Standifer as a citizen of said Nation; that on September 2, 1899, application was made for the enrollment of Robert M. Davis as a citizen of said nation; that on June 4, 1900, application was made for the enrollment of Cora Delvina Davis as a citizen by intermarriage of said nation; and that on September 2, 1899, application was made for the enrollment of Rhoda L. Davis as a citizen by intermarriage of the Choctaw Nation, and for the enrollment of her six minor children, Clarence, Neta, Arthur, Mamie, Virgin and James Davis, as citizens of said nation.

The right of the applicant, Anna Krebbs, (now Anna J. Mason) to enroll as a citizen by intermarriage of the Choctaw Nation by virtue of her marriage to one Henry Krebbs, an alleged Choctaw by blood, was denied by the Commission to the Five Civilized Tribes on May 6, 1905, and is now pending before the Department. Her rights as a citizen by intermarriage of the Choctaw Nation will, therefore, not be passed upon herein.

It further appears from the records of the Commission to the Five Civilized Tribes that on September 9, 1896, in the case entitled "J. B. Davis, et al., vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, Case No. 317), original application was made 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 of the applicants, Anna Krebbs, Clara Standifer, Robert M. Davis, Rhoda L. Davis, Clarence Davis, Neta Davis, Arthur Davis, Virgil Davis, Mamie Davis and James Davis, as citizens of said nation; and that on December 2, 1896, said Commission rendered its decision therein denying said application.

It further appears from the records of the Commission to the Five Civilized Tribes that on September 7, 1896, in the case entitled "Alonzo M. Davis vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, Case No. 325), original application was made 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 of the applicant, Alonzo M. Davis, as a citizen by intermarriage of the Choctaw Nation, said applicant claiming his right thereto by virtue of having married a citizen by blood of the Choctaw Nation; and that on December 2, 1896, said Commission rendered its decision therein admitting said applicant as an intermarried citizen of the Choctaw Nation.

Thereafter appeals were taken in the above cases to the United States Court for the Central District of the Indian Territory, where on July 15, 1897, the court ordered that the above cases be consolidated under the style of "A. M. Davis, et al., vs. Choctaw Nation" (Central District Court Case No. 174). On August 25, 1897, said court tendered its decision therein decreeing that all of the above named applicants "be enrolled as Members of the Choctaw Nation and entitled to all the privileges of such citizens."

On December 17, 1902, the Choctaw and Chickasaw Citizenship court, created under the provisions of the Act of Congress approved July 1, 1902, (32 Stats., 641) "set aside, annulled, vacated and held for naught" the aforesaid judgment of the United States Court for the Central District of the Indian Territory.

Subsequently, said case was certified to said Choctaw and Chickasaw Citizenship Court for a trial de Novo, and on November 29, 1904, said court, in the case entitled "Viney Davis, et al., vs. Choctaw and Chickasaw Nations" (Choctaw-Chickasaw Citizenship Court Case No. 100, McAlester Docket), rendered its decision therein, wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, Viney Davis, or Mrs. R. L. Davis, Clarence Thomas Davis, or Clarence Davis, Jaunita Levina Davis, or Neter Davis, Arthur Earl Davis, or Arthur Davis, Mamie Ethel Davis, or Mamie Davis, Virgie Jerome Davis, or Vergie Davis, James Russell Davis, or James Davis, Alonzo McConnell Davis, or Alonzo L. Davis, Anna James Mason, or Annie Krebbs (nee Davis), Clara Louise Davis Travel, (or Trowel) or Clara Standifer, and Robert Murrow Davis, or Robert M. Davis, be denied, and that they be declared not citizens of the Choctaw Nation, and not entitled to enrollment as such citizens, and not entitled to any rights whatever flowing therefrom; and as to the petitioners, Willie Gertrude Standifer and Georgina Ethel Travel (or Trowel), the court having no jurisdiction their case is dismissed."

January 21, 1905, the Commission to the Five Civilized Tribes entered of record orders dismissing the applications for the enrollment of Georgina Travel and Cora Delivina Davis as citizens of the Choctaw Nation for the reason that the persons through whom they claimed their said right were denied by the Choctaw and Chickasaw Citizenship Court.

On April 1, 1905, the Commission to the Five Civilized Tribes denied the application for the enrollment of Willie Gertrude Standifer as a citizen of the Choctaw Nation, which decision was on January 16, 1905 (I T D 370-1905) affirmed by the Department.

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there was filed in January, 1906, petitions praying for the enrollment of Anna J. Mason, Alonzo M. Davis, Clara L. Travel, Willie G. Standifer, Georgina E. Travel, Fathrena A. Travel, Robert M. Davis, Gertrude M. Davis, Cora D. Davis, Rhoda L. Davis, Arthur Davis, James Davis, Virgil Davis, Mamie (or Minnie) Davis, Neta Crum (nee Davis), and Clarence Davis, as citizens of the Choctaw Nation.

Hearings were had in the matter of said petitions at Muskogee, Indian Territory, on March 6, 1906.

The applicants, Anna Krebbs (now Anna J. Mason), Alonzo M. Davis, Clara Standifer and Robert M. Davis, claim their right to enrollment as citizens of the Choctaw Nation by reason of being the children of J. D. Davis, a white man, who is alleged to have been a citizen by intermarriage of the Choctaw Nation, and Mattie Davis, a non-citizen white woman; that the applicants, Clarence Davis, Neta Davis, (now Crum), Arthur Davis, Mamie Davis, Virgil Davis and James Davis claim their right to enrollment as citizens of said nation by reason of being the children of the said J. D. Davis (above mentioned) and the applicant, Rhoda L. Davis, a white woman; that Cora

Delvina Davis claims her right to enrollment as a citizen by intermarriage of said nation by reason of her marriage to the applicant, Robert M. Davis; that Rhoda L. Davis claims her right to enrollment as a citizen by intermarriage of the Choctaw Nation by virtue of her marriage to J. D. Davis (now deceased), an alleged citizen by intermarriage of the Choctaw Nation; and Alonzo M. Davis also claims his right to enrollment as a citizen of said nation by virtue of his marriage in 1890 to Lorena Davis, a recognized citizen by blood of the Choctaw Nation, whose name appears as number 12321 upon the final roll of citizens by blood of the Choctaw Nation approved by the Secretary of the Interior March 6, 1903. Willie Gertrude Standifer is the minor daughter of the applicant, Clara Standifer, and Robert Standifer, a non-citizen white man; Georgena Ethel Travel and Kathrena A. Travel are the minor daughters of said Clara Standifer and one Travel, a non-citizen white man; and Gertrude L. Davis is the daughter of the applicants, Robert M. Davis and Cora Delvina Davis.

The record in this case shows that Alonzo M. Davis was not married to his Choctaw wife by virtue of a license issued by the tribal authorities of the Choctaw Nation.

Upon an examination of the tribal rolls of the Choctaw Nation in the possession of this office it appears that the applicants, Rhoda L. Davis, Alonzo M. Davis, Clara Standifer (now Travel) Robert M. Davis, Clarence Davis, and Neta Davis (now Crum) are identified upon the 1885 Choctaw Census Roll, Atoka County, opposite numbers 630, 631, 632, 633, 635 and 636, respectively. The applicant, Anna Krebs, (now Mason) is identified upon the 1886 Choctaw Census Roll, Atoka County, No. 14421.

I am of the opinion that the orders of the Commission to the Five Civilized Tribes of January 21, 1903, dismissing the applications for the enrollment of Georgena Ethel Travel and Cora Delvina Davis as citizens of the Choctaw Nation should be rescinded, and it is so ordered.

I am further of the opinion that following the ruling of the Department of April 24, 1906, (I T D 4048-1906) in the case of Mary Elizabeth Martin, the application and petition for the enrollment of Anna Krebs (now Mason), Alonzo M. Davis, Clara Standifer, Georgena Ethel Travel, Robert M. Davis, Clarence Davis, Neta Davis, (now Crum), Arthur Davis, Mamie Davis, Virgil Davis, and James Davis as citizens 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.

I am further of the opinion that the petition for the enrollment of Willie Gertrude Standifer as a citizen of the Choctaw Nation should be dismissed, and it is so ordered.

I am further of the opinion that the application and petition for the enrollment of Alonzo M. Davis and Cora Delvina Davis as citizens 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.

I am further of the opinion that following the ruling of the Department in the case of Emma McMenamin (I T D 11582-1904), the application and petition for the enrollment of Rhoda L. Davis 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.

I am further of the opinion that the petition for the enrollment of Kathrena A. Travel and Gertrude L. Davis as citizens of the Choctaw Nation should be denied, under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137), as amended by the Act of Congress approved June 21, 1906 (Public No. 288), and it is so ordered.

(Signed) Tams Bixby
Commissioner.

Muskogee, Indian Territory,
Nov 9 1906.

7-4445

Muskogee, Indian Territory, November 9, 1906.

Robert M. Davis,
Wixon, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered November 9, 1906, denying the application and petition for your enrollment as a citizen of the Choctaw Nation, the application and petition for the enrollment of your wife, Cora Delvina Davis as a citizen by intermarriage of the said nation, and the petition for the enrollment of your minor child, Gertrude M. Davis, as a citizen of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1906.

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.

Incl. 4448 et al.

7-4448 et al.

Muskogee, Indian Territory, November 9, 1906.

Chillion Riley,
Attorney at Law,
Ardmore, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered November 9, 1906, denying the application and petition for the enrollment of Anna Krebbs (now Mason), Clara Standifer, Georgena Ethel Travel, Robert W. Davis, Clarence Davis, Neta Davis (now Crum), Arthur Davis, Mamie Davis, Virgil Davis, and James Davis, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cora Melvina Davis and Rhoda L. Davis, as citizens by intermarriage of said nation, the petition for the enrollment of Kathrena A. Travel and Gertrude W. Davis, as minor citizens of the Choctaw Nation, under the Act of Congress approved April 26, 1903, the application and petition for the enrollment of Alonzo M. Davis, as a citizen, and also as a citizen by intermarriage of said nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer, 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.

C. B. -- #2.

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.

Incl. 7-444e et al.

et al.

Muskogee, Indian Territory, November 9, 1906.

Charles von Weise,

Attorney at Law,

Ardmore, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered November 9, 1906, denying the application and petition for the enrollment of Anna Kreebs (now Mason), Clara Standifer, Georgena Ethel Travel, Robert M. Davis, Clarence Davis, Meta Davis (now Cruz), Arthur Davis, Wanie Davis, Virgil Davis and James Davis, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cora Delvina Davis and Rhoda M. Davis, as citizens by intermarriage of said nation, the petition for the enrollment of Kathrena A. Travel and Gertrude M. Davis, as minor citizens of the Choctaw Nation, under the Act of Congress approved April 26, 1906, the application and petition for the enrollment of Alonzo M. Davis as a citizen, and also as a citizen by intermarriage of said nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer, 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.

C. von W.---2

The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

WONER *James S. Woner*
Commissioner.

Registered.

Incl. 4-45 et al.

Muskogee, Indian Territory, November 2, 1906.

Linebaugh Brothers,
Attorneys at Law,
Atoka, Indian Territory.

Gentlemen:

You are hereby notified that the Commissioner of the Five Civilized Tribes, on November 1, 1906, rendered his decision denying the application and petition for the enrollment of Anna Krebs (now Mason), Clara Standifer, Georgena Ethel Travel, Robert M. Davis, Clarence Davis, Meta Davis (now Brun), Arthur Davis, Marie Davis, Virgil Davis and Jess Davis, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cora Delvina Davis and Rhoda L. Davis, as citizens by intermarriage of said nation, the petition for the enrollment of Kathrena A. Travel, and Gertrude M. Davis, as minor citizens of the Choctaw Nation, under the Act of Congress approved April 26, 1906, the application and petition for the enrollment of Alonso W. Davis as a citizen, and also as a citizen by intermarriage of said nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer, 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.

L. B. -- 2.

The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Frank B. ...

Commissioner.

Registered.

7-4446 et al

7

COPY

Muskogee, Indian Territory, November 9, 1906.

V. W. Wright,

Corcoran Bldg.,

Washington, D. C.

Dear Sir:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on November 9, 1906, rendered his decision denying the application and petition for the enrollment of Anna Krabbs (now Mason), Clara Standifer, Georgena Ethel Travel, Robert E. Davis, Clarence Davis, Meta Davis (now Crum), Arthur Davis, Marie Davis, Virgil Davis and James Davis, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cora Melvina Davis, and Rhoda L. Davis, as citizens by intermarriage of said nation, the petition for the enrollment of Kathrena A. Travel and Gertrude V. Davis, as minor citizens of the Choctaw Nation, under the Act of Congress approved April 26, 1906, the application and petition for the enrollment of Alenze V. Davis, as a citizen, and also as a citizen by intermarriage of said nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer, 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.

V. V.W. - - #2.

The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Yours Truly,
Jesse Dixie

Commissioner.

Registered.

Yukon Territory, November 9, 1906.

A. T. West,

Attorney at Law,

Behich, Indian Territory.

Dear Sir:

You are hereby notified that the Commissioner of the Five Civilized Tribes, on November 7, 1906, rendered his decision denying the application and petition for the enrollment of Anna Krebbs (now Mason), Clara Standifer, Georgena Ethel Travel, Robert W. Davis, Clarence Davis, Meta Davis (now Crum), Arthur Davis, Mamie Davis, Virgil Davis, and James Davis, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cora Delvina Davis and Rhoda L. Davis, as citizens by intermarriage of said nation, the petition for the enrollment of Kathrena A. Travel and Gertrude W. Davis, as minor citizens of the Choctaw Nation, under the Act of Congress approved April 26, 1906, the application and petition for the enrollment of Alonso W. Davis as a citizen, and also as a citizen by intermarriage of said nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer, 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.

A. T. W. - - #2.

The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Tenn. State

Commissioner.

Registered.

R

7-4448 et al.

Muskogee, Indian Territory, November 9, 1906.

J. G. Rall,

Attorney at Law,

Atoka, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the five Civilized Tribes, rendered November 9, 1906, denying the application and petition for the enrollment of Anna Krebs (now Mason), Clara Standifer, Georgena Ethel Travel, Robert M. Davis, Clarence Davis, Neta Davis (now Crum) Arthur Davis, Mamie Davis, Virgil Davis, and James Davis, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cora Delvina Davis, and Rhoda L. Davis, as citizens by intermarriage of said nation, the petition for the enrollment of Kathrena A. Travel and Gertrude M. Davis, as minor citizens of the Choctaw Nation, under the Act of Congress approved April 26, 1906, the application and petition for the enrollment of Alonzo M. Davis, as a citizen, and also as a citizen by intermarriage of said nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer, 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.

J. G. R. -- #2.

The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

[Handwritten signature]
Commissioner.

Registered.

Incl. 7-4448 et al.

7-111 et al.

1111

Muskogee, Indian Territory, November 9, 1906.

Wanfield, 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 2, 1906, denying the application and petition for the enrollment of Anna Krebbs (now Mason), Clara Standifer, Georgena Ethel Travel, Robert M. Davis, Clarence Davis, Meta Davis (now Green), Arthur Davis, Samie Davis, Virgil Davis, and James Davis, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cora Delvina Davis and Rhoda L. Davis, as citizens by intermarriage of said nation, the petition for the enrollment of Kathrena A. Travel and Gertrude L. Davis, as minor citizens of the Choctaw Nation, under the Act of Congress approved April 26, 1906, the application and petition for the enrollment of Alonzo M. Davis as a citizen and also as a citizen by intermarriage of said nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer, 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

V. B. & C. - - #2.

The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Wm. J. ...

Commissioner.

Incl. 7-1468 et al.

Muskogee, Indian Territory, November 9, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith record of proceedings in the matter of the application and petition for the enrollment of Anna Frebbs, et al., as citizens of the Choctaw Nation, including the decision of the Commissioner to the Five Civilized Tribes, dated November 9, 1906, denying the application and petition for the enrollment of Anna Frebbs (now Mason), Clara Standifer, Georgena Ethel Travel, Robert W. Davis, Clarence Davis, Neta Davis (now Crum), Arthur Davis, Mamie Davis, Virgil Davis and James Davis, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cora Delvina Davis and Rhoda L. Davis, as citizens by intermarriage of said nation, the petition for the enrollment of Kathrena A. Travel and Gertrude W. Davis, as minor citizens of the Choctaw Nation, under the Act of Congress approved April 26, 1906, the application and petition for the enrollment of Alonzo W. Davis as a citizen and also as a citizen by intermarriage of said nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer, as a citizen of the Choctaw Nation.

Respectfully,

2 Incl 7-4448 et al.
Through the
Commissioner of Indian Affairs.

Commissioner.

DEPARTMENT OF THE INTERIOR
WASHINGTON

OR
O.K.

D.C. 12335-1907.
I.T.D. 5302-1907.

March 1, 1907.

LRS

Direct.

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

In conformity with the opinion of the Attorney General of the United States, of February 19, 1907 (I.T.D. 4564), in the consolidated case of Myrtle Randolph et al., and in accordance with the recommendation of the Indian Office of February 26, 1907 (Land 99858-1906), copy whereof is enclosed, your decision of November 9, 1906, denying the applicants named in the consolidated case of Anna Krebbs et al., for enrollment as citizens of the Choctaw Nation, and dismissing the applications of certain other named applicants therein for enrollment as citizens of the Choctaw Nation, is hereby affirmed. You will advise applicants and their attorneys of this action.

The record in the case and a carbon copy hereof have been sent to the Indian Office.

Respectfully,

1 inc. and 2 inc.
for Ind. Of.

Jesse E. Wilson,

Assistant Secretary.

A.F.Mc.
3-1-07.

Land
99858-1906

--Copy--

DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS
WASHINGTON

February 26, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed the record of proceedings in the matter of the application and petition for the enrollment of Anna Krebs et al., as citizens of the Choctaw Nation, including the decision of the Commissioner to the Five Civilized Tribes dated November 9, 1906, denying the application and petition for the enrollment of Anna Krebs (now Mason), Clara Standifer, Georgena Ethel Travel, Robert M. Davis, Clarence Davis, Neta Davis (now Crum), Arthur Davis, Mamie Davis, Virgil Davis and James Davis as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cora Delvina Davis and Rhoda L. Davis as citizens by intermarriage of the Choctaw Nation, the petition for the enrollment of Kathrena A. Travel and Gertrude V. Davis as minor citizens of the Choctaw Nation, the application and petition for the enrollment of Alonzo V. Davis as a citizen by intermarriage of the Choctaw Nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer as a citizen of the Choctaw Nation.

The applicants, Anna Krebs (now Anna J. Mason), Alonzo M. Davis, Clara Standifer and Robert M. Davis claim their

right to enrollment as citizens of the Choctaw Nation by reason of being the children of J. D. Davis, a white man, who is alleged to have been a citizen by intermarriage of the Choctaw Nation, and Mattie Davis, a non-citizen white woman; that the applicants Clarence Davis, Neta Davis (now Crum), Arthur Davis, Mamie Davis, Virgil Davis and James Davis claim their right to enrollment as citizens of the Choctaw Nation by reason of being the children of J. D. Davis and the applicant, Rhoda L. Davis, a white woman; that Cora Delvina Davis claims her right to enrollment as a citizen by intermarriage of the Choctaw Nation by reason of her marriage to the applicant, Robert M. Davis; that Rhoda L. Davis claims her right to enrollment as a citizen by intermarriage of the Choctaw Nation by virtue of her marriage to J. D. Davis, now deceased, an alleged citizen by intermarriage of the Choctaw Nation; and Alonzo M. Davis also claims his right to enrollment as a citizen of the Choctaw Nation by virtue of his marriage in 1890 to Lorena Davis, a recognized citizen by blood of the Choctaw Nation. Willie Gertrude Standifer is the minor daughter of the applicant, Clara Standifer, and Robert Standifer, a non-citizen white man; Georgena Ethel Travel and Kathrena A. Travel, are the minor daughters of Clara Standifer and one Travel, a non-citizen white man; and Gertrude M. Davis is the daughter of the applicants Robert M. Davis and Cora Delvina Davis.

The record shows that Alonzo M. Davis was not married to his Choctaw wife by virtue of a license issued by the tribal authorities of the Choctaw Nation.

Therefore, by reason of the provisions of the Act of Congress approved June 28, 1898 (30 Stat. L., 495) and the Act of April 26, 1906 (34 Stat. L., 137) as amended by the Act of June 21, 1906 (34 Stat. L., 325), the Office concurs in the decision of Commissioner Bixby denying the enrollment of the applicants herein as citizens of the Choctaw Nation.

Very respectfully,

C. F. LARRABEE

Acting Commissioner.

EBM.Ph.

~~see~~ Choc 4446 Alonzo M. Davis

see 7-4448 for record

Also see Pet #C-12

4446

7-4448
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P-58
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R-432
4444

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

In the matter of the application for the enrollment of Anna Krebbs, et al., as citizens of the Choctaw Nation.

D E C I S I O N .

It appears from the record herein and from the records in the possession of the Commissioner to the Five Civilized Tribes that on September 2, 1899, application was made to the Commission to the Five Civilized Tribes for the enrollment of Anna Krebbs (now Anna J. Mason) as a citizen of the Choctaw Nation; That on September 2, 1899, application was made for the enrollment of Alonzo M. Davis as a citizen of said nation; that on September 2, 1899, application was made for the enrollment of Clara Standifer (now Clara Travel) as a citizen of said nation; that on July 27, 1901, application was made for the enrollment of Georgena Ethel Travel as a citizen of said nation; that on June 8, 1900, application was made for the enrollment of Willie Gertrude Standifer as a citizen of said Nation; that on September 2, 1899, application was made for the enrollment of Robert M. Davis as a citizen of said nation; that on June 4, 1900, application was made for the enrollment of Cora Delvina Davis as a citizen by intermarriage of said nation; and that on September 2, 1899, application was made for the enrollment of Rhoda L. Davis as a citizen by intermarriage of the Choctaw Nation, and for the enrollment of her six minor children, Clarence, Neta, Arthur, Mamie, Virgin and James Davis, as citizens of said nation.

The right of the applicant, Anna Krebbs, (now Anna J. Mason) to enroll as a citizen by intermarriage of the Choctaw Nation by virtue of her marriage to one Henry Krebbs, an alleged Choctaw by blood, was denied by the Commission to the Five Civilized Tribes on May 6, 1905, and is now pending before the Department. Her rights as a citizen by intermarriage of the Choctaw Nation will, therefore, not be passed upon herein.

It further appears from the records of the Commission to the Five Civilized Tribes that on September 9, 1896, in the case entitled "J. B. Davis, et al., vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, Case No. 317), original application was made 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 of the applicants, Anna Krebbs, Clara Standifer, Robert M. Davis, Rhoda L. Davis, Clarence Davis, Neta Davis, Arthur Davis, Virgil Davis, Mamie Davis and James Davis, as citizens of said nation; and that on December 2, 1896, said Commission rendered its decision therein denying said application.

It further appears from the records of the Commission to the Five Civilized Tribes that on September 7, 1896, in the case entitled "Alonzo M. Davis vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, Case No. 325), original application was made 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 of the applicant, Alonzo M. Davis, as a citizen by intermarriage of the Choctaw Nation, said applicant claiming his right thereto by virtue of having married a citizen by blood of the Choctaw Nation; and that on December 2, 1896, said Commission rendered its decision therein admitting said applicant as an intermarried citizen of the Choctaw Nation.

Thereafter appeals were taken in the above cases to the United States Court for the Central District of the Indian Territory, where on July 15, 1897, the court ordered that the above cases be consolidated under the style of "A. M. Davis, et al., vs. Choctaw Nation" (Central District Court Case No. 174). On August 25, 1897, said court tendered its decision therein decreeing that all of the above named applicants "be enrolled as Members of the Choctaw Nation and entitled to all the privileges of such citizens."

On December 17, 1902, the Choctaw and Chickasaw Citizenship court, created under the provisions of the Act of Congress approved July 1, 1902, (32 Stats., 641) "set aside, annulled, vacated and held for naught" the aforesaid judgment of the United States Court for the Central District of the Indian Territory.

Subsequently, said case was certified to said Choctaw and Chickasaw Citizenship Court for a trial de Novo, and on November 20, 1904, said court, in the case entitled "Viney Davis, et al., vs. Choctaw and Chickasaw Nations" (Choctaw-Chickasaw Citizenship Court Case No. 100, McAlester Docket), rendered its decision therein, wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, Viney Davis, or Mrs. R. L. Davis, Clarence Thomas Davis, or Clarence Davis, Jaunita Levina Davis, or Netar Davis, Arthur Earl Davis, or Arthur Davis, Marie Ethel Davis, or Mamie Davis, Virgie Jerome Davis, or Vergie Davis, James Russell Davis, or James Davis, Alonzo McConnel Davis, or Alonzo L. Davis, Anna James Mason, or Annie Krebs (nee Davis), Clara Louise Davis Travel, (or Trowel) or Clara Standifer, and Robert Burrow Davis, or Robert L. Davis, be denied, and that they be declared not citizens of the Choctaw Nation, and not entitled to enrollment as such citizens, and not entitled to any rights whatever flowing therefrom; and as to the petitioners, Willie Gertrude Standifer and Georgina Ethel Travel (or Trowel), the court having no jurisdiction their case is dismissed."

January 21, 1905, the Commission to the Five Civilized Tribes entered of record orders dismissing the applications for the enrollment of Georgina Travel and Cora Delivina Davis as citizens of the Choctaw Nation for the reason that the persons through whom they claimed their said right were denied by the Choctaw and Chickasaw Citizenship Court.

On April 1, 1906, the Commission to the Five Civilized Tribes denied the application for the enrollment of Willie Gertrude Standifer as a citizen of the Choctaw Nation, which decision was on January 16, 1905 (I T D 370-105) affirmed by the Department.

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there was filed in January, 1906, petitions praying for the enrollment of Anna J. Mason, Alonzo M. Davis, Clara L. Travel, Willie G. Standifer, Georgina E. Travel, Kathrena A. Travel, Robert M. Davis, Gertrude M. Davis, Cora D. Davis, Rhoda L. Davis, Arthur Davis, James Davis, Virgil Davis, Mamie (or Minnie) Davis, Neta Crum (nee Davis), and Clarence Davis, as citizens of the Choctaw Nation.

Hearings were had in the matter of said petitions at Muskogee, Indian Territory, on March 6, 1906.

The applicants, Anna Krebs (now Anna J. Mason), Alonzo M. Davis, Clara Standifer and Robert M. Davis, claim their right to enrollment as citizens of the Choctaw Nation by reason of being the children of J. D. Davis, a white man, who is alleged to have been a citizen by intermarriage of the Choctaw Nation, and Mattie Davis, a non-citizen white woman; that the applicants, Clarence Davis, Neta Davis, (now Crum), Arthur Davis, Mamie Davis, Virgil Davis and James Davis claim their right to enrollment as citizens of said nation by reason of being the children of the said J. D. Davis (above mentioned) and the applicant, Rhoda L. Davis, a white woman; that Cora

Delvina Davis claims her right to enrollment as a citizen by intermarriage of said nation by reason of her marriage to the applicant, Robert M. Davis; that Rhoda L. Davis claims her right to enrollment as a citizen by intermarriage of the Choctaw Nation by virtue of her marriage to J. D. Davis (now deceased), an alleged citizen by intermarriage of the Choctaw Nation; and Alonzo M. Davis also claims his right to enrollment as a citizen of said nation by virtue of his marriage in 1890 to Lorena Davis, a recognized citizen by blood of the Choctaw Nation, whose name appears as number 12311 upon the final roll of citizens by blood of the Choctaw Nation approved by the Secretary of the Interior March 6, 1903. Willie Gertrude Standifer is the minor daughter of the applicant, Clara Standifer, and Robert Standifer, a non-citizen white man; Georgena Ethel Travel and Kathrena A. Travel are the minor daughters of said Clara Standifer and one Travel, a non-citizen white man; and Gertrude M. Davis is the daughter of the applicants, Robert M. Davis and Cora Delvina Davis.

The record in this case shows that Alonzo M. Davis was not married to his Choctaw wife by virtue of a license issued by the tribal authorities of the Choctaw Nation.

Upon an examination of the tribal rolls of the Choctaw Nation in the possession of this office it appears that the applicants, Rhoda L. Davis, Alonzo M. Davis, Clara Standifer (now Travel) Robert M. Davis, Clarence Davis, and Meta Davis (now Crum) are identified upon the 1885 Choctaw Census Roll, Atoka County, opposite numbers 630, 631, 632, 633, 635 and 636, respectively. The applicant, Anna Krebbs, (now Mason) is identified upon the 1896 Choctaw Census Roll, Atoka County, No. 14421.

I am of the opinion that the orders of the Commission to the Five Civilized Tribes of January 21, 1905, dismissing the applications for the enrollment of Georgena Ethel Travel and Cora Delvina Davis as citizens of the Choctaw Nation should be rescinded, and it is so ordered.

I am further of the opinion that following the ruling of the Department of April 24, 1906, (I T D 1048-1906) in the case of Mary Elizabeth Martin, the application and petition for the enrollment of Anna Krebbs (now Mason), Alonzo M. Davis, Clara Standifer, Georgena Ethel Travel, Robert M. Davis, Clarence Davis, Meta Davis, (now Crum), Arthur Davis, Mamie Davis, Virgil Davis, and James Davis as citizens 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.

I am further of the opinion that the petition for the enrollment of Willie Gertrude Standifer as a citizen of the Choctaw Nation should be dismissed, and it is so ordered.

I am further of the opinion that the application and petition for the enrollment of Alonzo M. Davis and Cora Delvina Davis as citizens 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.

I am further of the opinion that following the ruling of the Department in the case of Emma McMenamin (I T D 11582-1904), the application and petition for the enrollment of Rhoda L. Davis 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.

I am further of the opinion that the petition for the enrollment of Kathrena A. Travel and Gertrude M. Davis as citizens of the Choctaw Nation should be denied, under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137), as amended by the Act of Congress approved June 21, 1906 (Public No. 18), and it is so ordered.

(Signed) Tams Bixby

Commissioner.

Muskogee, Indian Territory,
Nov 9 1906.

7-4446

Muskogee, Indian Territory, November 9, 1906.

Alonzo M. Davis,
Lehigh, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered November 9, 1906, denying the application and petition for your enrollment as a citizen of the Choctaw Nation, and as a citizen by intermarriage of said 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.

Incl. 7-4448, et al.

4448 et al.

Muskogee, Indian Territory, November 9, 1906.

Charles von Weise,
Attorney at Law,
Ardmore, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered November 9, 1906, denying the application and petition for the enrollment of Anna Kreebs (now Mason), Clara Standifer, Georgena Ethel Travel, Robert M. Davis, Clarence Davis, Weta Davis (now Gram), Arthur Davis, Mamie Davis, Virgil Davis and James Davis, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cora Delvina Davis and Rhoda L. Davis, as citizens by intermarriage of said nation, the petition for the enrollment of Kathrena A. Travel and Gertrude M. Davis, as minor citizens of the Choctaw Nation, under the Act of Congress approved April 26, 1906, the application and petition for the enrollment of Alenise M. Davis as a citizen, and also as a citizen by intermarriage of said nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer, 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.

C. von W.---2

The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

W. J. ...
W. J. ...

Commissioner.

Registered.

Incl. 4.48 et al.

Muskogee, Indian Territory, November 9, 1906.

Linebaugh Brothers,

Attorneys at Law,

Atoka, Indian Territory.

Gentlemen:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on November 2, 1906, rendered his decision denying the application and petition for the enrollment of Anna Krebbs (now Mason), Clara Standifer, Georgena Ethel Travel, Robert W. Davis, Clarence Davis, Weta Davis (now Crum), Arthur Davis, Marie Davis, Virgil Davis and Jess Davis, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cora Delvina Davis and Rhoda L. Davis, as citizens by intermarriage of said nation, the petition for the enrollment of Kathrena A. Travel, and Gertrude M. Davis, as minor citizens of the Choctaw Nation, under the Act of Congress approved April 26, 1906, the application and petition for the enrollment of Alonso W. Davis as a citizen, and also as a citizen by intermarriage of said nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer, 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.

L. B. -- 2.

The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Wm. H. ...

Commissioner.

Registered.

copy

Muskogee, Indian Territory, November 9, 1906.

W. W. Wright,
Corcoran Bldg.,
Washington, D. C.

Dear Sir:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on November 9, 1906, rendered his decision denying the application and petition for the enrollment of Anna Krebs (now Mason), Clara Standifer, Georgena Ethel Travel, Robert M. Davis, Clarence Davis, Neta Davis (now Crum), Arthur Davis, Mamie Davis, Virgil Davis and James Davis, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cora Delvina Davis, and Rhoda L. Davis, as citizens by intermarriage of said nation, the petition for the enrollment of Kathrena A. Travel and Gertrude M. Davis, as minor citizens of the Choctaw Nation, under the Act of Congress approved April 26, 1906, the application and petition for the enrollment of Alenze M. Davis, as a citizen, and also as a citizen by intermarriage of said nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer, 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.

V. W.V. - - /2.

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.

COPY.

Yukon Territory, November 9, 1906.

A. T. West,
Attorney at Law,
Lehigh, Indian Territory.

Dear Sir:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on November 9, 1906, rendered his decision denying the application and petition for the enrollment of Anna Krebbs (now Mason), Clara Standifer, Georgena Ethel Travel, Robert W. Davis, Clarence Davis, Reta Davis (now Crum), Arthur Davis, Fannie Davis, Virgil Davis, and James Davis, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cora Delvina Davis and Rhoda L. Davis, as citizens by intermarriage of said nation, the petition for the enrollment of Kathrena A. Travel and Gertrude M. Davis, as minor citizens of the Choctaw Nation, under the Act of Congress approved April 26, 1906, the application and petition for the enrollment of Alonzo M. Davis as a citizen, and also as a citizen by intermarriage of said nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer, 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.

A. T. W. - - #2.

The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

James E. ...

Commissioner.

Registered.

7-4448 et al.

COPY

Muskogee, Indian Territory, November 9, 1906.

Chilton Riley,
Attorney at Law,
Ardmore, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered November 9, 1906, denying the application and petition for the enrollment of Anna Krebs (now Mason), Clara Standifer, Georgena Ethel Travel, Robert W. Davis, Clarence Davis, Meta Davis (now Crum), Arthur Davis, Mamie Davis, Virgil Davis, and James Davis, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cora Melvina Davis and Rheda L. Davis, as citizens by intermarriage of said nation, the petition for the enrollment of Kathrena A. Travel, and Gertrude W. Davis, as minor citizens of the Choctaw Nation, under the Act of Congress approved April 26, 1906, the application and petition for the enrollment of Alonzo W. Davis, as a citizen, and also as a citizen by intermarriage of said nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer, 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.

C. R. -- #2.

The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED *Wm. Dixon*

Commissioner.

regist red.

Incl. 7-1418 et al.

4440 etal

20

Muskogee, Indian Territory, November 9, 1906.

J. G. Hall,

Attorney at Law,

Atoka, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered November 9, 1906, denying the application and petition for the enrollment of Anna Krebbs (now Mason), Clara Standifer, Georgena Ethel Travel, Robert W. Davis, Clarence Davis, Meta Davis (now Crum), Arthur Davis, Mamie Davis, Virgil Davis, and James Davis, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cora Delvina Davis and Rhoda L. Davis, as citizens by intermarriage of said nation, the petition for the enrollment of Kathrena A. Travel and Gertrude W. Davis, as minor citizens of the Choctaw Nation, under the Act of Congress approved April 26, 1906, the application and petition for the enrollment of Alonso W. Davis as a citizen, and also as a citizen by intermarriage of said nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer, 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.

C. R. -- #2.

The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

WED *John J. [unclear]*
Commissioner.

Registered.

Incl. 7-4448 et al.

7-4448 et al.

COPY

Muskogee, Indian Territory, November 9, 1906.

Messrs. W. H. Murray & Cornish,
 Attorneys for Choctaw and Chickasaw Nations,
 South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith will find a copy of the decision of the Commissioner to the above Civilized Tribes, rendered November 9, 1906, denying the application and petition for the enrollment of Anna Krebs (now Saxon), Clara Standifer, Georgena Ethel Travel, Robert M. Davis, Clarence Davis, Weta Davis (now Crum), Arthur Davis, Wanda Davis, Virgil Davis, and James Davis, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cora Delvina Davis and Rhoda L. Davis, as citizens by intermarriage of said nation, the petition for the enrollment of Kathrena A. Travel and Gertrude M. Davis, as minor citizens of the Choctaw Nation, under the Act of Congress approved April 26, 1906, the application and petition for the enrollment of Alonzo M. Davis as a citizen and also as a citizen by intermarriage of said nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer, 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.

M. W. & C. - - #2.

The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Ed James Bixby

Commissioner.

Incl. 7-4448 et al.

Muskogee, Indian Territory, November 9, 1906.

The honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith record of proceedings in the matter of the application and petition for the enrollment of Anna Krebs, et al., as citizens of the Choctaw Nation, including the decision of the Commissioner to the Five Civilized Tribes, dated November 9, 1906, denying the application and petition for the enrollment of Anna Krebs (now Mason), Clara Standifer, Gertrude Ethel Travel, Robert V. Davis, Clarence Davis, Meta Davis (now Cross), Arthur Davis, Annie Davis, Virgil Davis and James Davis, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cora Delvina Davis and Rhoda V. Davis, as citizens by intermarriage of said nation, the petition for the enrollment of Kathrena A. Travel and Gertrude W. Davis, as minor citizens of the Choctaw Nation, under the Act of Congress approved April 26, 1906, the application and petition for the enrollment of Alonzo V. Davis as a citizen and also as a citizen by intermarriage of said nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer, as a citizen of the Choctaw Nation.

Respectfully,

2 Incl 7-4446 et al.
Through the
Commissioner of Indian Affairs.

SIGNED *Tams Bixler*
Commissioner.

REFER IN REPLY TO THE FOLLOWING:

7-4446

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

Muskogee, Indian Territory, March 21, 1907.

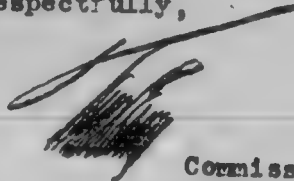
Alonzo M. Davis,

Lehigh, Indian Territory.

Dear Sir:

You are hereby advised that on February 19, 1907, the Secretary of the Interior affirmed the decision of this office of November 9, 1906, denying the petition and application for your enrollment as a citizen of the Choctaw Nation, and as a citizen by intermarriage of said nation.

Respectfully,



Commissioner.

REFER IN REPLY TO THE FOLLOWING:

7-4410

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

Muskogee, Indian Territory, May 7, 1907.

Alonzo M. Davis,
Lehigh, Indian Territory,

Dear Sir:

You are hereby advised that on March 1, 1907, the Secretary of the Interior affirmed the decision of this office of November 9, 1906, denying the petition and application for your enrollment as a citizen by intermarriage of the Choctaw Nation, and as a citizen of said nation.

Respectfully

Commissioner.

DEPARTMENT OF THE INTERIOR
WASHINGTON

GR
O.K.

D.C. 12335-1907.
I.T.D. 5302-1907.

March 1, 1907.

LRS

Direct.

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

In conformity with the opinion of the Attorney General of the United States, of February 19, 1907 (I.T.D. 4564), in the consolidated case of Myrtie Randolph et al., and in accordance with the recommendation of the Indian Office of February 26, 1907 (Land 99858-1906), copy whereof is enclosed, your decision of November 9, 1906, denying the applicants named in the consolidated case of Anna Krebs et al., for enrollment as citizens of the Choctaw Nation, and dismissing the applications of certain other named applicants therein for enrollment as citizens of the Choctaw Nation, is hereby affirmed. You will advise applicants and their attorneys of this action.

The record in the case and a carbon copy hereof have been sent to the Indian Office.

Respectfully,

Jesse E. Wilson,

Assistant Secretary.

1 inc. and 2 inc.
for Ind. Of.

A.F.Mc.
3-1-07.

Land
99858-1906

--Copy--

DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS
WASHINGTON

February 26, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed the record of proceedings in the matter of the application and petition for the enrollment of Anna Krebs et al., as citizens of the Choctaw Nation, including the decision of the Commissioner to the Five Civilized Tribes dated November 9, 1906, denying the application and petition for the enrollment of Anna Krebs (now Mason), Clara Standifer, Georgena Ethel Travel, Robert M. Davis, Clarence Davis, Neta Davis (now Crum), Arthur Davis, Mamie Davis, Virgil Davis and James Davis as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cora Delvina Davis and Rhoda L. Davis as citizens by intermarriage of the Choctaw Nation, the petition for the enrollment of Kathrena A. Travel and Gertrude M. Davis as minor citizens of the Choctaw Nation, the application and petition for the enrollment of Alonzo M. Davis as a citizen by intermarriage of the Choctaw Nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer as a citizen of the Choctaw Nation.

The applicants, Anna Krebs (now Anna J. Mason), Alonzo M. Davis, Clara Standifer and Robert M. Davis claim their

right to enrollment as citizens of the Choctaw Nation by reason of being the children of J. D. Davis, a white man, who is alleged to have been a citizen by intermarriage of the Choctaw Nation, and Mattie Davis, a non-citizen white woman; that the applicants Clarence Davis, Neta Davis (now Crum), Arthur Davis, Mamie Davis, Virgil Davis and James Davis claim their right to enrollment as citizens of the Choctaw Nation by reason of being the children of J. D. Davis and the applicant, Rhoda L. Davis, a white woman; that Cora Delvina Davis claims her right to enrollment as a citizen by intermarriage of the Choctaw Nation by reason of her marriage to the applicant, Robert M. Davis; that Rhoda L. Davis claims her right to enrollment as a citizen by intermarriage of the Choctaw Nation by virtue of her marriage to J. D. Davis, now deceased, an alleged citizen by intermarriage of the Choctaw Nation; and Alonzo M. Davis also claims his right to enrollment as a citizen of the Choctaw Nation by virtue of his marriage in 1890 to Lorena Davis, a recognized citizen by blood of the Choctaw Nation. Willie Gertrude Standifer is the minor daughter of the applicant, Clara Standifer, and Robert Standifer, a non-citizen white man; Georgena Ethel Travel and Kathrena A. Travel, are the minor daughters of Clara Standifer and one Travel, a non-citizen white man; and Gertrude M. Davis is the daughter of the applicants Robert M. Davis and Cora Delvina Davis.

The record shows that Alonzo M. Davis was not married to his Choctaw wife by virtue of a license issued by the tribal authorities of the Choctaw Nation.

Therefore, by reason of the provisions of the Act of Congress approved June 28, 1898 (30 Stat. L., 495) and the Act of April 26, 1906 (34 Stat. L., 137) as amended by the Act of June 21, 1906 (34 Stat L., 325), the Office concurs in the decision of Commissioner Bixby denying the enrollment of the applicants herein as citizens of the Choctaw Nation.

Very respectfully,

C. F. LARABEE

Acting Commissioner.

EBM.Ph.

Choctaw 4444-4445
and 4448.

Muskogee, Indian Territory, October 9, 1902.

Noone Williams,

Lehigh, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 3rd instant, in which you desire to be advised if John Davis, Jr., Robt. M. Davis, Anna Krebs, and Mrs. John Davis, Sr. are on the rolls of the Choctaw Nation without dispute.

In reply to your letter you are advised that it does not appear from our records that any person by the name of John Davis, Jr., has been listed for enrollment by this Commission as a citizen of the Choctaw Nation. If you will state his full name and age and the time and place application was made for his enrollment, the matter will receive further consideration.

It appears from our records that on September 2, 1899, Robert M. Davis, 27 years of age, of Nixon, Indian Territory, Anna Krebs, 31 years of age, of Lehigh, Indian Territory/and Rhoda L. Davis, 48 years of age of Lehigh, Indian Territory, and her children, Clarence, Neta, Arthur, Mamie, Virgil and James Davis, were listed for enrollment by this Commission as citizens of the Choctaw Nation, in pursuance of a judgment of the United States Court for the Central District of the Indian Territory, rendered

B W 2

at South McAlester, Indian Territory, August 24, 1897 in
Choctaw citizenship case No. 60.

Respectfully,

Commissioner in Charge.

MEMORANDA.

(Date) Sept 2 1899.

34 Name [handwritten]

Choctaw? [handwritten] County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen? [handwritten]

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.

[Handwritten notes]

4/4/96

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

In the enrollment of Alonzo M. Davis as an intermarried
Choctaw; being sworn and examined by Genl McKennon he states:

- Q What is your name? A Alonzo M. Davis.
Q How old are you? A Thirty-four.
Q Have you been living in the Choctaw Nation for a considerable
length of time? A All of my life.
Q You are a white man? A Yes sir.
Q You claim citizenship by intermarriage with a Choctaw?
A I was recognized as a citizen before I was married.
Q As a citizen by blood? A No by adoption.
Q You claim citizenship by marriage? A Yes sir.

Department of the Interior,
Commission to the Five Civilized Tribes.

I her-by certify on my official oath as
stenographer to the named Commission, that this
transcript is a true, full and correct translation of
my stenographic notes.

M. J. Green

Choc 4447 Clara Standifer

#2 Dismissed Jan 21, 1905

See 7-4448

Also see Pet #C-12

Chhh

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

In the enrollment of Clara Standifer and child as Choctaws;
being sworn and examined by Com'r McManon she states:

Q What is your name? A Clara Standifer.

Q How old are you? A Twenty-nine.

Q Where have you been living? A At Lehigh.

Q How long? A I was born and raised here and have been here
all of my life.

Q You and the child? A Yes sir, I have only one.

Q What is its name? A Lillia Standifer.

Q When was she born? A On the 10th of January 1895.

Q She was not included in the judgment? A No sir.

Q Once Com'r Lewis: You nor your husband neither one have
got any Indian blood? A No sir.

Q Com'r McManon: Your father intermarried with an Indian
woman first and then married a white woman after the other
one was dead? A Yes sir.

Q And you are his daughter by this white woman? A Yes sir
by his second wife.

Q Your husband is a white man? A Yes sir.

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify that my official oath as
stenographer to the Commission and this
transcript is a true, full and correct translation of
my stenographic notes.

M. J. Green

*Call
F. 660*

7-1147.

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

--oOo--

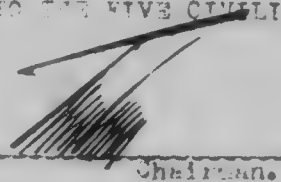
In the matter of the application for the enrollment of
Georgena Ethel Travel as a citizen of the Choctaw Nation.

--oOo--

The applicant, Georgena Ethel Travel, claims the right
to enrollment as a citizen of the Choctaw Nation through her mother
Clara L. Travel (formerly Standifer).

The right of the applicant's mother, Clara L. Travel (as
Clara Louise Travel or Trowel or Clara Standifer), to citizenship in
the Choctaw Nation having been adversely determined by a decree of
the Choctaw and Chickasaw Citizenship Court of November 26, 1904,
in case number 106 upon the South McAlester docket of said court,
it is hereby ordered that the application for the enrollment of
Georgena Ethel Travel as a citizen of the Choctaw Nation be dis-
missed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.



Chairman.

Muskogee, Indian Territory,

PER _____

Choctaw 4447

COPY:

Muskogee, Indian Territory, January 21, 1905.

Clara L. Travel,

Lenigh, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated January 21, 1905, dismissing the application for the enrollment of your minor child, Georgena Ethel Travel as a citizen of the Choctaw Nation.

Respectfully,

SIGNED

Larns Bixby
Chairman.

Registered.

Incl. 7-4447.

Choctaw 4447

COPY.

Muskogee, Indian Territory, January 21, 1905.

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

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission dated January 21, 1905, dismissing the application for the enrollment of Georgena Ethel Travel as a citizen of the Choctaw Nation.

Respectfully,

(SIGNED).

James Bixby

Chairman.

Incl. 7-4447.

7-4448
4446
4447
R-58
4445
R-432
4444

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

In the matter of the application for the enrollment of Anna Krebs, et al., as citizens of the Choctaw Nation.

D E C I S I O N .

It appears from the record herein and from the records in the possession of the Commissioner to the Five Civilized Tribes that on September 2, 1899, application was made to the Commission to the Five Civilized Tribes for the enrollment of Anna Krebs (now Anna J. Mason) as a citizen of the Choctaw Nation; That on September 2, 1899, application was made for the enrollment of Alonzo L. Davis as a citizen of said nation; that on September 2, 1899, application was made for the enrollment of Clara Standifer (now Clara Travel) as a citizen of said nation; that on July 27, 1901, application was made for the enrollment of Georgena Ethel Travel as a citizen of said nation; that on June 3, 1900, application was made for the enrollment of Willie Gertrude Standifer as a citizen of said Nation; that on September 2, 1899, application was made for the enrollment of Robert M. Davis as a citizen of said nation; that on June 4, 1900, application was made for the enrollment of Cora Delvina Davis as a citizen by intermarriage of said nation; and that on September 2, 1899, application was made for the enrollment of Rhoda L. Davis as a citizen by intermarriage of the Choctaw Nation, and for the enrollment of her six minor children, Clarence, Neta, Arthur, Marie, Virgin and James Davis, as citizens of said nation.

The right of the applicant, Anna Krebs, (now Anna J. Mason) to enroll as a citizen by intermarriage of the Choctaw Nation by virtue of her marriage to one Henry Krebs, an alleged Choctaw by blood, was denied by the Commission to the Five Civilized Tribes on May 6, 1900, and is now pending before the Department. Her rights as a citizen by intermarriage of the Choctaw Nation will, therefore, not be passed upon herein.

It further appears from the records of the Commission to the Five Civilized Tribes that on September 9, 1896, in the case entitled "J. M. Davis, et al., vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, Case No. 317), original application was made 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 of the applicants, Anna Krebs, Clara Standifer, Robert M. Davis, Rhoda L. Davis, Clarence Davis, Neta Davis, Arthur Davis, Virgil Davis, Marie Davis and James Davis, as citizens of said nation; and that on December 2, 1896, said Commission rendered its decision therein denying said application.

It further appears from the records of the Commission to the Five Civilized Tribes that on September 7, 1896, in the case entitled "Alonzo M. Davis vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, Case No. 325), original application was made 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 of the applicant, Alonzo L. Davis, as a citizen by intermarriage of the Choctaw Nation, said applicant claiming his right thereto by virtue of having married a citizen by blood of the Choctaw Nation; and that on December 2, 1896, said Commission rendered its decision therein admitting said applicant as an intermarried citizen of the Choctaw Nation.

Thereafter appeals were taken in the above cases to the United States Court for the Central District of the Indian Territory, where on July 15, 1897, the court ordered that the above cases be consolidated under the style of "A. M. Davis, et al., vs. Choctaw Nation" (Central District Court Case No. 174). On August 25, 1897, said court tendered its decision therein decreeing that all of the above named applicants "be enrolled as Members of the Choctaw Nation and entitled to all the privileges of such citizens."

On December 17, 1902, the Choctaw and Chickasaw Citizenship court, created under the provisions of the Act of Congress approved July 1, 1902, (32 Stats., 641) "set aside, annulled, vacated and held for naught" the aforesaid judgment of the United States Court for the Central District of the Indian Territory.

Subsequently, said case was certified to said Choctaw and Chickasaw Citizenship Court for a trial de Novo, and on November 29, 1904, said court, in the case entitled "Viney Davis, et al., vs. Choctaw and Chickasaw Nations" (Choctaw-Chickasaw Citizenship Court Case No. 100, McAlester Docket), rendered its decision therein, wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, Viney Davis, or Mrs. E. L. Davis, Clarence Thomas Davis, or Clarence Davis, Jaunita Levina Davis, or Neter Davis, Arthur Earl Davis, or Arthur Davis, Marie Ethel Davis, or Mamie Davis, Virgie Jerome Davis, or Vergie Davis, James Russell Davis, or James Davis, Alonzo McConnell Davis, or Alonzo L. Davis, Anna James Mason, or Annie Krebs (nee Davis), Clara Louise Davis Travel, (or Trowel) or Clara Standifer, and Robert Murrow Davis, or Robert M. Davis, be denied, and that they be declared not citizens of the Choctaw Nation, and not entitled to enrollment as such citizens, and not entitled to any rights whatever flowing therefrom; and as to the petitioners, Willie Gertrude Standifer and Georgina Ethel Travel (or Trowel), the court having no jurisdiction their case is dismissed."

January 21, 1905, the Commission to the Five Civilized Tribes entered of record orders dismissing the applications for the enrollment of Georgina Travel and Cora Delivina Davis as citizens of the Choctaw Nation for the reason that the persons through whom they claimed their said right were denied by the Choctaw and Chickasaw Citizenship Court.

On April 1, 1903, the Commission to the Five Civilized Tribes denied the application for the enrollment of Willie Gertrude Standifer as a citizen of the Choctaw Nation, which decision was on January 16, 1905 (I T D 370-1905) affirmed by the Department.

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there was filed in January, 1906, petitions praying for the enrollment of Anna J. Mason, Alonzo M. Davis, Clara L. Travel, Willie G. Standifer, Georgina E. Travel, Kathrena A. Travel, Robert M. Davis, Gertrude M. Davis, Cora D. Davis, Rhoda L. Davis, Arthur Davis, James Davis, Virgil Davis, Mamie (or Minnie) Davis, Neta Crum (nee Davis), and Clarence Davis, as citizens of the Choctaw Nation.

Hearings were had in the matter of said petitions at Muskogee, Indian Territory, on March 6, 1906.

The applicants, Anna Krebs (now Anna J. Mason), Alonzo M. Davis, Clara Standifer and Robert M. Davis, claim their right to enrollment as citizens of the Choctaw Nation by reason of being the children of J. D. Davis, a white man, who is alleged to have been a citizen by intermarriage of the Choctaw Nation, and Mattie Davis, a non-citizen white woman; that the applicants, Clarence Davis, Neta Davis, (now Crum), Arthur Davis, Mamie Davis, Virgil Davis and James Davis claim their right to enrollment as citizens of said nation by reason of being the children of the said J. D. Davis (above mentioned) and the applicant, Rhoda L. Davis, a white woman; that Cora

Delvina Davis claims her right to enrollment as a citizen by intermarriage of said nation by reason of her marriage to the applicant, Robert M. Davis; that Rhoda L. Davis claims her right to enrollment as a citizen by intermarriage of the Choctaw Nation by virtue of her marriage to J. D. Davis (now deceased), an alleged citizen by intermarriage of the Choctaw Nation; and Alonzo W. Davis also claims his right to enrollment as a citizen of said nation by virtue of his marriage in 1890 to Lorena Davis, a recognized citizen by blood of the Choctaw Nation, whose name appears as number 12341 upon the final roll of citizens by blood of the Choctaw Nation approved by the Secretary of the Interior March 6, 1903. Willie Gertrude Standifer is the minor daughter of the applicant, Clara Standifer, and Robert Standifer, a non-citizen white man; Georgena Ethel Travel and Kathrona A. Travel are the minor daughters of said Clara Standifer and one Travel, a non-citizen white man; and Gertrude L. Davis is the daughter of the applicants, Robert M. Davis and Cora Delvina Davis.

The record in this case shows that Alonzo W. Davis was not married to his Choctaw wife by virtue of a license issued by the tribal authorities of the Choctaw Nation.

Upon an examination of the tribal rolls of the Choctaw Nation in the possession of this office it appears that the applicants, Rhoda L. Davis, Alonzo W. Davis, Clara Standifer (now Travel) Robert M. Davis, Clarence Davis, and Neta Davis (now Cruz) are identified upon the 1895 Choctaw Census Roll, Atoka County, opposite numbers 630, 631, 632, 633, 635 and 636, respectively. The applicant, Anna Krebbs, (now Mason) is identified upon the 1895 Choctaw Census Roll, Atoka County, No. 14421.

I am of the opinion that the orders of the Commission to the Five Civilized Tribes of January 21, 1906, dismissing the applications for the enrollment of Georgena Ethel Travel and Cora Delvina Davis as citizens of the Choctaw Nation should be rescinded, and it is so ordered.

I am further of the opinion that following the ruling of the Department of April 24, 1906, (I T D 1045-1906) in the case of Mary Elizabeth Martin, the application and petition for the enrollment of Anna Krebbs (now Mason), Alonzo W. Davis, Clara Standifer, Georgena Ethel Travel, Robert M. Davis, Clarence Davis, Neta Davis, (now Cruz), Arthur Davis, Marie Davis, Virgil Davis, and James Davis as citizens of the Choctaw Nation should be denied, under the provisions of the Act of Congress approved June 22, 1898 (30 Stats., 495) and it is so ordered.

I am further of the opinion that the petition for the enrollment of Willie Gertrude Standifer as a citizen of the Choctaw Nation should be dismissed, and it is so ordered.

I am further of the opinion that the application and petition for the enrollment of Alonzo W. Davis and Cora Delvina Davis as citizens by intermarriage of the Choctaw Nation should be denied, under the provisions of the Act of Congress approved June 22, 1898 (30 Stats., 495), and it is so ordered.

I am further of the opinion that following the ruling of the Department in the case of Emma Mckenamin (I T D 11582-1904), the application and petition for the enrollment of Rhoda L. Davis as a citizen by intermarriage of the Choctaw Nation should be denied, under the provisions of the Act of Congress approved June 22, 1898, (30 Stats., 495), and it is so ordered.

I am further of the opinion that the petition for the enrollment of Kathrona A. Travel and Gertrude M. Davis as citizens of the Choctaw Nation should be denied, under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137), as amended by the Act of Congress approved June 21, 1906 (Public Law 3), and it is so ordered.

(Signed) Tams Bixby

Muskogee, Indian Territory,
Nov 9 1906.

Commissioner.

7-4447
7-R-558

Muskogee, Indian Territory, November 9, 1906.

Clara L. Travel,
Lehigh, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered November 9, 1906, denying the application and petition for the enrollment of Clara Standifer and Georgena Ethel Travel, as citizens of the Choctaw Nation, and the petition for the enrollment of Kathrena A. Travel as a minor citizen of said nation, under the act of Congress approved April 26, 1906, and dismissing the petition for the enrollment of Willie Gertrude Standifer 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,

Commissioner.

Registered.

Incl. 4448 et al.

7-4448 et al.

COPY

Muskogee, Indian Territory, November 9, 1906.

Chilton Riley,

Attorney at Law,

Ardmore, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered November 9, 1906, denying the application and petition for the enrollment of Anna Krebs (now Mason), Clara Standifer, Georgena Ethel Travel, Robert M. Davis, Clarence Davis, Weta Davis (now Cruz), Arthur Davis, Marie Davis, Virgil Davis, and James Davis, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cora Belvina Davis and Rhoda L. Davis, as citizens by intermarriage of said nation, the petition for the enrollment of Kathrena A. Travel, and Gertrude M. Davis, as minor citizens of the Choctaw Nation, under the Act of Congress approved April 26, 1906, the application and petition for the enrollment of Alonzo M. Davis, as a citizen, and also as a citizen by intermarriage of said nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer, 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.

4448 et al.

Muskogee, Indian Territory, November 9, 1906.

Charles von Weizsäcker,
Attorney at Law,
Ardmore, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered November 9, 1906, denying the application and petition for the enrollment of Anna Kreebs (now Mason), Clara Standifer, Georgena Ethel Travel, Robert W. Davis, Clarence Davis, Neta Davis (now Crum), Arthur Davis, Mamie Davis, Virgil Davis and James Davis, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cora Delvina Davis and Rhoda L. Davis, as citizens by intermarriage of said nation, the petition for the enrollment of Kathrens A. Travel and Gertrude W. Davis, as minor citizens of the Choctaw Nation, under the Act of Congress approved April 26, 1906, the application and petition for the enrollment of Alenze W. Davis as a citizen, and also as a citizen by intermarriage of said nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer, 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.

C. von W.---2

The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Wm. T. ...

Commissioner.

Registered.

Incl. ... et al.

Muskogee, Indian Territory, November 3, 1906.

Linebaugh Brothers,
Attorneys at Law,
Atoka, Indian Territory.

Gentlemen:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on November 3, 1906, rendered his decision denying the application and petition for the enrollment of Anna Krebs (now Mason), Clara Standifer, Georgena Ethel Travel, Robert W. Davis, Clarence Davis, Meta Davis (now Crum), Arthur Davis, Mamie Davis, Virgil Davis and Jace Davis, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cora Delvina Davis and Rhoda L. Davis, as citizens by intermarriage of said nation, the petition for the enrollment of Kathrena A. Travel, and Gertrude M. Davis, as minor citizens of the Choctaw Nation, under the Act of Congress approved April 26, 1906, the application and petition for the enrollment of Alonso W. Davis as a citizen, and also as a citizen by intermarriage of said nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer, 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.

L. B. -- 2.

The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED *Terro Dancy*

Commissioner.

Registered.

7-444 et al

60
Tulkegee, Indian Territory, November 9, 1906.

K. W. Wright,

Corcoran Bldg.,

Washington, D. C.

Dear Sir:

You are hereby notified that the Commissioner of the Five Civilized Tribes, on November 9, 1906, rendered his decision concerning the application and petition for the enrollment of Anna Krebbe (now Mason), Clara Standifer, Georgena Steel Travel, Robert W. Davis, Clarence Davis, Meta Davis (now Crum), Arthur Davis, Maria Davis, Virgil Davis and James Davis, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Gora Selvina Davis, and Rheda L. Davis, as citizens by intermarriage of said nation, the petition for the enrollment of Kathrena A. Travel and Gertrude M. Davis, as minor citizens of the Choctaw Nation, under the Act of Congress approved April 26, 1906, the application and petition for the enrollment of Alenze M. Davis, as a citizens, and also as a citizens by intermarriage of said nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer, 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.

W. W.V. - - 42.

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 I. Lobb*
Commissioner.

Registered.

COPY

Muskogee, Indian Territory, November 9, 1906.

A. T. West,

Attorney at Law,

Lehigh, Indian Territory.

Dear Sir:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on November 9, 1906, rendered his decision denying the application and petition for the enrollment of Anna Krebs (now Mason), Clara Standifer, Georgena Ethel Travel, Robert W. Davis, Clarence Davis, Meta Davis (now Crum), Arthur Davis, Yemie Davis, Virgil Davis, and James Davis, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cora Delvina Davis and Rhoda L. Davis, as citizens by intermarriage of said nation, the petition for the enrollment of Kathrena A. Travel and Gertrude W. Davis, as minor citizens of the Choctaw Nation, under the Act of Congress approved April 26, 1906, the application and petition for the enrollment of Alonzo M. Davis as a citizen, and also as a citizen by intermarriage of said nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer, 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.

A. T. W. - - #2.

The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED *Terre Dixoy*

Commissioner.

Registered.

Kuskogee, Indian Territory, November 9, 1906.

J. G. Ralls,

Attorney at Law,

Atoka, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered November 9, 1906, denying the application and petition for the enrollment of Anna Krebs (now Mason), Clara Standifer, Georgena Ethel Travel, Robert M. Davis, Clarence Davis, Meta Davis (now Crum), Arthur Davis, Mamie Davis, Virgil Davis, and James Davis, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cera Delvina Davis and Rheda L. Davis, as citizens by intermarriage of said nation, the petition for the enrollment of Kathrena A. Travel and Gertrude M. Davis, as minor citizens of the Choctaw Nation, under the Act of Congress approved April 26, 1906, the application and petition for the enrollment of Alonse M. Davis as a citizen, and also as a citizen by intermarriage of said nation, and dismissing the petition for the enrollment of Willis Gertrude Standifer, 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.

J. C. R. -- #2.

The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGN.

John J. ...

Commissioner.

Registered.

Incl. 7-4448 et al.

7-4448 et al.

CC

Muskogee, Indian Territory, November 9, 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 November 9, 1906, denying the application and petition for the enrollment of Anna Krebs (now Mason), Clara Standifer, Georgena Ethel Travel, Robert M. Davis, Clarence Davis, Meta Davis (now Crum), Arthur Davis, Mamie Davis, Virril Davis, and James Davis, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cora Delvina Davis and Rhoda L. Davis, as citizens by intermarriage of said nation, the petition for the enrollment of Kathrena A. Travel and Gertrude W. Davis, as minor citizens of the Choctaw Nation, under the Act of Congress approved April 26, 1906, the application and petition for the enrollment of Alonzo M. Davis as a citizen and also as a citizen by intermarriage of said nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer, 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.

M. V. & C. - - #2.

The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED *Tams Ewing*
Commissioner.

Incl. 7-4448 et al.

COPY

Muskogee, Indian Territory, November 9, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith record of proceedings in the matter of the application and petition for the enrollment of Anna Krebs, et al., as citizens of the Choctaw Nation, including the decision of the Commissioner of the New-Civilized Tribes, dated November 9, 1906, denying the application and petition for the enrollment of Anna Krebs (now Mason), Clara Standifer, Georgena Ethel Travel, Robert W. Davis, Clarence Davis, Estia Davis (now Cross), Arthur Davis, Willie Davis, Virgil Davis and James Davis, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cora Delvina Davis and Rhoda E. Davis, as citizens by intermarriage of said nation, the petition for the enrollment of Kathrena A. Travel and Gertrude M. Davis, as minor citizens of the Choctaw Nation, under the Act of Congress approved April 16, 1906, the application and petition for the enrollment of Alonzo W. Davis as a citizen and also as a citizen by intermarriage of said nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer, as a citizen of the Choctaw Nation.

Respectfully,

2 Incl 7-4448 et al.

Through the
Commissioner of Indian Affairs.

CHIED: J. L. [Signature]

Commissioner.

DEPARTMENT OF THE INTERIOR
WASHINGTON

GR
O.K.

D.C. 12335-1907.
I.T.D. 5302-1907.

March 1, 1907.

LRS

Direct.

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

In conformity with the opinion of the Attorney General of the United States, of February 19, 1907 (I.T.D. 4564), in the consolidated case of Myrtie Randolph et al., and in accordance with the recommendation of the Indian Office of February 26, 1907 (Land 99858-1906), copy whereof is enclosed, your decision of November 9, 1906, denying the applicants named in the consolidated case of Anna Krebs et al., for enrollment as citizens of the Choctaw Nation, and dismissing the applications of certain other named applicants therein for enrollment as citizens of the Choctaw Nation, is hereby affirmed. You will advise applicants and their attorneys of this action.

The record in the case and a carbon copy hereof have been sent to the Indian Office.

Respectfully,

Jesse E. Wilson,

Assistant Secretary.

1 inc. and 2 inc.
for Ind. Of.

A.F.Mc.
3-1-07.

Land
99858-1906

--Copy--

DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS
WASHINGTON

February 26, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed the record of proceedings in the matter of the application and petition for the enrollment of Anna Krebs et al., as citizens of the Choctaw Nation, including the decision of the Commissioner to the Five Civilized Tribes dated November 9, 1906, denying the application and petition for the enrollment of Anna Krebs (now Mason), Clara Standifer, Georgena Ethel Travel, Robert M. Davis, Clarence Davis, Neta Davis (now Crum), Arthur Davis, Mamie Davis, Virgil Davis and James Davis as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cora Delvina Davis and Rhoda L. Davis as citizens by intermarriage of the Choctaw Nation, the petition for the enrollment of Kathrena A. Travel and Gertrude M. Davis as minor citizens of the Choctaw Nation, the application and petition for the enrollment of Alenzo W. Davis as a citizen by intermarriage of the Choctaw Nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer as a citizen of the Choctaw Nation.

The applicants, Anna Krebs (now Anna J. Mason), Alenzo M. Davis, Clara Standifer and Robert M. Davis claim their

right to enrollment as citizens of the Choctaw Nation by reason of being the children of J. D. Davis, a white man, who is alleged to have been a citizen by intermarriage of the Choctaw Nation, and Mattie Davis, a non-citizen white woman; that the applicants Clarence Davis, Heta Davis (now Crum), Arthur Davis, Mamie Davis, Virgil Davis and James Davis claim their right to enrollment as citizens of the Choctaw Nation by reason of being the children of J. D. Davis and the applicant, Rhoda L. Davis, a white woman; that Cora Delvina Davis claims her right to enrollment as a citizen by intermarriage of the Choctaw Nation by reason of her marriage to the applicant, Robert M. Davis; that Rhoda L. Davis claims her right to enrollment as a citizen by intermarriage of the Choctaw Nation by virtue of her marriage to J. D. Davis, now deceased, an alleged citizen by intermarriage of the Choctaw Nation; and Alonzo M. Davis also claims his right to enrollment as a citizen of the Choctaw Nation by virtue of his marriage in 1890 to Lorena Davis, a recognized citizen by blood of the Choctaw Nation. Willie Gertrude Standifer is the minor daughter of the applicant, Clara Standifer, and Robert Standifer, a non-citizen white man; Georgena Ethel Travel and Kathrena A. Travel, are the minor daughters of Clara Standifer and one Travel, a non-citizen white man; and Gertrude M. Davis is the daughter of the applicants Robert M. Davis and Cora Delvina Davis.

The record shows that Alonzo M. Davis was not married to his Choctaw wife by virtue of a license issued by the tribal authorities of the Choctaw Nation.

Therefore, by reason of the provisions of the Act of Congress approved June 28, 1898 (30 Stat. L., 495) and the Act of April 26, 1906 (34 Stat. L., 137) as amended by the Act of June 21, 1906 (34 Stat. L., 325), the Office concurs in the decision of Commissioner Bixby denying the enrollment of the applicants herein as citizens of the Choctaw Nation.

Very respectfully,

C. F. LARRABEE

Acting Commissioner.

EBM.Ph.

Muskogee, Indian Territory, July 19, 1901.

Mr. R. T. Travel,

Lehigh, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Cherokee Nation of Georgena Ethel Travel, the infant daughter of R. T. and Clara Standifer Travel, born April 9, 1901, and the same is returned to you herewith with the information that it will be necessary that you supply the Commission with either your original marriage license and certificate or a certified copy thereof to be filed as a matter of record with the application for the enrollment of your child.

Upon return of the application accompanied by either your original marriage license and certificate or a certified copy thereof the application for the enrollment of your child will receive further consideration.

Yours truly,

Acting Chairman.

Muskogee, Indian Territory, July 27, 1901.

Mr. Richard Travel,
Lehigh, Ind, Ter.

Dear Sir:

Receipt is hereby acknowledged of the marriage license and certificate between yourself and Clara L. Standifer, and the same has been duly filed with the records of the Commission. Receipt is also acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Georgena Ethel Travel, the infant daughter of R. T. and Clara L. Travel, born April 9, 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,

7-4447

Commissioner in Charge.

MEMORANDA.

(Date) Sept 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,

39

Wife's name, Clara Standifer

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.
John				
	County	Year	Page	No.
	County	Year	Page	No.
	County	Year	Page	No.
	County	Year	Page	No.
	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 to citizenship by naturalization
91

4447

Choc 4448 Anna Krebbs

Refused

June 23, 1905 Record remanded by DEPT for
further evidence

Jan 17, 1906 Record returned to DEPT

As to Arma J. Krebbs as an intermarried citizen
see C-12-17-20-21-22 & 23-24

4448

Commission to the Five Civilized Tribes,
Atoka, Indian Territory.
Sept. 2, 1899.

In the enrollment of Anna Krebbs as a Choctaw; being sworn and examined by Com'r McKennon she testifies as follows:

- Q What is your name? A Anna Krebbs.
Q How old are you? A Thirty-one.
Q Where have you been living? A In the Territory.
Q How long? A All of my life.
Q You have no Indian blood? A No sir.
Q Your father first married an Indian woman and she died?
A Yes sir.
Q And then he married your mother, a white woman? A Yessir.
Q He was a white man? A Yes sir.
-

Department of the Interior,
Commission to the Five Civilized Tribes.
I hereby certify upon my official oath as
stenographer of the named Commission, that this
transcript is a true, full and correct translation of
my stenographic notes.

M. D. Green

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

Choctaw 4448.

In the matter of the application of Anna Krebs to be enrolled as a citizen of the Choctaw Nation.

Anna Krebs, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission.

- Q What is your name? A Anna Krebs.
Q What is your age? A Thirty three.
Q What is your post office address? A Olney, Indian Territory.
Q What nation is that in? A Choctaw Nation.
Q How long have you been a resident of the Choctaw Nation? A All my life.
Q You are a white woman, are you not? A Yes sir.
Q Your father and mother were both white persons? A Yes sir.
Q Do you claim to be an intermarried citizen of the Choctaw Nation?
A Yes sir.
Q What is the name of your Choctaw husband? A Henry Krebs.
Q He was a recognized citizen of the Choctaw Nation? A Yes sir.
Q He is dead now? A Yes sir.
Q When did you marry him? A November, 1890.
Q Had you ever been married prior to your marriage to Mr Krebs?
A Yes sir.
Q To whom? A Robinson.
Q Was he dead when you married Mr Krebs? A No sir.
Q Were you divorced from him? A Yes sir.
Q Was Henry Krebs ever married prior to his marriage to you? A No sir.
Q After your marriage to Henry Krebs in 1890 how long did you live with him? A We lived together six years until he died.
Q You lived with him continuously until his death? A Yes sir.
Q Had you ever prior to 1896 been recognized as a citizen by intermarriage? A No sir, I married my Indian husband in 1890, and until that time I did not claim rights by intermarriage.
Q Did you ever claim any rights as a citizen of the Choctaw Nation?
A Yes sir.
Q You say you are a white woman? A Yes sir.
Q What rights did you claim, prior to your marriage to a citizen by blood? A My father married an Indian.
Q What was his name? A J. D. David.
Q Your father claimed to be a citizen by intermarriage? A Yes sir.
Q Was he ever recognized in any manner as a citizen by intermarriage?
A Yes sir, he was.
Q By the tribal authorities? A Yes sir.
Q Were you? A Yes sir.
Q Prior to your marriage to Mr Krebs? A Yes sir.
Q How were you recognized by the tribal authorities? A I couldn't tell how; we went to school, and the nation paid our tuition.
Q That was prior to 1896 and prior to 1890 when you were married to Mr Krebs? A Yes sir.
Q In 1896 your father J. D. David applied to the Dawes Commission for himself and other members of the family, including yourself, for citizenship in the Choctaw Nation, claiming your right by reason of the fact that you were the descendant of a person who had married a citizen by blood? A I was not here in 1896; I was in Mississippi.

Anna Krebbs-----2.

- Q Your father made this applicant for you---J. D. Davis--didn't he?
A I wouldn't like to swear whether he did or not; I do not know.
Q It appears from the records of the Commission that application was made in 1896 by your father claiming you were a citizen of the Choctaw Nation---When was it that Mr Krebbs died? A In 1896.
Q What was the date of his death? A November 10, 1896.
Q Do you know whether your father in the petition that was presented to the Dawes Commission recited the fact that you were married to a citizen of the Choctaw Nation? A I couldn't say, for I don't know.
Q The application, made by your father in 1896 for himself and his children was denied by the Dawes Commission was it not? A I couldn't say.
Q You say that you were living in Mississippi in 1896? A We went there and Mr Krebbs died there. We went in the fall of 1896 and he died within a month after we reached there, and then I came back here.
Q Did you come back to the nation before the census roll was made in 1896? A I guess it was after.
Q Were you enrolled by the census takers of the Choctaw Nation in 1896? A I guess I was not; I guess I was not here.
Q Do you not know whether you were enrolled or not? A No sir.
Q It appears from the 1896 Choctaw Census Roll that you were enrolled as an intermarried citizen in 1896? A I was put on the intermarried roll by the Council in 1896.
Q Were you admitted by any specific act of the Council or were you just enrolled on the tribal roll? A I don't know.
Q You were also admitted by judgment of the United States Court as a citizen of the Choctaw Nation in 1897? A I don't know anything about that.
Q You say Mr Krebbs died in November, 1896? A Yes sir.
Q Have you married since then? A No sir.
Q And since his death you have lived continuously in the Choctaw Nation? A Yes sir.

---000---

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 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 5th day of January 1903.

Walter H. Sawyer
Notary Public.

1/2

C O P Y .

This certifies that J. H. Krebs and Miss Annie J. Davis were by me united in marriage at Lehigh, according to the laws of the Ind. Ter., on the 22 day of November, 1890.

E. Bailey,
S. J. Hare
Witness.

A. T. Odeneal,
Minister of church of Christ.

Endorsed:
Department of the Interior,
Commission to the Five Civilized Tribes,
Filed Nov. 23, 1901,
Tams Bixby,
Acting Chairman.

C O P Y .

Circuit Court Ground.

Aug. 17, 1887.

Court of Chancery opened - And a petition from Anna C. Robinson vs. George Robinson. And after considering the evidence in the case, Court grants a divorce.

C. S. Vinson,
Cir Judge.

Attest:

G. W. Oakes,
Clerk.

I hereby certify that this is a true and correct copy of the records now on file in my office, this the 29 day of March, 1905.

J. H. Everidge,
Clerk 3rd Dist . . N.

Seal.

Endorsed:

Department of the Interior.
Commission to the Five Civilized Tribes,
Filed April 6, 1905.

Tams Bixby, Chairman.

AMP
7-4448.

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

In the matter of the application of Anna Krebbs for enrollment as a citizen by intermarriage of the Choctaw Nation.

:--: D E C I S I O N :--:

It appears from the records of the Commission that on September 9, 1896, in the case entitled "J. D. Davis et al. vs. Choctaw Nation" (1896 Citizenship Docket Case No. 317), original application was made to this Commission under the provisions of the Act of Congress approved June 10, 1896 (29 Stat., 321), for the admission to citizenship in the Choctaw Nation of Anna Krebbs, as a citizen by blood thereof; that on December 2, 1896, this Commission rendered its decision denying said application; that from this decision of the Commission an appeal was taken to the United States Court for the Central District of Indian Territory, which court, on August 25, 1897, in the case entitled "A. M. Davis et al., vs. Choctaw Nation" (Court case No. 174) entered of record a judgment reversing the decision of this Commission and admitting the said Anna Krebbs to citizenship in said Nation.

It further appears from the records of the Commission that on December 17, 1902, the Choctaw and Chickasaw Citizenship Court created by the Act of Congress approved July 1, 1902, (32 Stat., 641), "set aside, annulled, vacated and held for naught", the aforesaid judgment of the United States Court for the Central District of Indian Territory admitting the applicant to citizenship in said Nation. Said cause was thereafter duly certified to said Choctaw and Chickasaw Citizenship Court for a trial de novo, and said Court, on November 29, 1904, in case No. 100 upon its South McAlester docket, entered of record a decree denying the application of said Anna Krebbs for admission to citizenship in said Nation and declaring that she is not a citizen thereof.

It further appears from the record herein that on November 21, 1902, application was made to this Commission by said Anna Krebbs for enrollment as a citizen by intermarriage of the Choctaw Nation.

It further appears from the record herein that on November 22, 1890, the applicant was lawfully married to J. H. Krebbs, an alleged citizen by blood of the Choctaw Nation; 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 until the death of the said J. H. Krebbs in the year 1896; that the

applicant has been a resident in good faith of the Choctaw Nation since the date of her said marriage, up to and including September 25, 1902.

Upon an examination of the tribal rolls in the possession of the Commission the applicant is identified as "Annie Krebs" on the 1896 Choctaw Census Roll, Atoka County, No. 14421, enrolled thereon as a citizen by intermarriage of said Nation. Such examination of the tribal rolls, however, fails to disclose that the said J. H. Krebs, by reason of her marriage to whom she claims the right to enrollment, has ever been recognized by the tribal authorities of the Choctaw Nation as a citizen by blood of said Nation. On the 1893 Choctaw Census Roll, Atoka County, page 63, the name of John H. Krebs is found, but a line has been drawn through said name in ink and none of the items of detail such as are found on said roll opposite the names of all other persons thereon appear on said roll opposite said name, and it is clear, from an examination of said roll that the payment of \$103 was not made to the said John H. Krebs, or to any person for him.

The applicant herein has failed to present any evidence by which it can be established that said J. H. Krebs was a recognized citizen by blood of the Choctaw Nation, although she has been requested so to do.

It further appears from the record herein that the applicant was not in the Choctaw Nation at the time the census was taken from which said 1896 Choctaw Census Roll was prepared.

It is the opinion of this Commission that the name of the applicant herein was placed upon the 1896 Choctaw Census Roll without authority of law, and that her name should be eliminated and stricken therefrom.

It is further the opinion of this Commission that Anna Krebs is not entitled to be enrolled as a citizen by intermarriage of the Choctaw Nation, and that her application for such enrollment should be denied in accordance with the provisions of the Act of Congress approved June 28, 1898 (30 Stat., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

MAY 10 1905

COPY

7-4448

Muskogee, Indian Territory, May 6, 1905.

Anna Krebs,

Olney, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 6, 1905, denying the application for your enrollment as a citizen by intermarriage of the Choctaw Nation.

The decision, with the record of the 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 the Commission is informed of the same.

Respectfully,

SIGNED

W. H. Woodles.

Commissioner in Charge.

Registered.
Enc. 7-4448.

COPY.

7-4448

Muskogee, Indian Territory, May 6, 1905.

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

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered May 6, 1905, denying the application for the enrollment of Anna Krebbs as a citizen by intermarriage of the Choctaw Nation.

The decision, with the record of the 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 the Commission is informed of the same.

Respectfully,

Commissioner in Charge

Registered.
Enc. 7-4448.

7-4448

Muskogee, Indian Territory, May 6, 1905.

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 this Commission, rendered May 6, 1905, denying the application for the enrollment of Anna Krebs as a citizen by intermarriage of the Choctaw Nation.

The decision, with the record of the 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 the Commission is informed of the same.

Respectfully,

Enc. 7-4448.

Commissioner in Charge.

COPY.

Muskogee, Indian Territory, May 6, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of the proceedings in the matter of the application of Anna Krebs for enrollment as a citizen by intermarriage of the Choctaw Nation, including the decision of the Commission, dated May 6, 1905, denying said application.

Respectfully,

SIGNED

I. B. Needles.

2 Enc. 7-4448

Commissioner in Charge.

Through the
Commissioner of Indian Affairs.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

G.R.

ILB

D.C. 32260-1905.
I.C.P. 5708-1905.
LRS

June 23, 1905.

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory,

Gentlemen:

May 6, 1905, you transmitted the record of the application of Anna Krebs for her enrollment as a citizen by intermarriage of the Choctaw Nation, including your decision dated May 6, 1905, wherein you found that --

"The applicant is identified as 'Annie Krebs' on the 1896 Choctaw Census Roll, Atoka County, No. 14421, enrolled thereon as a citizen by intermarriage of said nation. Such examination of the tribal rolls however, fails to disclose that the said J. H. Krebs, by reason of her marriage to whom she claims the right to enrollment, has ever been recognized by the tribal authorities of the Choctaw Nation as a citizen by blood of said nation. On the 1893 Choctaw Census Roll, Atoka County, page 33, the name of John H. Krebs is found, but a line has been drawn through said name in ink and none of the items of detail such as are found on said roll opposite the names of all other persons thereon appear on said roll opposite said name, and it is clear, from an examination of said roll that the payment of \$103 was not made to the said John H. Krebs, or to any person for him.

The applicant herein has failed to present any evidence by which it can be established that said J. H. Krebs was a recognized citizen by blood of the Choctaw Nation."

Applicant testified that her Choctaw husband, Henry Krebs, now deceased, was a recognized citizen of the Choctaw Nation. Her husband's name is given in the certificate of marriage as J. H. Krebs, which name appeared upon the 1897 Choctaw Census Roll, through which you stated a line had been drawn.

You state that "the applicant herein has failed to present any evidence by which it can be established that said J. H. Krebs was a recognized citizen by blood of the Choctaw Nation."

The evidence is clear that applicant's husband, J. H. Krebs, was at one time a recognized and enrolled citizen of the Choctaw Nation and the Department is unwilling to declare that he is a noncitizen by reason merely of a line being drawn through his name not shown to have been done by authority and in face of the fact that applicant's name has been enrolled under the name of Annie Krebs as an intermarried citizen ^{upon} the 1896 Choctaw Census Roll.

The record is remanded with instructions to notify applicant at her new address at Lehigh, Ind. T., care of Mrs. Clara Travel, that she will be given further opportunity to present additional evidence to establish that her husband, J. H. Krebs, through whom she claims as a citizen by intermarriage, was a duly enrolled and recognized citizen by blood of the Choctaw Nation.

The record is returned to you through the Indian Office.

Respectfully,

W. A. Hitchcock,
Secretary.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,

WASHINGTON, May 17, 1905.

Land.
36178-1905.

The Honorable,
The Secretary of the Interior.

Sir:

I have the honor to enclose a report from the Commission to the Five Civilized Tribes, dated May 6, 1905, transmitting the record of the application for enrollment as a citizen by intermarriage of the Choctaw Nation by Anna Krebbs.

May 6, 1905, the Commission decided adversely to the applicant.

The record shows that on December 2, 1896, the Commission denied this applicant's claim to enrollment as a citizen by blood of the Choctaw Nation; that on appeal to the United States Court, Central District, Indian Territory, the Commission's decision was reversed August 25, 1897, and admitted this applicant to citizenship; that on December 17, 1902, the Choctaw and Chickasaw Citizenship Court "set aside, annulled, vacated and held for naught" the judgment of the United States Court; that on November 29, 1904, the said Choctaw and Chickasaw Citizenship Court entered of record a decree declaring that Anna Krebbs is not a citizen of the Choctaw Nation.

It further appears that on November 22, 1890, the applicant was married to J. H. Krebbs an alleged citizen by blood

of the Choctaw Nation; that at that date both were residents in good faith of the Choctaw Nation and lived together as husband and wife in said Nation until the death of J. H. Krebbs in the year 1896; that the applicant has been a resident in good faith of the Choctaw Nation from the date of her marriage up to and including September 25, 1902. It does not appear that J. H. Krebbs was a recognized citizen of the Choctaw Nation and the applicant has failed to present any evidence to establish the same.

In view of the record the approval of the Commission's decision adverse to the applicant is recommended.

Very respectfully,

C. F. Larrabee,
Acting Commissioner.

M.M.M.

W.

7-4448

Muskogee, Indian Territory, July 18, 1905.

Anna Krebs,
c/o Mrs. Clara Travel,
Lehigh, Indian Territory,

Dear Madam:

You are hereby notified that on June 23, 1905, the Secretary of the Interior remanded the record in the matter of the application for your enrollment as an intermarried citizen of the Choctaw Nation, to this office with instructions that you be allowed further opportunity to furnish evidence to the effect that your husband, J. H. Krebs, through whom you claim your right to citizenship by intermarriage, was a duly recognized and enrolled citizen by blood of the Choctaw Nation.

In accordance with Departmental instructions you are advised that the testimony of such witnesses as you may desire to introduce tending to establish that your husband, J. H. Krebs, was a duly recognized and enrolled citizen by blood of the Choctaw Nation, will be heard at this office at 9 O'clock A. M., Monday, August, 7, 1905.

Respectfully,

Commissioner.

7-4448

Muskogee, Indian Territory, July 18, 1905.

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

Dear Sir:

There is inclosed herewith for your information copy of Departmental letter of June 23, 1905, remanding the record in the matter of the application for the enrollment of Anna Krebbs as an intermarried citizen of the Choctaw Nation, to this office for investigation as to the tribal recognition of her Choctaw husband, J. H. Krebbs.

You are therefore hereby notified that in accordance with Departmental instructions above referred to, the testimony of such witnesses as may be introduced tending to establish the tribal recognition and enrollment of J. H. Krebbs as a citizen by blood of the Choctaw Nation, will be heard at this office at 9 O'clock A. M., Monday, August 7, 1905.

Respectfully,

LM 18-1

Commissioner.

7-4448

Muskogee, Indian Territory, July 18, 1905.

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

Gentlemen:

There is inclosed herewith for your information copy of Departmental letter of June 23, 1905, remanding the record in the matter of the application for the enrollment of Anna Krebs as an intermarried citizen of the Choctaw Nation to this office for investigation as to the tribal recognition of her Choctaw husband, J. H. Krebs.

You are therefore hereby notified that in accordance with Departmental instructions above referred to, the testimony of such witnesses as may be introduced tending to establish the tribal recognition and enrollment of J. H. Krebs as a citizen by blood of the Choctaw Nation, will be heard at this office at 9 O'clock A. M., Monday, August 7, 1905.

Respectfully,

LM 18-2

Commissioner.

COPY.

Muskogee, Indian Territory, January 17, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

The Department under date of June 23, 1905 (I.T.D. 3708-1905), remanded to the Commission to the Five Civilized Tribes, the record in the matter of the application for the enrollment of Anna Krebs as a citizen by intermarriage of the Choctaw Nation, wherein a decision adverse to the applicant was rendered by said Commission on May 6, 1905.

The Department instructed that the applicant, Anna Krebs, be notified at her new address, Lehigh, Indian Territory, in care of Mrs. Clara Travel, that she would be given further opportunity to present additional evidence to establish that her husband, J. H. Krebs, through whom she claims as a citizen by intermarriage, was a duly recognized and enrolled citizen by blood of the Choctaw Nation.

July 18, 1905, the applicant, Anna Krebs, in care of Mrs. Clara Travel, Lehigh, Indian Territory, J. G. Rails, Atoka, Indian Territory, her attorney of record, and Messrs. Mansfield, McMurray & Cornish, South McAlester, Indian Territory, the attorneys for the Choctaw and Chickasaw Nations, were notified that in conformity with the Department's instructions of June 23, 1905, the testi-

(2)

mony of such witnesses as might be introduced, tending to establish the tribal recognition and enrollment of J. H. Krebs as a citizen by blood of the Choctaw Nation, would be heard by the Commissioner to the Five Civilized Tribes at his office at Muskogee, Indian Territory, on Monday, August 7, 1905, at nine o'clock A. M.

No appearance was entered by the applicant, her attorney or the attorneys for the Choctaw and Chickasaw Nations at the time set for the hearing in this case on August 7, 1905, and no further action was taken in the matter until October 26, 1905, when J. G. Ralls, the attorney for the applicant, advised the Commissioner that inasmuch as Anna Krebs is the daughter of James Davis, an intermarried citizen of the Choctaw Nation, she would be entitled to enrollment by virtue of such fact if it was finally determined by the Department that the children of intermarried citizens of the Choctaw and Chickasaw Nations were entitled, under the opinion in the Mary Elizabeth Martin case, to be so enrolled.

Mr. Ralls requested that action in the matter of the application for the enrollment of Anna Krebs as an intermarried citizen of the Choctaw Nation be deferred until the final decision by the Department upon the question of the rights of the children of intermarried citizens of the Choctaw and Chickasaw Nations to be enrolled as citizens of the two tribes.

(3)

I am now in receipt of a letter from J. C. Ralls, under date of January 15, 1906, enclosing a petition of Anna J. Mason (Anna Krebs) to be enrolled as a member of the Choctaw Tribe of Indians. In this petition Anna J. Mason (Anna Krebs) alleges that she is the daughter of James D. Davis, deceased, a white man, who was, about the year 1848, married to Solina Wall, a Choctaw Indian woman by blood, who was a recognized member of the Choctaw tribe of Indians; that Davis resided with his Choctaw wife until her death and that thereafter, in the year 1851, he was married to Martha C. Southard, a white woman, and that the petitioner, Anna J. Mason, is the child of the latter marriage.

There is nothing in the petition in any way referring to the right to enrollment of Anna J. Mason (Anna Krebs) as a citizen by intermarriage of the Choctaw Nation by reason of her marriage in November, 1890, to J. H. Krebs.

It would appear from Mr. Ralls' letters of October 26, 1905, and January 15, 1906, that the applicant has now abandoned any right she might have to enrollment as a citizen by intermarriage of the Choctaw Nation by reason of her marriage to J. H. Krebs and that she desires her right as a citizen to be adjudicated as the child of James D. Davis, in conformity with the opinion of the Assistant Attorney General for the Department of the Interior of December 2, 1905, in the Choctaw enrollment case of Mary Elizabeth Martin.

(4)

The petition transmitted with Mr. Ralls' letter of January 15, 1906, has been filed and proceedings thereon will be had in conformity with the regulations adopted by the Commissioner January 2, 1906, a copy of which is enclosed herewith.

The applicant has had a reasonable time within which to submit testimony to establish the fact that her husband, J. H. Hrebbs was a citizen by blood of the Choctaw Nation, and has failed to do so.

I therefore have the honor to return herewith the original record in the matter of the application for the enrollment of Anna Hrebbs as a citizen by intermarriage of the Choctaw Nation, with the decision of the Commission to the Five Civilized Tribes of May 6, 1906, adverse to the applicant, and recommend that the same be affirmed.

Respectfully,

SIGNED *Jame Bixby.*

Through the
Commissioner of Indian Affairs.

Commissioner.

OP 17-5

C.R.W.

DEPARTMENT OF THE INTERIOR, O.K.
WASHINGTON.

D.C. 10516-1907.
I. T. P.
5708-1905.
3604-1907.

February 19, 1907.

LRS

DIRECT..

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

On June 23, 1905, the Department remanded the record in the matter of the application for the enrollment of Anna Krebs as a citizen by intermarriage of the Choctaw Nation, with instructions that she be given further opportunity to present additional evidence to establish that her husband, J. H. Krebs, through whom she claims as a citizen by intermarriage, was a duly enrolled and recognized citizen by blood of the Choctaw Nation.

Reporting in the letter January 17, 1906, you state that there has been filed in her behalf a petition, stating that inasmuch as she is the daughter of James Davis, an intermarried citizen of the Choctaw Nation, she would be entitled to enrollment by virtue of such fact, if it was finally determined that the children of intermarried citizens of the Choctaw and Chickasaw Nations were entitled to be enrolled.

As no further testimony has been offered, showing her right to enrollment as an intermarried citizen, you conclude that she has decided to rest her right to enrollment upon her being the child of an intermarried citizen.

You therefore recommend that the decision of the Commission to the Five Civilized Tribes of May 6, 1905, denying her enrollment as a citizen by intermarriage of the Choctaw Nation, be affirmed, in which recommendation the Indian Office concurs. The Department also concurs and said decision, adverse to the applicant, is hereby affirmed.

The papers have been returned to the Indian Office for its files, together with a copy hereof. Copy of the Indian Office letter is enclosed.

Respectfully,

Thos Ryan

First Assistant Secretary.

1 inc. and 3 inc.
to Ind. Of.

AFMc
2-20-07.

LAND
6147-1906.

941/238

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

February 15, 1907.

C O P Y

The Honorable,

The Secretary of the Interior.

Sir:

On June 23, 1905 (I. T. D. 5708), the Department remanded to the Commission to the Five Civilized Tribes, the record in the matter of the application for the enrollment of Anna Krebs, as a citizen by intermarriage of the Choctaw Nation, wherein a decision adverse to the applicant was rendered by the Commission on May 6, 1905. The Department instructed that the applicant, Anna Krebs, be notified at her new address, Lehigh, Indian Territory, in care of Mrs. Clara Travel, that she would be given further opportunity to present additional evidence to establish that her husband, J. H. Krebs, through whom she claims as a citizen by intermarriage, was a duly recognized and enrolled citizen by blood of the Choctaw Nation.

There is enclosed herewith report of Commissioner Bixby, dated January 17, 1906, in which he says that on July 18, 1905, the applicant, Anna Krebs, of Lehigh, I. T., her attorneys of record, J. G. Rawls, of Atoka, I. T., and the attorneys for the Choctaw and Chickasaw Nations were notified that in conformity with Department instructions of June 23, 1905 the

testimony of such witnesses as might be introduced tending to establish the tribal recognition and enrollment of J. H. Krebs as a citizen by blood of the Choctaw Nation, would be heard by the Commissioner to the Five Civilized Tribes, at his office, on Monday, August 7, 1905.

Commissioner Bixby says that no appearance was entered by the applicant, her attorney, or the attorneys for the Choctaw and Chickasaw Nations, on August 7, 1905, and no further action was taken until October 26, 1905, when J. G. Rawls, attorney for the applicant, advised the Commissioner to the ~~Five Civilized Tribes that inasmuch as Anna Krebs is the~~ daughter of James Davis, an intermarried citizen of the Choctaw Nation, she was entitled to enrollment by reason of such fact, if it was finally determined by the Department that the children of intermarried citizens of the Choctaw and Chickasaw Nations were entitled, under the opinion in the Mary Elizabeth Martin case, to be enrolled.

Commissioner Bixby acknowledges receipt of a letter from J. G. Rawls, under date of January 15, 1906, enclosing a petition of Anna J. Mason (Anna Krebs) to be enrolled as a member of the Choctaw tribe of Indians. In this petition the applicant acknowledges that she is the daughter of James D. Davis, deceased, a white man, who was about the year 1848 married to Salina Nail, a Choctaw Indian woman by blood, who was a recognized member of the Choctaw tribe of Indians; that Davis resided with his

Choctaw wife until her death, and that thereafter in the year 1864, he was married to Martha C. Southard, a white woman, and that the petitioner, Anna J. Mason (Anna Krebbs), is the child of the latter marriage.

Commissioner Bixby reports that there is nothing in the petition in any way referring to the right to enrollment of this applicant as a citizen by intermarriage of the Choctaw Nation by reason of her marriage in 1890 to J. H. Krebbs.

Commissioner Bixby says that the applicant has had a reasonable time in which to submit testimony to establish the fact that her husband, J. H. Krebbs, was a citizen by blood of the Choctaw Nation, and has failed to do so.

There is returned herewith the original record in the matter of the application, and the Office concurs in the recommendation of the Commissioner to the Five Civilized Tribes that the decision of the Commission to the Five Civilized Tribes of May 6, 1905, denying her enrollment as a citizen by intermarriage of the Choctaw Nation, be affirmed.

Very respectfully,

C. F. Larrabee,
Acting Commissioner.

EBM-LC

7-4448

Muskogee, Indian Territory, May 7, 1907.

Anna Krebs,

Olney, Indian Territory,

Dear Madam:

You are hereby advised that on February 19, 1907, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of May 6, 1905, denying the application for your enrollment as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

Commissioner.

7-4448

Muskogee, Indian Territory, May 7, 1907.

J. C. Ralls,

Attorney at Law,

Atoka, Indian Territory,

Dear Sir:

You are hereby advised that on February 19, 1907, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes, of May 6, 1905, denying the application for the enrollment of Anna Krebs as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

Commissioner.

7-4446

Muskogee, Indian Territory, May 7, 1907.

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

Gentlemen:

You are hereby advised that on February 19, 1907, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of May 6, 1905, denying the application for the enrollment of Anna Krebs as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

Commissioner.

whose names were John Davis, Awilna Davis, who married Marshall and others who are all enrolled and approved as Choctaw Indians by blood.

Your petitioner says that she is informed and believes that by virtue of being the daughter of James D. Davis and of his having married an Indian woman according to the laws and customs of the Choctaw Nation that your petitioner is entitled to be enrolled as a member of the Choctaw Tribe of Indians.

Your petitioner says that she had caused to be served upon the attorneys for the Choctaw and Chickasaw Nations and attached affidavit showing said service.

Wherefore your petitioner says that she is entitled to be enrolled a member of the Choctaw tribe of Indians and prays that she may be so enrolled.

(Signed) Anna J. Mason.

Subscribed and sworn to before me this the 15th day of January, A. D. 1906.

(Signed) N. H. Moorman,

Notary Public.

My Commission expires the 5th day of July, A. D. 1906.

UNITED STATES OF AMERICA)
INDIAN TERRITORY)
CENTRAL JUDICIAL DISTRICT)

J. G. Ralls, having been by me first duly sworn according to law, states on his oath that he is over twenty-one years of age and a resident of Atoka, Choctaw Nation, Indian Territory and that on the 15th day of January, A. D. 1906 he enclosed in an envelope addressed to Mansfield, McMurray & Cornish a true copy of the above and foregoing petition. That he delivered the same to the Postmaster

at Atoka, Indian Territory, and caused the same to be registered to the said Mansfield, McMurry & Cornish and obtained therefor a registry receipt which is hereto attached.

(Signed) J. G. Ralls.

Subscribed and sworn to before me this the 15 day of January, A. D. 1906.

(Signed) N. H. Moorman,

Notary Public.

(SEAL)

My Commission expires the 5th day of July A. D. 1906.

(Registry Receipt Attached:)

Indorsed:

Department of the Interior,
Commissioner to the Five Civilized Tribes.
Filed Jan. 16, 1906.
Tams Bixby, Commissioner.

In the Matter of Anna J. Mason
an applicant to be enrolled
as a member of the Choctaw
Tribe of Indians.

P E T I T I O N .

J. G. Ralls,
Atoka, Indian Territory,
Attorney for Petitioner.

MEMORANDA.

(Date) July 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,

Wife's name, Anna K. ...

Choctaw ? ye County Year No.

Chickasaw ? ye 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.

Handwritten notes and signatures at the bottom of the page, including a large signature that appears to be "Anna K. ..."

COPY.

Muskogee, Indian Territory, June 27, 1901.

Mr. S. E. Mann,

Chickasha, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 22nd instant, written in behalf of Mrs. Annie Krebs, whom you state has been improperly enrolled. You further state that her husband, who is dead, was a Mississippi Choctaw Indian and you desire to be advised when and where she can appear before the Commission to make application for enrollment.

You are informed that the statement contained in your letter relative to Mrs. Annie Krebs is not sufficient to enable the Commission to fully advise you what steps, if any, should be taken by Mrs. Krebs in the matter referred to.

If it is a fact that Annie Krebs has been listed for enrollment as a citizen of the Choctaw Nation, you are requested to state when and where she was so listed, and whether by the Tribal authorities or by this Commission.

If by the Commission, whether or not she was listed as a citizen by blood, intermarriage, or in pursuance of a judgment of the United States Court; if the latter, state date of judgment and number of case in which she was admitted to citizenship.

T. B. K.--8.

Upon receipt of the information requested herein, the matter will be given further consideration.

Yours truly,

SIGNED *T. B. Needles*

Commissioner in charge.

7-4448

McM

COPY.

Muskogee, Indian Territory, September 13, 1901.

Mrs. Anna Krebs,
Box 571,
Chickasha, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of July 31, 1901 addressed to Honorable C. B. Breckinridge and by him referred to the Commission for consideration and reply.

It is stated therein that you were listed for enrollment in pursuance of a judgment rendered by the United States Court, case number 60, R. L. Davis vs. the Choctaw Nation.

If you have a copy of said judgment you are kindly requested to forward the same to this office for examination after which it will be returned to you.

Please attend to this matter at once.

Yours truly,

SIGNED

T. B. Needles

Commissioner in charge.

7-4448

COPY.

Muskogee, Indian Territory, November 23, 1901.

Ms. Anna Krebs,

Roff, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 21st instant, enclosing marriage certificate between J. H. Krebs and Miss Annie J. Davis, offered by you as evidence of the fact of your marriage on the 22nd day of November, 1890, to J. H. Krebs, a citizen by blood of the Choctaw Nation.

The same has this day been duly filed and made a part of your application for enrollment as a citizen of the Choctaw Nation.

We cannot comply with your request to return the certificate as it is necessary that the same be retained among the records of this office until the final disposition of your rights to enrollment as a citizen by blood or intermarriage of the Choctaw Nation.

If for any reason you desire a copy thereof, the Commission will supply ~~you~~ with the same upon your request.

Yours truly,

SIGNED *Tame Dixby.*

Acting Chairman.

COPY.

Muskogee, Indian Territory, December 4, 1901.

Mrs. Anna Krebs,
Roff, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of November 30, 1901, requesting that the Commission carefully preserve your marriage certificate if it is impossible to return it to you at this time.

You are informed that the certificate of A. T. Odeneal as to the marriage of J. H. Krebs and Miss Annie J. Davis, was filed with the records of this office on November 23, 1901, and the same will be preserved with the record in the matter of your application for enrollment as a citizen of the Choctaw Nation, until the final determination of the same.

Yours truly,

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

7-4448

COPY.

Choctaw 4444-4445
and 4448.

Muskogee, Indian Territory, October 9, 1902.

Moone Williams,

Lehigh, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 3rd instant, in which you desire to be advised if John Davis, Jr., Robt. H. Davis, Anna Krebs, and Mrs. John Davis, Sr. are on the rolls of the Choctaw Nation without dispute.

In reply to your letter you are advised that it does not appear from our records that any person by the name of John Davis, Jr., has been listed for enrollment by this Commission as a citizen of the Choctaw Nation. If you will state his full name and age and the time and place application was made for his enrollment, the matter will receive further consideration.

It appears from our records that on September 2, 1899, Robert W. Davis, 27 years of age, of Nixon, Indian Territory, Anna Krebs, 31 years of age, of Lehigh, Indian Territory/and Rhoda L. Davis, 48 years of age of Lehigh, Indian Territory, and her children, Clarence, Meta, Arthur, Mamie, Virgil and James Davis, were listed for enrollment by this Commission as citizens of the Choctaw Nation, in pursuance of a judgment of the United States Court for the Central District of the Indian Territory, rendered

B V 2

at South McAlester, Indian Territory, August 24, 1897 in
Choctaw citizenship case No. 60.

Respectfully,

SIGNED *T. B. Needles*

Commissioner in Charge.

COPY.

Choctaw 4448

Muskogee, Indian Territory, November 24, 1902.

J. G. Ralls,

Attorney at Law,

Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 13th instant, relative to the application for enrollment as a citizen of the Choctaw Nation of Anna J. Krebs.

In your letter you state that this woman was admitted as a court citizen at South McAlester, Indian Territory in 1897 but is not possessed of any Choctaw Indian blood but having married a citizen by blood of the Choctaw Nation, you have advised her to appear before the representatives of the Commission white at Atoka and make her application as an intermarried citizen.

You further state that you are of the opinion that her husband, Jerome Henry Krebs drew the Leased District payment money in 1893 as a resident of Atoka County but was not enrolled in 1896 as he died prior to the compilation of that roll but that it is probable that the name of Anna Krebs will be found upon the 1896 roll.

In conclusion you desire to be informed if the name of Jerome Henry Krebs is found on the 1893 Leased District Payment

J G R 2

roll and also if the name of Anna Krebs is found on the 1896 census roll.

The record before the Commission in the matter of the application of Anna Krebs to be enrolled as a citizen of the Choctaw Nation shows that this woman is a white woman, the daughter of J. D. and Martha Davis, both of whom are now deceased; that J. D. Davis, the father of Anna Krebs was a white man, who in 1861 was married to a Choctaw woman with whom he lived until her death in 1864. He subsequently, in 1865, married Martha Davis, a white woman and who is the mother of the applicant, Anna Krebs.

It would further appear that neither J. D. Davis, his wife, Martha Davis, or his children were recognized in any manner as citizens of the Choctaw Nation up until 1896 but that in 1890 the applicant under the name of Annie J. Davis was married to J. H. Krebs, a citizen of the Choctaw Nation.

After this marriage to Krebs and under the provisions of the act of Congress of June 10, 1896, J. D. Davis applied for the admission of himself and his three children, including the applicant, Anna Krebs, as citizens of the Choctaw Nation. This application was denied and therefrom an appeal was taken to the United States Court for the Central District of the Indian Territory. On August 24, 1897, the United States Court for the Central District

J G R 3

of the Indian Territory , reversed the decision of the Commission and admitted J. D. Davis and his three children including the applicant, Anna Krebs, to citizenship in the Choctaw Nation.

While this action was pending in the United States Court for the Central District of the Indian Territory, the 1896 census roll of the citizens of the Choctaw Nation was prepared by the tribal authorities and the name of Anna Krebs was included thereon as an intermarried citizen of the Choctaw Nation and appears at No. 14421 as a resident of Atoka County.

On the 1893 Leased District payment roll of the Choctaw Nation, Atoka County, page 63 there appears to have been entered the name of John H. Krebs . This name has been lined out and it does not appear that the payment of \$103 was made to any person by this name as a resident of Atoka County.

It further appears that additional proceedings were had in this case at Atoka, Indian Territory, on the 21st instant.

The Commission would suggest in view of the unsatisfactory showing made by the applicant, Anna Krebs as to the tribal recognition of her Choctaw husband, that if it is her intention to rest her rights upon her marriage to a recognized and enrolled citizen of the tribe, that further testimony be introduced showing that her deceased husband, Jerome Henry Krebs, was a recognized

J O R 4

and enrolled citizen by blood of the Choctaw Nation.

Respectfully,

SIGNED *Tame Bixby.*

Acting Chairman.

Choctaw 4448
• 5319
• 4335
• D- 728

Muskogee, Indian Territory, August 17, 1900.

H. J. Harbert,
Moff, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of August 7, asking the status of the enrollment of A. D. Coon and his wife, Rhoda Coon, Anna Krebs, Maggie Glance and J. A. Husbands and wife, Husbands.

In reply to your letter you are informed that it appears from our records that Anna Krebs was admitted as an intermarried citizen of the Choctaw Nation by a judgment of the United States court for the southern district of Indian Territory rendered August 24, 1897, in court case (citizenship docket) number 60.

It further appears from our records that J. A. Husbands is the non-citizen husband of Frances E. Husbands who was admitted to citizenship in the Choctaw Nation by a judgment of the United States court in Indian Territory. Under the provisions of the act of Congress of July 1, 1902, which was ratified by the Choctaw and Chickasaw Nations September 25, 1902, the Commission is prohibited from enrolling or making any allotment of lands in the Choctaw and Chickasaw Nations to persons whose citizenship in said nations is dependent upon judgments of the United States court in Indian Territory,

D C H 2

until their right to such citizenship is finally determined.

It further appears from our records that Alvy Coon, husband of Rhoda Coon, has been listed among the doubtful claimants to enrollment as an intermarried citizen of the Choctaw Nation and his final right to such enrollment has not yet been determined.

It also appears that Rhoda Coon has been enrolled by this Commission as a citizen by blood of the Choctaw Nation, and on March 6, 1903 her enrollment was approved by the Secretary of the Interior.

You are further advised that it appears from our records that Maggie Lee Glance was an applicant to this Commission for identification as a Mississippian Choctaw, and on February 7, 1903, the Commission rendered its decision refusing her application for the identification of herself and her minor children as Mississippian Choctaws, and on May 15, 1903, the Secretary of the Interior approved said decision of the Commission, of which departmental action Maggie Lee Glance was notified on July 2, 1903.

Respectfully,

Commissioner in Charge.

COPY.

7-4448.

Muskogee, Indian Territory. November 7, 1904.

Anna Krebs,

Lehigh, 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, taken at Atoka, Indian Territory on November 21, 1902, that, prior to your marriage to Henry Krebs, your Choctaw husband through whom you claim intermarried rights, you had been married to one, Robinson, and that he was living at the time of your marriage to Henry Krebs.

You are advised that it will be necessary, before further action can be taken in the matter of your application for enrollment as a citizen by intermarriage, for you to furnish the Commission with the original or a certified copy of the decree of divorce between you and your former husband, Robinson.

This matter should receive your prompt attention.

Respectfully,

SIGNED *Tamo Bixby.*

Chairman.

Diet. P. P. E.

COPY.

7-4448

Muskogee, Indian Territory, March 2, 1905.

Mrs. Anna Krebs Mason,
Olney, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of February 6, 1905, in which you state that you find it impossible to get a certified copy of the decree of divorce between yourself and George Roberson previous to your marriage to your Choctaw husband, Henry Krebs, and you ask if you will be permitted to introduce witnesses to testify relative to your having been divorced.

In reply to your letter you are informed that if you are unable to secure a certified copy of the decree of divorce between yourself and your husband George Roberson and desire to introduce the testimony of witnesses who have personal knowledge of the divorce having been granted, the Commission will hear the testimony of such witnesses upon their personal appearance at its office at Muskogee, Indian Territory. Such testimony as you desire to introduce in this matter should be submitted with as little delay as possible in order that disposition may be made of your application.

The letter of J. G. Ralls of February 4, 1905, enclosed with your communication is herewith returned.

Respectfully,

SIGNED *T. B. Needles*

Commissioner in Charge.

COPY.

7-4448

Muskogee, Indian Territory, March 28, 1905.

Mrs. Anna Krebs Mason,

Olney, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letters of March 18, 1905, and March 23, 1905, enclosing communications addressed by J. G. Ralls to Mr. Mason, Olney, Indian Territory, under date of March 15, 1905, and March 22, 1905; also copy of communication of March 15, 1905, to J. H. Everidge, Grant, Indian Territory; you state that you believe that you will soon be able to get a certified copy of the decree of divorce between yourself and George Robinson, but in the event you are unable to do so you ask if more than one witness beside yourself will be required to prove the divorce.

In reply to your letter you are informed that if you are unable to secure a certified copy of the decree of divorce referred to it will be necessary for you to establish by two or more reputable witnesses who are not interested in the out come of your case the fact that you were divorced from George Robinson and the date of such divorce.

The communications inclosed with your letter are herewith returned.

Respectfully,

SIGNED *Tams Bixby.*

Chairman.

COPY.

Choctaw 4448

Muskogee, Indian Territory, April 6, 1905.

J. G. Ralls,

Attorney at Law,

Atoka, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of March 30, inclosing certified copy of the decree of divorce, of August 17, 1887, between Anna C. Robinson and her husband, George Robinson, and the same have been filed with the record in support of the application of Anna C. Krebs (Mason) for enrollment as an intermarried citizen of the Choctaw Nation.

Respectfully,

SIGNED *T. B. Needles*

Commissioner in Charge.

COPY.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

G.R.
WJB

June 22, 1906.

D.C.
I.P.S.
JRE

32260-1906.
8708-1906.

Commission to the Five Civilized Tribes,
Widgee, Indian Territory,

Gentlemen:

May 6, 1906, you advised me of the census of the Choctaw Nation of 1898, in which you stated that the name of John H. Krebs was not found on the said census roll. I have examined the said census roll and find that the name of John H. Krebs is not found thereon. I have also examined the census roll of the Choctaw Nation, Indian Territory, for the year 1898, wherein you stated that --

The name of John H. Krebs is found on the 1898 Choctaw Census Roll, Choctaw County, No. 14491, as called thereon as a citizen by intermarriage with said nation. Such examination of the tribal rolls however, fails to disclose that the said J. H. Krebs, by reason of said intermarriage, was also entitled to the right to enrollment, has ever been recognized by the tribal authorities of the Choctaw Nation as a citizen by blood of said nation. On the 1898 Choctaw Census Roll, Choctaw County, page 63, the name of John H. Krebs is found, but a line has been drawn through said name in ink and none of the items of detail such as are found on said roll opposite the names of all other persons thereon appear on said roll opposite said name, and it is clear from an examination of said roll that the payment of \$103 was not made to the said John H. Krebs, or to any person for him.

The applicant herein has failed to present any evidence by which it can be established that said J. H. Krebs was a recognized citizen by blood of the Choctaw Nation.

Applicant testified that her Choctaw husband, Henry Krebs, now deceased, was a recognized citizen of the Choctaw Nation. Her husband's name is given in the certificate of marriage as J. H. Krebs, which name appeared upon the 1897 Choctaw Census Roll, through which you stated a line had been drawn.

You state that "the applicant herein has failed to present any evidence by which it can be established that said J. H. Krebs was a recognized citizen by blood of the Choctaw Nation."

The evidence is clear that applicant's husband, J. H. Krebs, was at one time a recognized and enrolled citizen of the Choctaw Nation and the Department is unwilling to declare that he is a noncitizen by reason merely of a line being drawn through his name not shown to have been done by authority and in face of the fact that applicant's name has been enrolled under the name of Annie Krebs as an intermarried citizen ^{upon} the 1896 Choctaw Census Roll.

The record is remanded with instructions to notify applicant at her new address at Lehigh, Ind. T., care of Mrs. Clara Travel, that she will be given further opportunity to present additional evidence to establish that her husband, J. H. Krebs, through whom she claims as a citizen by intermarriage, was a duly enrolled and recognized citizen by blood of the Choctaw Nation.

The record is returned to you through the Indian Office.

Respectfully,

F. A. Hitchcock,
Secretary.

COPY.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,

WASHINGTON, May 17, 1905.

Land,
36178-1905.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to enclose a report from the Commission to the Five Civilized Tribes, dated May 6, 1905, transmitting the record of the application for enrollment as a citizen by intermarriage of the Choctaw Nation by Anna Krebs.

May 6, 1905, the Commission decided adversely to the applicant.

The record shows that on December 2, 1896, the Commission denied this applicant's claim to enrollment as a citizen by blood of the Choctaw Nation; that on appeal to the United States Court, Central District, Indian Territory, the Commission's decision was reversed August 25, 1897, and admitted this applicant to citizenship; that on December 17, 1902, the Choctaw and Chickasaw Citizenship Court "set aside, annulled, vacated and held for naught" the judgment of the United States Court; that on November 29, 1904, the said Choctaw and Chickasaw Citizenship Court entered of record a decree declaring that Anna Krebs is not a citizen of the Choctaw Nation.

It further appears that on November 29, 1890, the applicant was married to J. H. Krebs an alleged citizen by blood

of the Choctaw Nation; that at that date both were residents in good faith of the Choctaw Nation and lived together as husband and wife in said Nation until the death of J. H. Krebs in the year 1896; that the applicant has been a resident in good faith of the Choctaw Nation from the date of her marriage up to and including September 28, 1902. It does not appear that J. H. Krebs was a recognized citizen of the Choctaw Nation and the applicant has failed to present any evidence to establish the same.

In view of the record the approval of the Commission's decision adverse to the applicant is recommended.

Very respectfully,

C. F. Laurabee,
Acting Commissioner.

A. V. B.

7-4448

5
COPY.

Muskogee, Indian Territory, July 18, 1905.

Anna Krebbs,
c/o Mrs. Clara Travel,
Lehigh, Indian Territory,

Dear Madam:

You are hereby notified that on June 23, 1905, the Secretary of the Interior remanded the record in the matter of the application for your enrollment as an intermarried citizen of the Choctaw Nation, to this office with instructions that you be allowed further opportunity to furnish evidence to the effect that your husband, J. H. Krebbs, through whom you claim your right to citizenship by intermarriage, was a duly recognized and enrolled citizen by blood of the Choctaw Nation.

In accordance with Departmental instructions you are advised that the testimony of such witnesses as you may desire to introduce tending to establish that your husband, J. H. Krebbs, was a duly recognized and enrolled citizen by blood of the Choctaw Nation, will be heard at this office at 9 O'clock A. M., Monday, August, 7, 1905.

Respectfully,

SIGNED *Tame Dixby.*

Commissioner.

COPY.

7-4448

Muskogee, Indian Territory, July 18, 1905.

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

Dear Sir:

There is inclosed herewith for your information copy of Departmental letter of June 23, 1905, remanding the record in the matter of the application for the enrollment of Anna Krebs as an intermarried citizen of the Choctaw Nation, to this office for investigation as to the tribal recognition of her Choctaw husband, J. H. Krebs.

You are therefore hereby notified that in accordance with Departmental instructions above referred to, the testimony of such witnesses as may be introduced tending to establish the tribal recognition and enrollment of J. H. Krebs as a citizen by blood of the Choctaw Nation, will be heard at this office at 9 O'clock A. M., Monday, August 7, 1905.

Respectfully,

SIGNED *James Dixby.*

LM 18-1

Commissioner.

7-4448

COPY.

Muskogee, Indian Territory, July 18, 1905.

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

Gentlemen:

There is inclosed herewith for your information copy of Departmental letter of June 23, 1905, remanding the record in the matter of the application for the enrollment of Anna Krebs as an intermarried citizen of the Choctaw Nation to this office for investigation as to the tribal recognition of her Choctaw husband, J. H. Krebs.

You are therefore hereby notified that in accordance with Departmental instructions above referred to, the testimony of such witnesses as may be introduced tending to establish the tribal recognition and enrollment of J. H. Krebs as a citizen by blood of the Choctaw Nation, will be heard at this office at 9 O'clock A. M., Monday, August 7, 1905.

Respectfully,

SIGNED *Tame Bixby.*

Commissioner.

LM 18-2

COPY.

7-4448

Muskogee, Indian Territory, August 7, 1905.

J. G. Ralls,

Tulsa, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of August 4, 1905, stating that you will not be able to get the witnesses you desired to introduce in the matter of the application of Anna Krebs for enrollment as an intermarried citizen of the Choctaw Nation at Muskogee, Indian Territory, on August 7, 1905, the date fixed for the hearing in this case on account of the meeting of the Grand Lodge of A. F. & A. M.; you therefore request that you be allowed to introduce your witnesses on Friday or Saturday of this week and in compliance with your request you are advised that you will be allowed a continuance of this case until Saturday, August 12, 1905, at 9 o'clock a. m.

Respectfully,

SIGNED *Tamc Dixey.*

Commissioner.

COPY.

7-4448

Muskogee, Indian Territory, August 7, 1905.

Mansfield, McMurray & Cornish,

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

Gentlemen:

You are hereby advised that on request of the attorney for the applicant in the Choctaw enrollment case of Anna Krebbs the hearing in this case has been continued until 9 o'clock a. m. Saturday, August 12, 1905.

Respectfully,

SIGNED *Tamc Bixby.*

Commissioner.

COPY

7-4448

Muskogee, Indian Territory, August 23, 1905.

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

Dear Sir:

Receipt is hereby acknowledged of your letter of August 19, 1905, in which you state that the witness whose testimony you desired to introduce in support of the application of Anna Krebs for enrollment as a citizen of the Choctaw Nation did not reach Muskogee on August 12th, the date to which this case was continued until after 6 o'clock on account of a delayed train; you therefore ask that a date be fixed the latter part of this week for the introduction of testimony in this case.

In reply to your letter you are advised that a continuance has heretofore been granted in this case on your request which was agreed to by Mansfield, McMurray & Cornish and the testimony of such witnesses as you desire to introduce in this case will be heard at this office on any date agreed upon by you and Messrs. Mansfield, McMurray & Cornish, the attorneys for the Choctaw and Chickasaw Nations.

Respectfully,

SIGNED

Tame Bixby.

Commissioner

COPY.

Muskogee, Indian Territory, January 17, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

The Department under date of June 23, 1905 (I.T.D. 5708-1905), remanded to the Commission to the Five Civilized Tribes, the record in the matter of the application for the enrollment of Anna Krebs as a citizen by intermarriage of the Choctaw Nation, wherein a decision adverse to the applicant was rendered by said Commission on May 6, 1905.

The Department instructed that the applicant, Anna Krebs, be notified at her new address, Lehigh, Indian Territory, in care of Mrs. Clara Travel, that she would be given further opportunity to present additional evidence to establish that her husband, J. H. Krebs, through whom she claims as a citizen by intermarriage, was a duly recognized and enrolled citizen by blood of the Choctaw Nation.

July 18, 1905, the applicant, Anna Krebs, in care of Mrs. Clara Travel, Lehigh, Indian Territory, J. G. Ralls, Atoka, Indian Territory, her attorney of record, and Messrs. Mansfield, McMurray & Cornish, South McAlester, Indian Territory, the attorneys for the Choctaw and Chickasaw Nations, were notified that in conformity with the Department's instructions of June 23, 1905, the testi-

(2)

mony of such witnesses as might be introduced, tending to establish the tribal recognition and enrollment of J. H. Krebbs as a citizen by blood of the Choctaw Nation, would be heard by the Commissioner to the Five Civilized Tribes at his office at Muskogee, Indian Territory, on Monday, August 7, 1905, at nine o'clock A. M.

No appearance was entered by the applicant, her attorney or the attorneys for the Choctaw and Chickasaw Nations at the time set for the hearing in this case on August 7, 1905, and no further action was taken in the matter until October 26, 1905, when J. C. Ralls, the attorney for the applicant, advised the Commissioner that inasmuch as Anna Krebbs is the daughter of James Davis, an intermarried citizen of the Choctaw Nation, she would be entitled to enrollment by virtue of such fact if it was finally determined by the Department that the children of intermarried citizens of the Choctaw and Chickasaw Nations were entitled, under the opinion in the Mary Elizabeth Martin case, to be so enrolled.

Mr. Ralls requested that action in the matter of the application for the enrollment of Anna Krebbs as an intermarried citizen of the Choctaw Nation be deferred until the final decision by the Department upon the question of the rights of the children of intermarried citizens of the Choctaw and Chickasaw Nations to be enrolled as citizens of the two tribes.

(3)

I am now in receipt of a letter from J. G. Ralls, under date of January 15, 1906, enclosing a petition of Anna J. Mason (Anna Krebbs) to be enrolled as a member of the Choctaw Tribe of Indians. In this petition Anna J. Mason (Anna Krebbs) alleges that she is the daughter of James D. Davis, deceased, a white man, who was, about the year 1848, married to Salina Hall, a Choctaw Indian woman by blood, who was a recognized member of the Choctaw tribe of Indians; that Davis resided with his Choctaw wife until her death and that thereafter, in the year 1864, he was married to Martha C. Southard, a white woman, and that the petitioner, Anna J. Mason, is the child of the latter marriage.

There is nothing in the petition in any way referring to the right to enrollment of Anna J. Mason (Anna Krebbs) as a citizen by intermarriage of the Choctaw Nation by reason of her marriage in November, 1890, to J. H. Krebbs.

It would appear from Mr. Ralls' letters of October 26, 1905, and January 15, 1906, that the applicant has now abandoned any right she might have to enrollment as a citizen by intermarriage of the Choctaw Nation by reason of her marriage to J. H. Krebbs and that she desires her right as a citizen to be adjudicated as the child of James D. Davis, in conformity with the opinion of the Assistant Attorney General for the Department of the Interior of December 8, 1905, in the Choctaw enrollment case of Mary Elizabeth Martin.

(4)

The petition transmitted with Mr. Ralls' letter of January 15, 1906, has been filed and proceedings thereon will be had in conformity with the regulations adopted by the Commissioner January 2, 1906, a copy of which is enclosed herewith.

The applicant has had a reasonable time within which to submit testimony to establish the fact that her husband, J. W. Krebs was a citizen by blood of the Choctaw Nation, and has failed to do so.

I therefore have the honor to return herewith the original record in the matter of the application for the enrollment of Anna Krebs as a citizen by intermarriage of the Choctaw Nation, with the decision of the Commission to the Five Civilized Tribes of May 6, 1905, adverse to the applicant, and recommend that the same be affirmed.

Respectfully,

SIGNED *Tams Bixby.*

Through the
Commissioner of Indian Affairs.

Commissioner.

OP 17-5

7-4448

Muskogee, Indian Territory, November 9, 1906.

Mrs. Anna Mason,
Oiney, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of October 26, 1906, asking that an early decision be rendered in the case of Rhoda L. Davis, et al.

In reply to your letter you are advised that on November 9, 1906, a decision was rendered denying the application and petition for the enrollment of Rhoda L. Davis, et al. as citizens of the Choctaw Nation, under the ruling of the Department in the Choctaw enrollment case of Loula West, and due notice of such action was forwarded you on the same date.

Respectfully,

Commissioner.

Commission for the Improvement of the
State, Department of...

In the presence of the following witnesses:
I hereby certify that the following is a true and correct translation of the stenographic notes:

1. The first witness is...

2. The second witness is...

3. The third witness is...

4. The fourth witness is...

5. The fifth witness is...

6. The sixth witness is...

7. The seventh witness is...

8. The eighth witness is...

Department

Commissioner

I hereby certify that the following is a true and correct translation of the stenographic notes.

Witnessed and attested as a true and correct translation of the stenographic notes.

M. J. Green

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

In the enrollment of Clara Standifer and child as Ghostaws;
being sworn and examined by Comr McKenna she states:

- Q What is your name? A Clara Standifer.
- Q How old are you? A Twenty-nine.
- Q Where have you been living? A At Lebig.
- Q How long? A I was born and raised here and have been here
all of my life.
-
- Q You and two child? A Yes sir, I have only one.
- Q What is its name? A Stella Standifer.
- Q When was she born? A 31st of January 1896.
- Q She was not included in the judgment? A No sir.
- Q Once Comr Lewis: You and your husband neither one have
got any Indian blood? A No sir.
- Q Comr McKenna: Your father intermarried with an Indian
woman first and then married a white woman after the other
one was dead? A Yes sir.
- Q And you are his daughter by this white woman? A Yes sir
by his second wife.
- Q Your husband is a white man? A Yes sir.

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify that my official work was
stenographed to the Commission, that this
transcript is a true, full and correct translation of
my stenographic notes.

M. D. Green

MARRIAGE LICENSE.

UNITED STATES OF AMERICA,)
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 BANES OF MATRIMONY between Mr. Richard Travel of Lehigh in the Indian Territory, aged 38 years, and Mrs. Clara L. Standefer of Lehigh in the Indian Territory, aged 31 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 15 day of May A. D.

190

Don J. Folsom, Deputy.

E. J. Fannin
Clerk of the United States Court

(SEAL)

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA)
THE INDIAN TERRITORY)
CENTRAL DISTRICT.)

SS:

I, A. S. Wert, mayor of incorporated town of Lehigh do hereby Certify that on the 19th day of May A.D. 1901, 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 20th day of May A.D. 1901.

My credentials are recorded in the Office of the Clerk of the United States Court in the Indian Territory, Central District, Book

_____ Page _____.

(Stamp)

A. S. Wert.
Mayor Lehigh, I. T.

Indorsed on back as follows:

No. 1072.

CERTIFICATE OF RECORD OF MARRIAGES.

UNITED STATES OF AMERICA)
THE INDIAN TERRITORY)) SEC::
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. Richard Travel and Mrs. Clara Standeper was filed in my office in said Territory and District the 4 day of May A. D. 1901, and duly recorded in Book one of Marriage Record, Page 503.

Witness my hand and seal of said Court, at Atoka this 24 day of May A.D. 1901.

E. J. Fannin, Clerk.

by Don J. Folsom, Deputy.

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

F I L E D.

JUNLY 27, 1901/

TAMS BIXBY, ACTING CHAIRMAN.

IN RE

Application for Enrollment of

INFANT CHILD

Georgina Ethel Travel

as a citizen of the

Choctaw

Nation.

Approved July 27 1901 190

T. B. Needles

Commissioner.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

F I L E D

JULY 27 1901.

TAMS BIRBY, 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 Gergena Ethel Travel, born on the 9th day of April, 1901

Name of Father: R. T. Travel, a citizen of the Nation.

Name of Mother: Clara Standefer Travel, a citizen of the Choctaw Nation.

Post-Office: Lehigh, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, District.

I, Clara L. Standefer Travel, on oath state that I am 31 years of age and a citizen, by adoption, of the Choctaw Nation; that I am the lawful wife of R. T. Travel, who is a citizen, by adoption, of the Choctaw Nation, that a female child was born to me on the 9th day of April, 1901; that said child has been named Georgena Ethel Travel, and is now living.

Clara L. Travel.

WITNESSES TO MARK.

(Must be Two Witnesses.)

Subscribed and sworn to before me this 17 day of July, 1901

(SEAL)

A. S. Wert

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, District.

I, W. B. Wallace, a Physician, on oath state that I attended on Mrs. Clara Standefer Travel, wife of Richard Travel, on the 9th day of April, 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 Georgena Ethel Travel.

W. B. Wallace.

WITNESSES TO MARK.

(Must be Two Witnesses.)

Subscribed and sworn to before me this 17 day of July, 1901.

(SEAL)

A. S. Wert.

Notary Public.

7-4147.

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

--oOo--

In the matter of the application for the enrollment of
Georgena Ethel Travel as a citizen of the Choctaw Nation.

--oOo--

The applicant, Georgena Ethel Travel, claims the right to enrollment as a citizen of the Choctaw Nation through her mother Clara L. Travel (formerly Standifer).

The right of the applicant's mother, Clara L. Travel (as Clara Louise Travel or Trowel or Clara Standifer), to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court of November 19, 1904, in case number 100 upon the South McAlester docket of said court, it is hereby ordered that the application for the enrollment of Georgena Ethel Travel as a citizen of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Wm. Dixey

Chairman.

Muskogee, Indian Territory,

JAN 21 1905

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

In the enrollment of Robert W. Davis as a Choctaw; being sworn
and examined by Const. McPherson he testifies as follows:

- Q What is your name? A Robert W. Davis.
Q How old are you? A 47 years.
Q Where have you been living? A Here in the Territory.
Q All your life? A Yes sir.
Q This is all of your family to be enrolled? A No sir, I
was married after my petition.
Q Your wife has it been admitted? A Yes sir.
Q You have an Indian blood? A Yes sir.
Q Your father first married a white woman and she died and
he then married your mother, who is a white woman? A Yes sir.
Q Your father is a white man? A Yes sir.

Department of the Interior,
Commission to the Five Civilized Tribes.
I hereby certify that the official notes
stenographed by me at the Commission that this
transcript is a true and correct translation of
my stenographic notes.

M. D. Green

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

In the presence of Judge J. Davis and other members of the
tribe and examined by Commissioner and states:

Q What is your name? A Thomas J. Davis.

Q How old are you? A 40 - 1/2.

Q How long have you lived in the Indian Territory, in blood?

A 20 years.

Q How long have you lived in the Indian Territory, in blood? A Well

about 20 years. I was born in the Territory; my first name was a

Q How long have you lived in the Indian Territory, in blood? A Well

about 20 years. I was born in the Territory; my first name was a

Q How long have you lived in the Indian Territory, in blood? A Well

about 20 years. I was born in the Territory; my first name was a

Q How long have you lived in the Indian Territory, in blood? A Well

about 20 years. I was born in the Territory; my first name was a

Q How long have you lived in the Indian Territory, in blood? A Well

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify that the above is a true and correct
steno-graphic transcription of the testimony given by the
transcriber and that it is a correct translation of
my stenographic notes.

M. J. Green

DEPARTMENT OF THE INTERIOR,
Commission to the Five Civilized Tribes,
Atoka, Ind. Ter., June 4, 1900.
Ches.-4448.

In the matter of the application of Cora Delvina Davis for enrollment as an intermarried citizen of the Choctaw Nation.

Robert M. Davis, being first duly sworn by Acting Chairman Bixby testified as follows:

- Q What is your name? A Robert M. Davis.
Q What is your age? A 27 years.
Q What is your postoffice address? A Nixon, Indian Territory.
Q Do you live at Nixon? A Yes sir.
Q Are you a Choctaw? A I was enrolled down there.
Q Don't you know whether you are a Choctaw or not? A Why, they enrolled me down there.
Q You are here present for the purpose of making application for your wife as a Choctaw by intermarriage, are you? A Yes sir.
Q What is your wife's name? A Cora Delvina.
Q Her maiden name was Winans, was it? A Yes sir.
Q What was the name of her father? A William Winans.
Q Is he living? A No sir.
Q Was he a citizen of the United States? A Yes sir.
Q What is the name of your wife's mother? A Matilda.
Q Is she living? A Yes sir.
Q Is she a citizen of the United States? A Yes sir.
Q How long has your wife lived in the Indian Territory? A About seven or eight years.
Q She is a citizen of the United States is she? A Yes sir.
Q You was recognized as a citizen of the Choctaw nation by the United States Court, was you not? A Yes sir.

Note Case No. 174.

- Q Did you apply to the Dawes Commission in 1896 for admission to citizenship? A Yes sir.
Q Were you admitted or rejected? A Rejected by them.
Q Then you took an appeal to the United States court? A Yes sir.
Q And was admitted? A Yes sir.

Note: Records examined and it is ascertained that Robert M. Davis was admitted in case No. 174, entitled Alonzo M. Davis v. the Choctaw Nation in the name of Robert L. Davis, as a member of the Choctaw Nation by blood.

- Q Where were you married? A At Atoka, Indian Territory.
Q Who married you? A Parson Murrow.
Q Is he a minister of the gospel? A Yes sir.
Q Have you your marriage certificate? A Yes sir.

Marriage certificate presented and filed with the Commission; the same examined and it is found that Robert M. Davis and Cora Delvina Winans were married according to the laws of the United States on the 24th day of December, 1896, by John S. Murrow.

A. Telle, Esq., Attorney and member of the Choctaw committee for the Choctaw nation makes the following statement: Robert Davis gets his citizenship as a Choctaw by virtue of a judgment of the United States court for the Central District of Indian Territory. His father, John D. Davis, was a white man who, in an early day married a Choctaw woman of the Nail family; after her death he married a white woman, who was the mother of Robert Davis. Robert Davis has no Choctaw

2-Davis.

blood and bases his claim to citizenship upon the marriage at an early day, of his father to a white woman.

Frances R. Brown, being first duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes she reported in full the testimony of the foregoing witness, and that the transcript herein is a true and complete transcript of the testimony as delivered by him in the above entitled cause.

Frances R. Brown

Subscribed in my presence and sworn to before me this 5th day of June, 1900.



Acting Chairman.

(Copy)

MARRIAGE LICENSE.

321

UNITED STATES OF AMERICA,)
INDIAN TERRITORY,)ss
Central Judicial District.)

You are hereby commanded to solemnize the Rite and Publish the Banns of Matrimony between Mr. R. M. Davis of Lehigh, in the Indian Territory, aged twenty-four years and Miss Cora Winans of Lehigh, in the Indian Territory, aged twenty-one years, according to law and fo you officially sign and return this license to t e parties there in named.

Witness my hand and official Seal this 19 day of Dec. A.D. 1896.

P. B. Stoner,

((SEAL))

Clerk of the U. S. Court.

By Geo. R. Edwards. Deputy.

-----o-----

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA,)
Indian Territory,)ss.
Central Judicial District.)

I, J. S. Murrow, a Clergyman do hereby certify, that on the twenty-fourth day of December, AD, 1896, 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 24th day of December, A. D. 1896.

My credentials are recorded in the office of the Clerk of the United States Court in the Indian Territory Central Judicial District Book A, 47th page.

Joseph S. Murrow,

Minister of the Gospel.

-----o-----

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)

Endorsed on back as follows:

"INDIAN TERRITORY,
)ss.
CENTRAL DISTRICT)

I hereby certify that this instrument
was filed for record in my office at _____
O'clock _____ M _____ 1896
and is duly recorded in Book 7, Page 180.
(signed) P. B. Stoner, Clerk.
By-----Deputy "

((SEAL))

THIS CERTIFIES

THAT

Mr. Robert Murrow Davis and Miss Cora Delvina Winans

Were by me United in

MARRIAGE

at A-to-ka, Choctaw Nation, Ind. Terry. according to the
Laws of the U. S. District Court on the Twenty-fourth day
of December, 1896.

W. R. Standifer,

Joseph S. Murrow,

W. C. Winans.

Missionary.

-----o-----

Endorsed as follows:

----- F I L E D -----

JUN 4 1900

----- COMMISSION TO FIVE TRIBES. -----

atB
190

7-R-482.

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

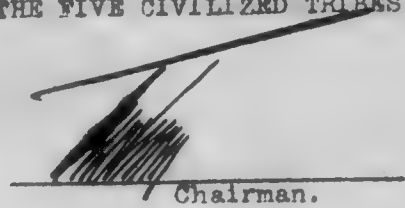
In the matter of the application of Cora Delvina Davis
for enrollment as a citizen of the Choctaw Nation.

-oOo-

The applicant, Cora Delvina Davis, claims the right to enrollment as a citizen of the Choctaw Nation by reason of her marriage to Robert M. Davis.

The right of the applicant's husband, Robert M. Davis, (as Robert Murrow Davis or Robt M. Davis), to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court of November 29, 1904, in case number 100 upon the South McAlester docket of said court, it is hereby ordered that the application of Cora Delvina Davis for enrollment as a citizen of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.



Chairman.

Muskogee, Indian Territory,

JAN 2 1905

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

IN THE MATTER OF THE APPLICATION OF)
ANNA J. MASON TO BE ENROLLED AS A) P E T I T I O N .
MEMBER OF THE CHOCTAW TRIBE OF INDIANS)

Comes now Anna J. Mason and respectfully represents to this honorable Commission that she is thirty-seven years of age, a white person and a bona fide resident of the Choctaw Nation, Indian Territory, and that she was born in the Choctaw Nation and has continued to maintain her residence in the Choctaw Nation and says that she is entitled to be enrolled as a member of the Choctaw Tribe of Indians for the following reasons, towit:

F I R S T :

Your petitioner is a daughter of James D. Davis, deceased, who was a white man and who was, about the year 1848 married to Salina Nail, a Choctaw Indian woman who was recognized as a member of the Choctaw tribe of Indians, that said marriage was in accordance with the laws and customs of the Choctaw Tribe of Indians and within the Choctaw Nation; that said James D. Davis was a white man and resided in the Choctaw Nation at said time and continued to reside in the Choctaw Nation until his death which occurred in the month of March, 1896. And your petitioner says that after the marriage of her father to said Choctaw woman, said Choctaw woman about the year 18____, died and that thereafterwards, towit, in the year 1864, the said James D. Davis was duly and legally married to Martha C. Southard, a white woman who resided in the Choctaw Nation and by said marriage your petitioner and other children were born.

Your petitioner represents that the said James D. Davis was a bona fide resident of the Choctaw Nation at the date of the

making and ratification of the agreement between the Choctaws and Chickasaws on the one part and the United States on the other part which is known as the treaty of 1866, and that by virtue thereof, his rights as a member of the Choctaw Tribe of Indians is confirmed and approved.

S E C O N D:

Your petitioner says that her present husband is a white man named H. E. Mason and that her postoffice address is Olney, Choctaw Nation, Indian Territory and that she is the identical person who has pending before said Commission an application as Anna Krebs and your petitioner says that she was duly and legally married to one Henry Krebs who was a Choctaw Indian by blood.

T H I R D:

Your petitioner further says that in the year 1896 your petitioner joined with Lavinia Davis and others in a petition to the Five Civilized Tribes under the Act of June 10th, 1896, and that said petition was continued by your Commission and an appeal taken to the United States Court at South McAlester where judgment was rendered adjudging that your petitioner with the other petitioners therein were entitled to be enrolled as a member of the Choctaw Tribe of Indians and that the name of your petitioner in said petition was that of Anna Krebs.

F O U R T H:

Your petitioner further represents that there are relatives of the Choctaw Wife of said James D. Davis who are duly enrolled and approved as Choctaw Indians by blood and that your petitioner's father, was, during his life-time, after his marriage to said Choctaw woman, recognized by the Choctaw Authorities as a member of the Choctaw Nation and that by his first Indian wife, he had children

DEPARTMENT OF THE INTERIOR.

Before the Commissioner to the Five Civilized Tribes.

In re, application of Alonzo M. Davis for enrollment as a citizen of the Choctaw Nation

P E T I T I O N .

Comes now your petitioner Alonzo M. Davis and alleges that he is entitled to be enrolled as a citizen of the Choctaw Nation under and by virtue of the opinion of the Assistant Attorney General in the Mary Elizabeth Martin case (I.T.D. 11856-1904 & I.T.D. 3691-1905) also of the opinion of the Assistant Attorney General in the Loula West case (I.T.D. 10353-1904 & I.T.D. 3693-1905).

The allegations of your petitioner are:

I

His father James Davis, by virtue of his marriage to a recognized Choctaw by blood in 1855 owed allegiance to the Choctaw Nation and was recognized as a citizen of the Choctaw Nation prior to his death some eight years ago.

II

That the said James Davis after the death of his Indian wife married the mother of the petitioner, she being a white woman named Martha Southard; that said marriage was a legal one and this petitioner is the lawful issue of said marriage.

III

That petitioner's father owed allegiance to the Choctaw Nation at the date of petitioner's birth and hence petitioner owed allegiance to the Choctaw Nation at his birth and has continued to do so to the present date.

IV

That petitioner was admitted by the Dawes Commission in 1896, and by the United States Court for the Central District on August 24, 1897, in Choctaw Citizenship Case #40, and was denied by the Choctaw-Chickasaw Citizenship Court at South McAlester on November 20, 1904 in case #100.

V

That by virtue of the recognition of petitioner's father and of his own allegiance to the Choctaw Nation it was the duty of the Commission to have enrolled him and all acts by the U. S. Court and the Choctaw-Chickasaw Citizenship Court are void for want of jurisdiction of the subject matter.

WHEREFORE, the premises considered petitioner prays that he be enrolled as a citizen of the Choctaw Nation.

Respectfully submitted,

(Signed) Charles von Weise,

Attorney for petitioner.

Indian Territory
Southern District

I, Alonzo M. Davis, upon my oath state that I am the identical person mentioned in the foregoing petition; that I have read same and that the contents thereof are true.

(Signed) Alonzo M. Davis.

Subscribed and sworn to before me this the 13 day of January, 1906.

(Signed) F. P. Kibbey,

Notary Public.

My Com Exp. Nov. 27, 1909.

Indian Territory
Southern District

I, Charles von Weise, upon my oath state that I am of lawful age, that I delivered to the postmaster at Ardmore, I. T., a letter addressed to Mansfield, McMurray & Cornish, Attorneys for the Choctaw and Chickasaw Nations, South McAlester, I. T., which letter contained a true and correct copy of the foregoing petition, and which was delivered to the postmaster as aforesaid for the purpose of registration. In proof of such registration and of the date thereof I hereto attach the registry receipt and make same a part of this affidavit.

(Registry Receipt Attached.)

Charles von Weise.

Subscribed and sworn to before me this 20th day of January, 1906.

F. M. Young,

Notary Public.

My com Exp. May 6, 1909.

(SEAL)

Indorsed:

Department of the Interior,
Commissioner to the Five Civilized Tribes.
Filed Jan 23, 1906.
Tams Bixby, Commissioner.

In re application of Alonzo
M. Davis for enrollment as a
citizen of the Choctaw Nation.
Petition.

Chas. von Weise,
Atty. for petitioner.

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

.....

In the matter of the enrollment of Clara L. Travel,
and her minor children, Willie C. Standifer, Georgenia E.
Travel and Kathrena A. Travel, as citizens of the Choctaw
Nation.

Commissioner to the

Five Civilized Tribes.

Sir:

Your petitioner, Clara L. Travel, on behalf of her-
self and her minor children, Willie C. Standifer, Georgenia
E. Travel and Kathrena A. Travel, respectfully ask that
they be enrolled as citizens of the Choctaw Nation; your
petitioner states that she is the daughter of James Davis
and she and the other petitioners herein, her children, are
descendants of James Davis, who, prior to the year 1800 was
married to a citizen by blood of the Choctaw tribe of Indians
and that there was born of said union between the said James
Davis and his Choctaw wife Alwilda F. Davis, now Marshall,
and Johnnie Davis, whose names now appear upon the final
roll of the citizens by blood of the Choctaw Nation as ap-
proved by the Honorable Secretary of the Interior.

That under and by virtue of the XXXVIIIth Article of
the treaty of April 26, 1806, said James Davis, having mar-
ried a Choctaw woman and resided in the Choctaw Nation, was
by said article adopted and naturalized as a citizen of said
nation as though he were a native Choctaw; that he, the said
James Davis, lived with his Indian life continuously from

the date of his marriage to her until the date of her death, after which he was married to ^{Martha C Davis in the year 1864} ~~Martha C Davis~~, the mother of your petitioner, under a Texas license in which he, the said James Davis was described as a citizen of the Choctaw Nation; that said James Davis and Eliza T. Davis, the father and mother of your petitioner, lived together as husband and wife, in the Choctaw Nation, from the time of their marriage until her death.

Your petitioner was entitled to be considered as an citizen of said Nation by virtue of being the daughter of the said James Davis and Eliza T. Davis, both of whom were citizens of the Choctaw Nation before the time of their marriage, and she was recognized as a citizen of the said Nation from her birth; that she was educated in the Indian schools and resided a considerable time in said Nation.

Your petitioner at her death, as stated in the above report of her rank (Army No. 111) then living applied to the Commission to the Five Civilized Tribes to be entitled to enrollment in the Choctaw Nation under the act of Congress of June 17, 1897 (30 Stat., 751), and were by said Commission refused; that on appeal to the United States Court, Central District, Indian Territory, they were admitted to citizenship in the Choctaw tribe of Indians; that the matter on appeal to the United States citizenship Court, your petitioner, together with the other members of the family were refused for the reason that they were not considered of Indian blood.

Your petitioner now respectfully asks that said orders and decrees above mentioned be annulled, and have never been null, void, of no force or effect, for the reason that your

petitioner being a citizen of the Choctaw Nation neither the Commission nor the Courts had any authority to adjudicate the rights of your petitioner, or her children, to admission to citizenship in the Choctaw Nation under the act of Congress above referred to, as they had always been recognized citizens of said Nation, and your petitioner having been educated in the laws of said Nation to hold lands in said Nation.

Your petitioner further states that she and her children, the minor children herein, were taken out of said Nation in the winter of 1890 and taken to the Five Civilized Tribes and taken to the Commission of the Five Civilized Tribes for the enrollment of the principal and all of her children, excepting the youngest, Thomas A. Travel, prior to September 1, 1891; that the said Thomas A. Travel has since that time an application was made and in support of the application to the Commission said above reference is here made to the records in charge of said Commission to the Five Civilized Tribes.

It is stated, Your Petitioner asks that Clara L. Travel, Willie L. Traveler, deceased, Thomas A. Travel, her children, be enrolled as citizens of the Choctaw Nation.

Respectfully submitted,

x Clara L. Travel
Petitioner.

Chilton Riley
Attorney for Petitioner,
Andover, Indian Territory.

Clara L. Travel being first duly sworn on oath says that she has read the above and foregoing petition and that

The allegations therein made and stated are true.

Clara L. Travel

Subscribed and sworn to before me this 15th
day of January, A. D. 1907.

Richard Whalen

Seal

Notary Public for the State of New York
in and for the County of New York
My Commission Expires on _____
My Office is at _____

Subscribed and sworn to before me this _____
day of _____, A. D. _____

My Office.

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

.....

Commissioner to the
Five Civilized Tribes.

Sir:

Your petitioner, Robert . Davis, on behalf of himself and his minor child, Gertrude . Davis, joined by his wife, Cora . Davis, respectfully ask that they all be enrolled as citizens of the Choctaw Nation; petitioner Robert . Davis says that he is a son of James Davis, who, prior to the year 1830 was married to a citizen by blood of the Choctaw Nation; that there was born of said first union between James Davis and his Choctaw wife Absilda . Davis, now Marshall, and Johnnie Davis, whose names now appear upon the final roll of the citizens by blood of the Choctaw Nation as approved by the Honorable Secretary of the Interior.

That under and by virtue of the treaty of April 26, 1866 and the thirty-eighth article thereof, said James Davis, having married a Choctaw woman and resided in the Choctaw Nation, was by said article adopted and naturalized as a citizen of said nation as though he were a native Choctaw; that he, the said James Davis, lived with his Choctaw wife continuously from the date of their marriage until her death after which he was married to ^{Martha C. Davis} ~~Aboda I. Davis~~, the mother of your petitioner, under a Choctaw license in which he, the said James Davis was described as a citizen of the Choctaw Nation; that the said James Davis and ^{Martha C. Davis} ~~Aboda I. Davis~~, the

father and mother of your petitioner lived together as husband and wife, in the Choctaw Nation, from the date of said marriage until the date of his death.

Your petitioner states that he and his said child, Gertrude F. Davis are entitled to enrollment as citizens of said Choctaw Nation by virtue of being descendants of the said James Davis who was adopted and made a citizen of the Choctaw Nation by the 38th article of the treaty of 1866; that he the said Robert F. Davis was always recognized as a citizen of the Choctaw Nation prior to 1896; that he was educated in the Indian schools and allowed to vote in the Indian elections and to hold land.

Your petitioner states that he and the other members of his family, then living, applied to the Commission to the Five Civilized Tribes to be admitted to citizenship in the Choctaw Nation under the act of Congress of June 16, 1896 (29 Stats., 331), and were by said Commission refused; that on appeal to the United States court, Central District, Indian Territory, your petitioner with the other members of the Davis family were admitted to citizenship in the Choctaw tribe of Indians; that thereafter, on appeal to the Choctaw-Chickasaw Citizenship Court petitioner with others were refused enrollment for the reason that they were not possessed of Indian blood.

Your petitioner represents that all said orders and decrees are now, and have always been null, void, of no force or effect, for the reason that your petitioners being citizens of the Choctaw Nation neither the Commission nor the Courts had any authority to adjudicate the rights of your petitioners under the act of Congress above referred to, as the principal applicant herein has always been recognized

as a citizen of said nation, permitted to vote in the Indian elections, educated in the Indian schools and held land as an Indian.

Your petitioner states that on the ____ day of _____, 19____, he was lawfully married to his present wife, Cora M. Davis and that his child, Gertrude M. Davis, is the off-spring of that union; that his wife, child and himself are now all living in the Choctaw Nation; that he and the said child, Gertrude M. Davis have resided in the Choctaw Nation all their lives; that his wife has resided with him in said nation since the date of their marriage and is entitled to be enrolled as an inter-married citizen of the Choctaw Nation.

Your petitioner, Robert M. Davis, states that prior to September 10, 1902, application was made to the Commissioner of the Five Civilized Tribes for his enrollment as a citizen of the Choctaw Nation and the records in the possession of the Commissioner to the Five Civilized Tribes are correct to in proof thereof; that his child, Gertrude M. Davis was born since the date of said application and that he was married to his wife, Cora M. Davis, subsequent to said date.

Therefore, your petitioner asks that Robert M. Davis and Gertrude M. Davis be enrolled as citizens of the Choctaw Nation and that Cora M. Davis be enrolled as an inter-married citizen of the Choctaw Nation.

Respectfully submitted,

Robert M. Davis
Petitioner.

Chilion Riley

Attorney for Petitioners,
Aranmore, Indian Territory.

#4

Robert A. Davis being first duly sworn on oath says that he has read above and foregoing petition and that the allegations therein made are true.

Robert M. Davis

Subscribed and sworn to before me this the 15th day of January, A. D. 1906.

Good State

Richard Whalen

Notary Public.

Fred V. Kinkade being first duly sworn on oath says that he served on Mansfield, McHenry & Cornish, South McAlester, Indian Territory, a carbon copy of above and foregoing petition by registered mail; that attached registry receipt is for letter in which same was transmitted.

Subscribed and sworn to before me this the _____ day of January, A. D. 1906.

Notary Public.

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

.....

In the matter of the enrollment of Rhoda L. Davis, and her minor children, Arthur Davis, James Davis, Virgil Davis and Mamie (or Minnie) Davis, as citizens of the Choctaw Nation.

To The
Commissioner to the
Five Civilized Tribes.

Sir:

Your petitioner, Rhoda L. Davis, on behalf of herself and her minor children, Arthur Davis, James Davis, Virgil Davis and Mamie (or Minnie) Davis, respectfully asks that they be enrolled as citizens of the Choctaw Nation.

Petitioner states that she was the wife of James Davis, who, prior to the year 1868 was married to a citizen by blood of the Choctaw tribe of Indians; that there was born of said first union, between James Davis and his Choctaw wife, Alwilda W. Davis (now Marshall) and Johnnie Davis, whose names now appear upon the final roll of the citizens by blood of the said Choctaw Nation.

That under and by virtue of Article XXXVIII of the treaty of April 28, 1868, said James Davis, having married a Choctaw woman and resided in the Choctaw Nation, was by said article adopted and naturalized as a citizen of said nation as though he were a native Choctaw; that he,

the said James Davis, lived with his Indian wife continuously from the date of his marriage to her until her death, after which he was married to your petitioner, Rhoda L. Davis, under a Choctaw license in which he, the said James Davis, was described as a citizen of the Choctaw Nation.

That said James Davis and your petitioner Rhoda L. Davis resided together as husband and wife until the time of his death and that the other petitioners herein are the children of said union.

Your petitioner, Rhoda L. Davis, claims that under and by virtue of her marriage to the said James Davis she is entitled to enrollment as an intermarried citizen of the Choctaw Nation and that her children, the other petitioners herein, are entitled to enrollment as citizens of said nation by virtue of being the descendants of said James Davis who was accepted as an intermarried citizen of the Choctaw Nation by the treaty of 1866; that she and the other petitioners herein, and other children now adults, were always recognized as citizens of the Choctaw Nation prior to 1866; the children were educated in the Indian schools, the male portion were allowed to vote in the Choctaw elections and all were allowed to hold land.

Your petitioner further states that all of your petitioners then living applied to the Commission to the Five Civilized Tribes to be admitted to citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896 (29 Stats., 511), and were refused by the Commission; that on appeal to the United States Court, Central District, Indian Territory, they were admitted to citizenship in the Choctaw tribe of Indians; that thereafter on appeal to the Choctaw-Chickasaw Citizenship Court all were refused

for the reason that they were not possessed of Indian blood.

Your petitioner represents that all the orders and decrees above mentioned are now, and have always been void, of no force or effect, for the reason that your petitioners being citizens of the Choctaw Nation neither the Commission nor the Courts had any authority to adjudicate their rights to admission to citizenship in the Choctaw Nation under the Act of Congress above referred to, as they had always been recognized citizens of said nation, allowed to vote in the Indian elections, educated in the Indian schools, and your principal applicant, Rhoda L. Davis having married a recognized citizen, who was made a full citizen by the treaty of 1866, was by virtue of said marriage a duly recognized citizen and said marriage was equivalent to her enrollment.

Petitioner asks that since her marriage to James Davis she has continuously resided in the Choctaw Nation up to the present time and that the other petitioners herein, her children, have resided with her in said nation. Petitioner also alleges that prior to September 25, 1902, application was made to the Commission to the Five Civilized Tribes and reference is made to the records in charge of the Commissioner to the Five Civilized Tribes in support thereof.

WHEREFORE, your petitioner asks that Rhoda L. Davis, Arthur Davis, James Davis, Virgil Davis and Essie (or Minnie) Davis, be enrolled as citizens of the Choctaw Nation.

Respectfully submitted,

Rhoda L. ^{her} X Davis
Petitioner
maia

Witnesses to mark:

Joseph H. Crum
Kokarawo Davis

Chilison Riley
Attorney for Petitioners
Armore, Indian Territory.

#4

Rhoda L. Davis being first duly sworn states that she is acquainted with the allegations in the above and foregoing petition and that the same are true and correct.

Rhoda L. ^{her} Davis
mark

Witnesses to mark:

Joost Berum

Clarence Davis

Subscribed and sworn to before me this 20 day of January, A. D. 1906.

J. H. Honigan
Notary Public.

(Seal)

Ernest W. Kinkaid being first duly sworn, on oath states that he served a copy of above and foregoing petition on W. H. Field, George J. Finnish, South McAlester, Indian Territory, by registered mail; that attached registry receipt is for letter in which said copy was transmitted.

Subscribed and sworn to before me this day of January, A. D. 1906.

Notary Public.

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

.....

In the matter of the enrollment of Neta Cruz, nee Davis, as a citizen of the Choctaw Nation.

Commissioner to the
Five Civilized Tribes.

Sir:

Your petitioner, Neta Cruz, nee Davis, respectfully asks that she be enrolled as a citizen of the Choctaw Nation and states that she is the child of James Davis and Rhoda L. Davis; that prior to the year 1866, her father, James Davis was married to a citizen by blood of the Choctaw Nation; that there was born of said first union between said James Davis and his Choctaw wife, Alwilda H. Davis, now Marshall, and Johnnie Davis, whose names now appear upon the final roll of the citizens by blood of the Choctaw Nation.

That under and by virtue of Article XXXVIII of the treaty of April 28, 1866, James Davis the father of your petitioner, having married a Choctaw woman and resided in the Choctaw Nation, was under said article adopted and naturalized as a citizen of said Nation as though he were a native Choctaw; that he, the said James Davis, lived with his Indian wife from the date of their marriage to the time of her death after which he married the mother of your petitioner, Rhoda L. Davis, under a Choctaw license in which he, the said James Davis, was described as a citizen of the Choctaw

Nation; that said James Davis, and Rhoda L. Davis, father and mother of your petitioner resided together as husband and wife until the time of his death and that your petitioner has resided in the Indian Territory continuously all of her life.

Your petitioner states that she is entitled to enrollment as a citizen of the Choctaw Nation by virtue of being a child of and descended from James Davis who was adopted and made a citizen of the Choctaw Nation by the treaty of 1846; that she is now an adult and married; that she was always recognized as a citizen of the Choctaw Nation prior to 1896; that she was educated in the Indian schools and allowed to hold lands in said nation.

Your petitioner further states that she, with the other members of the family (Davis family) applied to the Commission to the Five Civilized Tribes to be admitted to citizenship in the Choctaw Nation under the act of Congress of June 10, 1896 (29 Stats., 321), and was refused by the Commission; that on appeal to the United States Court, Central District, Indian Territory, she with the other members of the family were admitted to citizenship in the Choctaw tribe of Indians; that, thereafter, on appeal to the Choctaw-Chickasaw citizenship court, she with the other members of the family were refused by said court for the reason that they were not possessed of Indian blood.

Your petitioner represents that all the orders and decrees above mentioned are now, and have always been void, of no force or effect, for the reason that your petitioner being a citizen of the Choctaw Nation neither the Commission nor the Court had any authority to adjudicate her right to admission to citizenship in the Choctaw Nation under the

act of Congress above referred to, as she had always been a recognized citizen of said nation, educated in the Indian schools and allowed to hold land.

Your petitioner states that prior to September 25, 1902, application was made to the Commission to the Five Civilized Tribes for her enrollment as a citizen of the Choctaw Nation and the records in charge of the Commissioner to the Five Civilized Tribes are hereby referred to in proof thereof.

WHEREFORE, Your Petitioner, Neta Crum, nee Davis, asks that she be enrolled as a citizen of the Choctaw Nation.

Respectfully submitted,

Signed Mrs Neta Crum
Petitioner.

Chilton Riley

Attorney for Petitioner.
Ada, Okla., Indian Territory.

Neta Crum, nee Davis, being first duly sworn states that she has read above and foregoing petition and that the allegations therein made are true.

Signed Mrs Neta Crum

Subscribed and sworn to before me this the 20 day of January, A. D. 1906.

(Seal)

(Signed) J. M. Donigan
Notary Public.

Fred V. Hinkade being first duly sworn on oath says that he served a carbon copy of above petition on Mansfield, Leurray & Cornish, South McAlester, Indian Territory, by registered mail; that attached registry receipt is for letter in which said copy was transmitted.

Subscribed and sworn to before me this the _____ day of January, A. D. 1906.

Notary Public.

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

.....

In the matter of the enrollment of Clarence Davis
as a citizen of the Choctaw Nation.

Commissioner to the
Five Civilized Tribes.

Sir:

Your petitioner, Clarence Davis, respectfully asks that he be enrolled as a citizen of the Choctaw Nation and states that he is the child of James Davis and Rhoda L. Davis; that prior to the year 1845, his father, James Davis, was married to a citizen by blood of the Choctaw Nation; that there was born of said first union between James Davis and his Choctaw wife, Al-ilda M. Davis, now Marshall, and Johnnie Davis, whose names now appear upon the final roll of the citizens by blood of the Choctaw Nation.

That under and by virtue of Article XXXVIII of the treaty of April 20, 1845, James Davis the father of your petitioner having married a Choctaw woman and resided in the Choctaw Nation was, under said article adopted and naturalized as a citizen of said nation as though he were a native Choctaw; that he and said James Davis lived with his Indian wife from the date of their marriage until her death, after which he married the mother of your petitioner, Rhoda L. Davis, under a Choctaw license in which he, the said James Davis, was described as a citizen of the Choctaw Nation; that said James Davis and Rhoda L. Davis, father and mother of your petitioner resided together as husband and wife until

the time of his death; and that your petitioner is now and was on June 28, 1893, a resident in good faith in Indian Territory.

Your petitioner states that he is entitled to enrollment as a citizen of the Choctaw Nation by virtue of being a child of and descended from James Davis who was adopted and made a citizen of the Choctaw Nation by the treaty of 1866; that he is now an adult; that he was always recognized as a citizen of the Choctaw Nation prior to 1886; that he was educated in the Indian schools; that he was allowed to vote in the Indian elections and allowed to hold lands in the Choctaw Nation.

Your petitioner further states that he, together with the other members of the Davis family applied to the Commission to the Five Civilized Tribes to be admitted to citizenship in the Choctaw Nation under the act of Congress of June 19, 1896 (29 Stat., 311), and was refused by the Commission; that on appeal to the United States Court, Central District, Indian Territory, he, with the other members of the family were admitted to citizenship in the Choctaw tribe of Indians; that, thereafter, on appeal to the Choctaw-Chickasaw Citizenship Court, he, with the other members of the family were refused by said court for the reason that they were not possessed of Indian blood.

Your petitioner represents that all of said orders and decrees above mentioned are now, and have always been void, of no force or effect, for the reason that your petitioner being a citizen of the Choctaw Nation neither the Commission nor the Courts had an authority to adjudicate his right to admission to citizenship in the Choctaw Nation

under the act of Congress above referred to, as he had always been a recognized citizen of said nation, educated in the Indian schools, allowed to vote in the Indian elections and to hold lands in said nation.

Your petitioner states that prior to September 21, 1905, application was made to the Commission to the Five Civilized Tribes for his enrollment as a citizen of the Choctaw Nation and reference is made to the records in charge of the Commissioner to the Five Civilized Tribes in support hereof.

WHEREFORE, Your Petitioner, Clarence Davis, asks that he be enrolled as a citizen of the Choctaw Nation.

Respectfully submitted,

Clarence Davis
Petitioner.

Chilion Riley
Attorney for Petitioner,
Ardmore, Indian Territory.

Clarence Davis being first duly sworn states that he has read the above and foregoing petition and that the allegations therein contained are true.

Clarence Davis

Subscribed and sworn to before me this the 20
day of January, A. D. 1906.

Real

J. H. Romigan
Notary Public

Fred V. Sinkade being first duly sworn on oath says that he served a carbon copy of within and foregoing petition on Mansfield, Mc Murray & Cornish, South McAlester, Indian Territory, by registered mail; that attached registry receipt is for letter in which said copy was transmitted.

Subscribed and sworn to before me this the _____
day of January, A. D. 1906.

Notary Public.

COPY

CM 9-12

Muskogee, Indian Territory, February 9, 1906.

Anna J. Mason,

Olney, Indian Territory.

Dear Madam:

You are hereby advised that the Commissioner to the Five Civilized Tribes will at his office at Muskogee, Indian Territory, on Tuesday, March 6, 1906, at one o'clock P.M., hear such testimony and receive such other evidence as may be submitted in support of the petition filed with this office for the enrollment of yourself as a citizen of the Choctaw Nation.

Respectfully,

SIGNED *Wm. S. Scott*

Acting Commissioner.

COPY

CM 9-11

Muskogee, Indian Territory, February 9, 1906.

J.G.Ralls,

Atoka, Indian Territory.

Dear Sir:

You are hereby advised that the Commissioner to the Five Civilized Tribes will at his office at Muskogee, Indian Territory, on Tuesday, March 6, 1906, at one o'clock P.M. hear such testimony and receive such other evidence as may be submitted in support of a petition filed with this office for the enrollment of Anna J. Mason as a citizen of the Choctaw Nation.

Similar notice has this day been forwarded to Anna J. Mason, at Olney, Indian Territory, her last known postoffice address.

Respectfully,

SIGNED

Acting Commissioner.

COPY

CM 9-13

Muskogee, Indian Territory, February 9, 1906.

Manfield, McMurray & Cornish,
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that the Commissioner to the Five Civilized Tribes will at his office at Muskogee, Indian Territory, on Tuesday, March 6, 1906, at one o'clock P.M., hear such testimony and receive such other evidence as may be submitted in support of the petition filed with this office for the enrollment of Anna J. Mason as a citizen of the Choctaw Nation.

Respectfully,

SIGNED *Wm. O. Beall*

Acting Commissioner.

COPY

COPY

CM-7-21

Muskogee, Indian Territory, February 9, 1906.

Robert M. Davis,

Nixon, Indian Territory.

Dear Sir :--

You are hereby advised that the Commissioner to the Five Civilized Tribes will at his office at Muskogee, Indian Territory, on Tuesday, March 6, 1906, at one o'clock P.M., hear such testimony and receive such other evidence as may be submitted in support of the petition filed with this office for the enrollment of yourself and wife, Cora D. Davis, and also your minor child, Gertrude M. Davis, as citizens of the Choctaw Nation.

Respectfully,

(Signed) Wm. O. Beall,

Acting Commissioner.

COPY

COPY

CM-7-20

Muskogee, Indian Territory, February 9, 1906.

Chilion Riley,

Ardmore, Indian Territory.

Dear Sir :--

~~You are hereby advised that the Commissioner to the Five~~
Civilized Tribes will at his office at Muskogee, Indian Territory,
on Tuesday, March 6, 1906, at one o'clock P.M., hear such testimony
and receive such other evidence as may be submitted in support of a
petition filed with this office for the enrollment of Robert M. Davis
et al. as citizens of the Choctaw Nation.

Similiar notice has this day been forwarded to Robert M.
Davis at Nixon, Indian Territory, his last known post-office address.

Respectfully,

(Signed) Wm. O. Beall,

Acting Commissioner.

COPY

COPY

CM-9-22

Muskogee, Indian Territory, February 9, 1906.

Mansfield, McMurray & Cornish,

South McAlester, Indian Territory.

Gentlemen ;--

~~You are hereby advised that the Commissioner to the Five~~
Civilized Tribes will at his office at Muskogee, Indian Territory,
on Tuesday, March 6, 1906, at one o'clock P.M., hear such testimony
and receive such other evidence as may be submitted in support of a
petition filed with this office for the enrollment of Robert M.
Davis et al. as citizens of the Choctaw Nation.

Respectfully,

(Signed) Wm. O. Beall,

Acting Commissioner.

COPY

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CM-9-18

Muskogee, Indian Territory, February 9, 1906.

Clara L. Travel,
Lehigh, Indian Territory.

Dear Madam :--

You are hereby advised that the Commissioner to the Five Civilized Tribes will at his office at Muskogee, Indian Territory, on Tuesday, March 6, 1906, at one o'clock P.M., hear such testimony and receive such other evidence as may be submitted in support of the petition filed with this office for the enrollment of yourself and minor children, Willie G. Standifer, Georgenia E. Travel and Kathrena A. Travel, as citizens of the Choctaw Nation.

Respectfully,

(Signed) Wm. O. Beall,

Acting Commissioner.

COPY

COPY.
C.M.-9-17.

Muskogee, Indian Territory, February 9, 1906.

Chilion Riley,

Ardmore, Indian Territory.

Dear Sir:

You are hereby advised that the Commissioner to the Five Civilized Tribes will at his office at Muskogee, Indian Territory, on Tuesday, March 6, 1906, at one o'clock, P.M., hear such testimony and receive such other evidence as may be submitted in support of the petition filed with this office for the enrollment of Clara L. Travel et al. as citizens of the Choctaw Nation.

Similar notice has this day been forwarded to Clara L. Travel at Lehigh, Indian Territory, her last known post-office address.

Respectfully,

Signed Wm. O. Beall.

Acting Commissioner.

Copy

C.M.-9-19

Muskogee, Indian Territory, February 9, 1906.

Mansfield, McMurray & Cornish,
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that the Commissioner to the Five Civilized Tribes will at his office at Muskogee, Indian Territory, on Tuesday, March 6, 1906, at one o'clock, P. M., hear such testimony and receive such other evidence as may be submitted in support of the petition filed with this office for the enrollment of Clara L. Travel, et al. as citizens of the Choctaw Nation.

Respectfully,

Signed Wm. O. Beall.

Acting Commissioner.

COPY

COPY

CM-9-24.

Muskogee, Indian Territory, February 9, 1906.

Rhoda L. Davis,

Olney, Indian Territory.

Dear Madam:

You are hereby advised that the Commissioner to the Five Civilized Tribes, will at his office at Muskogee, Indian Territory, on Tuesday, March 6, 1906, at one o'clock P.M., hear such testimony and receive such other evidence as may be submitted in support of the petition filed with this office for the enrollment of yourself and your minor children, Arthur Davis, James Davis, Virgil Davis and Mamie (or Minnie) Davis, as citizens of the Choctaw Nation.

Respectfully,

Signed. Wm. O. Beall.

Acting Commissioner.

COPY

COPY.

CM-9-23

Muskogee Indian Territory, February 9, 1906.

Chilton Riley,

Armore, Indian Territory.

Dear Sir:

You are hereby advised that the Commissioner to the Five Civilized Tribes, will at his office at Muskogee, Indian Territory, on Tuesday, March 6, 1906, at one o'clock P.M., hear such testimony and receive such other evidence as may be submitted in support of the petition filed with the office for the enrollment of Rhoda L. Davis et al. as citizens of the Choctaw Nation.

Similar notice has this day been forwarded to Rhoda L. Davis at Olney, Indian Territory, her last known post-office address.

Respectfully,

Signed Wm. O. Beall.

Acting Commissioner.

CM-9-25.

Muskogee, Indian Territory, February 9, 1906.

Mansfield, Murray & Cornish,
South McAlester, Indian Territory.

Gentlemen:

~~you are hereby advised that the Commissioner to the~~
Five Civilized Tribes will at his office at Muskogee, Indian
Territory, on Tuesday, March 6, 1906, at one o'clock P.M.,
hear such testimony and receive such other evidence as may be
submitted in support of the petition filed with this office
for the enrollment of Rhoda L. Davis et al. as citizens of
the Choctaw Nation.

Respectfully,

Signed Wm. O. Beall.

Acting Commissioner.

COPY

CM 10-5

Muskogee, Indian Territory, February 10
1906

Clarence Davis,
Olney, Indian Territory.

Dear Sir:

You are hereby advised that the Commissioner to the
Five Civilized Tribes will at his office at Muskogee, Indian
Territory, on Tuesday, March 6, 1906, at one o'clock P.M.

hear such testimony and receive such other evidence as may be
submitted in support of the petition filed with this office
for the enrollment of yourself as a citizen of the Choctaw
Nation.

Respectfully,

Wm. C. Deane

SIGNED

Acting Commissioner.

COPY

CM-1 - .

Muskogee, Indian Territory, February 10, 1906

Chilion Riley, .

Ardmore, Indian Territory.

Dear Sir:

You are hereby advised that the Commissioner to the Five Civilized Tribes, will at his office at Muskogee, Indian Territory, on Tuesday, March 6, 1906, at one o'clock P.M., hear such testimony and receive such other evidence as may be submitted in support of a petition filed with this office for the enrollment of Clarence Davis as a citizen of the Choctaw Nation.

Similar notice has this day been forwarded to Clarence Davis at Olney, Indian Territory, his last known post-office address.

Respectfully,

Signed Wm. O. Beall.

Acting Commissioner.

COPY

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C. M. 10-6.

Muskogee, Indian Territory, February 10, 1906.

Mansfield, McMurray & Cornish,
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that the Commissioner to the Five Civilized Tribes will at his office at Muskogee, Indian Territory, on Tuesday, March 6, 1906, at one o'clock, P. M., hear such testimony and receive such other evidence as may be submitted in support of the petition filed with this office for the enrollment of Clarence Davis as a citizen of the Choctaw Nation.

Respectfully,

(Signed) Wm. O. Beall.

Acting Commissioner.

CM 10-2

Muskogee, Indian Territory, February 10, 1906

Nita Crum,

Olney, Indian Territory.

Dear Madam:

You are hereby advised that the Commissioner to the Five Civilized Tribes will at his office at Muskogee, Indian Territory, on Tuesday, March 6, 1906, at one o'clock P.M. hear such testimony and receive such other evidence as may be submitted in support of the petition filed with this office for the enrollment of yourself as a citizen of the Choctaw Nation.

Respectfully,

SIGNED *Wm. J. Deal*

Acting Commissioner.

COPY

CM 10-1

Muskogee, Indian Territory, February 10, 1906

Chilton Riley,

Ardmore, Indian Territory.

Dear Sir:

You are hereby advised that the Commissioner to the Five Civilized Tribes will at his office at Muskogee, Indian Territory, on Tuesday, March 6, 1906, at one o'clock P.M., hear such testimony and receive such other evidence as may be submitted in support of the petition filed with this office for the enrollment of Neta Crum as a citizen of the Choctaw Nation.

Similar notice has this day been forwarded to Nita Crum at Olney, Indian Territory, her last known postoffice address.

Respectfully,

Wm. C. Seal

Acting Commissioner.

Muskogee, Indian Territory, February 10, 1906

Mansfield, McMurray & Cornish,
South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that the Commissioner to the Five Civilized Tribes will at his office at Muskogee, Indian Territory, on Tuesday, March 6, 1906, at one o'clock P.M., hear such testimony and receive such other evidence as may be submitted in support of the petition filed with this office for the enrollment of Neta Crum as a citizen of the Choctaw Nation.

Respectfully,
T. M. S. Dean
Acting Commissioner

COPY.

CM-9-15

Muskogee, Indian Territory, February 9, 1906.

Alonzo M. Davis,
Lehigh, Indian Territory.

Dear Sir:

You are hereby advised that the Commissioner to the Five Civilized Tribes will at his office at Muskogee, Indian Territory, on Tuesday, March 6, 1906, at one o'clock P. M., hear such testimony and receive such other evidence as may be submitted in support of the petition for the enrollment of yourself as a citizen of the Choctaw Nation.

Respectfully,

Signed Wm. O. Beall.

Acting Commissioner.

Muskogee, Indian Territory, February 9, 1906.

Charles von Weise,
Ardmore, Indian Territory.

Dear Sir:

You are hereby advised that the Commissioner to the Five Civilized Tribes will at his office at Muskogee, Indian Territory, on Tuesday, March 6, 1906, at one o'clock P.M., hear such testimony and receive such other evidence as may be submitted in support of the petition for the enrollment of Alonzo M. Davis as a citizen of the Choctaw Nation.

Similar notice has this day been forwarded to Alonzo M. Davis at Lehigh, Indian Territory, his last known postoffice address.

Respectfully,
SIGNED *Wm. C. Scall*

Acting Commissioner.

COPY

Muskogee, Indian Territory, February 9, 1906.

Mansfield, McMurray & Cornish,
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that the Commissioner to the Five Civilized Tribes will at his office at Muskogee, Indian Territory, on Tuesday, March 6, 1906, at one o'clock P.M., hear such testimony and receive such other evidence as may be ~~submitted in support of the petition for the enrollment of~~ Alonzo M. Davis as a citizen of the Choctaw Nation.

Respectfully,

SIGNED *Wm. C. Deall*

Acting Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES,
Muskogee, Indian Territory, March 6, 1906.

In the matter of the application for the enrollment of
Robert M. Davis et al. as citizens of the Choctaw Nation.

In the matter of the application for the enrollment of
Clara L. Travel et al. as citizens of the Choctaw Nation.

In the matter of the application for the enrollment of
Anna J. Mason as a citizen of the Choctaw Nation.

In the matter of the application for the enrollment of
Alonzo W. Davis as a citizen of the Choctaw Nation.

In the matter of the application for the enrollment of
Neta Crum as a citizen of the Choctaw Nation.

In the matter of the application for the enrollment of
Rhoda L. Davis et al. as citizens of the Choctaw Nation.

In the matter of the application for the enrollment of
Clarence Davis as a citizen of the Choctaw Nation.

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, the following petitions were filed for enrollment of citizens of the Choctaw Nation:

January 16, 1906, by J.G. Ralls, Atoka, Indian Territory, attorney for the petitioner, petition for the enrollment of Anna J. Mason;

January 23, 1906, by Charles von Weise, Ardmore, Indian Territory, attorney for the petitioner, petition praying for the enrollment of Alonzo M. Davis;

January 25, 1906; by Chilion Riley, Ardmore, Indian Territory, attorney for the petitioners, petitions for the enrollment of Clara L. Travel and her minor children, Willie G. Standifer, Georgenia E. Travel and Kathrena A. Travel, Robert M. Davis, his wife, Cora D. Davis, and his minor child, Gertrude M. Davis, Rhoda L. Davis and her minor children, Arthur Davis, James Davis, Virgil Davis and Mamie (or Minnie) Davis, Neta Crum and Clarence Davis.

The petitioner, Anna J. Mason, claims right to enrollment as a citizen of the Choctaw Nation by reason of being the child of James D. Davis and Martha C. Davis, it being claimed that James D. Davis, prior to his marriage to Martha C. Davis, was married to Salina Nail, who it is claimed was a recognized citizen of the Choctaw Nation. The petitioner, Alonzo M. Davis, claims right to enrollment as a citizen of the Choctaw Nation by reason of being the son of James Davis and Martha Davis. The petitioner, Clara L. Travel, claims right to enrollment as a citizen of the Choctaw Nation by reason of being the daughter of James Davis. Willie G. Standifer, Georgenia Travel and Kathrena A. Travel are the children of Clara L. Travel. The petitioner, Robert M. Davis, claims right to enrollment by reason of being the son of James Davis and Martha C. Davis. The petitioner, Cora D. Davis, claims right to enrollment as an intermarried citizen of the Choctaw Nation by reason of her marriage to Robert M. Davis. The petitioner, Gertrude M. Davis, is the child of Robert M. Davis and Cora D. Davis. The petitioner, Rhoda L. Davis, claims right to enrollment as an intermarried citizen of the Choctaw Nation by reason of her marriage to James Davis, who it is claimed was, prior to his marriage to Rhoda L. Davis, married to a Choctaw citizen. The petitioners, Arthur Davis, James Davis, Virgil Davis and Mamie Davis are the children of Rhoda L. Davis. The petitioner, Neta Crum, claims right to enrollment by reason of being the child of James Davis and Rhoda L. Davis. The petitioner, Clarence Davis, claims right to enrollment by reason of being the son of James Davis and Rhoda L. Davis.

February 9, 1906, Anna J. Mason, Olney, Indian Territory, her attorney, J.G. Ralls, Atoka, Indian Territory, Alonzo M. Davis, Lehigh, Indian Territory, his attorney, Charles von Weise, Ardmore, Indian Territory, Clara L. Travel, Lehigh, Indian Territory, Robert M. Davis, Nixon, Indian Territory, Rhoda L. Davis, Olney, Indian Territory, their attorney, Chilion Riley, Ardmore, Indian Territory, and Messrs. Mansfield, McMurray & Cornish, attorneys for the Choctaw and Chickasaw Nations, South McAlester, Indian Territory, were respectively notified that the Commissioner to the Five Civilized Tribes would at his office at Muskogee, Indian Territory, on Tuesday, March 6, 1906, at one o'clock P.M., hear such testimony and receive such other evidence as might be submitted in support

of the petitions filed for the enrollment of Anna J. Mason, Alonzo M. Davis, Clara L. Travel et al., Robert H. Davis et al., and Rhoda L. Davis et al. as citizens of the Choctaw Nation.

February 10, 1906, Neta Crum, Olney, Indian Territory, Clarence Davis, Olney, Indian Territory, Chilion Riley, Ardmore, Indian Territory, attorney for the petitioners, and Messrs. Mansfield, McMurray & Cornish, South McAlester, Indian Territory, attorneys for the Choctaw and Chickasaw Nations, were notified that the Commissioner to the Five Civilized Tribes would at his office at Muskogee, Indian Territory, on Tuesday, March 6, 1906, at one o'clock P.M., hear such testimony and receive such other evidence as might be submitted in support of the petitions filed with this office for the enrollment of Clarence Davis and Neta Crum as citizens of the Choctaw Nation.

Now on this the 6th day of March, 1906, at two o'clock P.M., the case being called for hearing, the following appearances were entered and proceedings had.

APPEARANCES:

Rhoda L. Davis appears for herself and minor children,
Robert H. Davis appears for himself, his wife and child,
Clara L. Travel appears for herself and three children,
Neta Crum appears for herself,
Anna J. Mason appears for herself,
Alonzo M. Davis appears for himself,
Clarence Davis appears for himself,
Chilion Riley, J.G. Ralls and Charles von Weise,
appearing as attorneys for the petitioners,
G. Rosenwinkel, of Mansfield, McMurray & Cornish, representing the Choctaw and Chickasaw Nations.

By Mr. Rosenwinkel:

The Choctaw and Chickasaw Nations object to any proceedings in this cause, for the reason that any right the petitioners may have to enrollment as citizens of the Choctaw or Chickasaw Nations has been fully determined by the Choctaw and Chickasaw Citizenship Court, which court granted its decision adverse to the applicants. The nations contend that this judgment is final against them and that no power now exists in the Secretary of the Interior or any other tribunal to review the decision of the Citizenship Court.

The nations object to receiving or the consideration of the applications of Cora D. Davis and Rhoda Davis, for the reason that the Department has held in the case of Emma McMenamin that persons of this class are not entitled to enrollment as citizens by intermarriage of either of the nations. We submit that the Commission has no authority now to hear any application with reference to these persons.

By Mr. Riley:

We desire to make this additional statement that Rhoda L. Davis claims her right to enrollment by virtue of her marriage to James Davis, who prior to the treaty of 1866 was married to a Choctaw woman and by the thirty-eighth article of the treaty above named was adopted and made the same as a native Choctaw.

By Mr. Ralls:

In this application the petitioner, Anna J. Mason, is not waiving her application as pending before the Commission to be enrolled as an intermarried citizen. Her name appears upon the Choctaw Census roll of 1896 as Anna Crebbs, an intermarried citizen.

JOSEPH SAMUEL MURROW, being duly sworn, testified as follows:

By the Commissioner:

- Q What is your name? A Joseph Samuel Murrow.
Q How old are you? A 71 years of age.
Q What is your post-office address? A Atoka.

By Mr. Falls:

- Q How long have you resided in Indian Territory? A 49 years nearly, within a few days.
Q How long have you resided at or near Atoka? A I went there in April, 1867, how long has that been?
Q That is nearly 40 years. A 6th day of April, 1867.
Q Were you acquainted with James D. Davis? A Intimately, yes sir, like own brothers.
Q How long have you known him? A From that date; he was starting to build a bridge across Boggy the day I got to Atoka; knew him up until th his death.
Q What is your business there? A Missionary.
Q During the time of his life did you see him frequently and know him well? A I did so indeed, he was one of the best of men.
Q Did you know his children? A Yes sir and carried them in these arms many a time.
Q Whereabouts in Atoka did he reside at the time? A At the old Flint place on the banks of Boggy.
Q About how long did he reside there? A At that old place; well, Judge, I dont know, twenty or twenty-five years I reckon, or more, I couldnt say; longer.
Q What was the name of his wife when you first got acquainted with him? A Given name was Martha; she was a Miss Southard.
Q Did you know of their marriage? A No sir, married when I want there.
Q Living together as husband and wife? A Yes sir.
Q Do you know about his marriage to his wife who is present here? A Yes sir, I married them.
Q When was it? A I think it was in the year of 1877, if I mistake not.
Q Where was that marriage ceremony? A That was over on the place across the little sandy creek out on the prairie there, within a mile of Atoka.
Q Do you know where Mr. Davis died? A Yes sir, he died up on Boggy, at his place that he had moved to; he died under very peculiar and affecting circumstances; died in the woods alone, a mighty hunter before the Lord.

- Q Then he resided in the Choctaw Nation from the time you got acquainted with him until his death? A Yes sir, long before, he went to Doaksville years ago.
- Q Do you know Mrs. Mason? A Anna; Yes sir, I have known her from the time she was born.
- Q Know the other children here? A Clara, Robert and Alonzo; Alonzo was born when I went there, but the other children were born since.
- Q Do you know whether Mr. Davis was a citizen of the nation? A Yes sir, he was a citizen of the Choctaw Nation; sat on juries.

By Mr. Rosenwinkel:

All this is objected to on the ground that it is incompetent.

By Mr. Ralls:

- Q Do you know who his first wife was from information you had from him? A Yes sir, I knew the family.

By Mr. Rosenwinkel:

Objected to as hearsay.

By the Commissioner:

If he knew it personally, all right.

By Mr. Ralls:

- Q Did you know any one of the family? A Yes sir, knew the Davis family; Mrs. Flint, Mrs. Colbert, Mrs. Harkins were all sisters of Mrs. Davis.
- Q What was their citizenship? A Native Choctaws.
- Q Choctaws by blood? A Indians they were.
- Q Did Davis have any children by his first wife? A Had several.
- Q What are the names of those that are living now? A John and Alwilda, both went to school to me; they are living now; there was Henry and Melissa.
- Q It is Alwilda Marshall now? A Yes sir, her husband is no account.

- Q Is Henry Davis living or dead? A Dead.
- Q Did he leave a widow? A Yes sir.
- Q Do you remember her name? A Why I did--my memory is too poor--she was a Collet, if I remember right.
- Q Remember her first name? A No.
- Q Do you know whether it was Rosa? A Seems to me it was; she was a great big fat good natured girl.
- Q Those children were by his first wife; do you know whether or not they have been recognized as Indians by blood? A Yes sir, those children were certainly.

By Mr. Ralls:

We ask that the Commission refer to the rolls where you will find enrolled and approved as Choctaws by blood John Davis and Alwilda H. Marshall, where you will find enrolled these persons with their children. And also refer to the intermarried roll where you will find Rosa Collet, whose name is now Rosa Rigney, also the names of her children as Indians by blood, being the children of her husband, Henry Davis. And there the Commission will also find the father of Alwilda H., John and Henry is given as James Davis or James D Davis, and the mother is given as Salina.

By Mr. Ralls to the witness:

- Q Brother Murrow, do you know whether or not the Nail family were related to Mrs. Robb? A Yes sir, they were related; the Walls were also related; the Fulson family and Nail family very nearly related.
- Q These children, these applicants, have resided there in Atoka County ever since you have known them? A Yes sir.
- Q Also maintained their residence in the Choctaw Nation? A Yes sir.
- Q Now I will ask you if you know anything in regard to these white children having attended the Choctaw schools?

By Mr. Rosenwinkel:

Objected to as immaterial; has no bearing on the question of citizenship involved.

By Mr. Ralls:

- Q Now what do you know about that? A Came to school to me; I drew pay for them as Choctaw children.
- Q You taught school there? A Yes sir, I taught school, myself and wife.
- Q I believe you stated you did Missionary work? A Yes sir.
- Q At that time you taught school? A My wife and I together.
- Q The Choctaws paid so much a month for the tuition of these children out of the funds of the Choctaw Nation? A Yes sir.
- Q Do you know whether or not these children have been recognized by the Choctaws as citizens?

- A I dont want to answer that directly; so far as my knowledge and belief goes they have been recognized as citizens of the Choctaw Nation; the Davis children were.
- Q Did you say you performed the ceremony between Rhoda L. and James Davis? A I did.
- Q Rhoda L. Davis is right there? A Yes sir.
- Q Do you know a colored woman named Jane Ward? A Have known her a long time, ever since I went to Atoka.
- Q Is this her, this person? A Yes sir, that is her sitting right there.
- Q Where was she when you went to Atoka? A I think she was in the family of Mr. Davis at that time as cook and so forth; she might have been down at Boggy Depot; Atoka was Aunt Jane's headquarters.
- Q She has been about there ever since? A Yes sir.
- Q Did you know Mrs. Mason's husband Mr. Krebs? A Yes sir, I knew him.
- Q What was he? A A Choctaw, a Mississippi Choctaw.
- Q Came from Mississippi there? A Yes sir, came from Mississippi.
- Q After he came do you know whether or not he was recognized on the Choctaw rolls? A I do not, couldnt say.
- Q Was Mr. Davis the father of Mrs. Mason? A Yes sir.
- Q Do you know about the death of Mr. Davis's second wife? A Yes sir, I know about that, I performed the funeral ceremony.
- Q After that he was married to-- A Yes sir, about a year, if I remember, he was married to Salina.
- Q You performed the funeral ceremony and also married Mr. Davis to Mrs. Davis here now? A Yes sir, Mrs. Martha Davis was a very esteemed member of my church; our families were very intimate.
- Q What was your church? A Baptist church.
- Q At thattime were you a regularly ordained minister of the gospel? A Yes sir, long before.
- Q How long before? A Why I was ordained in Georgia before I came west.
- Q Do you remeber about the time it was? A I was ordained the third Lord's day of September, 1857.
- Q Came from Georgia to Indian Territory? A Came out immediately, came right out from Macon, Georgia.
- Q Are you the same J.S. Murrow that is founder of what is known as Murrow Orphans Home? A Yes sir and this Indian University.
- Q And referred to as Bacone University? A Yes sir.

By Mr. Rosenwinkel:

- Q I want to ask about this drawing of money for these children while they were attending school; did you ever make out accounts and render them to the Choctaw authorities? A Yes sir.
- Q Did you ever make any certificate? A I think so.

- Q What was in that certificate? A That these children were in attendance upon this school taught by myself and my wife.
- Q Have to certify that they were Choctaw children? A I think so, they were known as Choctaws.
- Q Did you certify to the Choctaw tribal authorities that these children were Choctaw children? A Citizens.
- Q Choctaw children? A They were not Choctaws by blood, ~~recognized as such.~~
- Q I am trying to get you to say what kind of a certificate you made to the authorities of the Choctaw Nation? A I dont remember as to that, but the school that we taught was composed of citizens; we didnt determine the question as to whether they were or were not recorded as citizens of the Choctaw Nation.
- Q You didnt determine the question of citizenship? A No sir.
- Q If children were brought to you as citizens you allowed them to attend school? A Yes sir.
- Q Sometimes, after children attended school a certain time they were taken away from there because they were not citizens? A I dont remember of that. These were not I am sure. If there was anything of that kind, we dealt honestly, they were taken away.

By Mr. Ralls:

- Q I will ask you if they didnt do it this way; if the Choctaw authorities did not appoint a legal trustee, who made a copy of the list of the children and then he determined and certified to the paying authorities who was the children entitled to the pay? A I think that is correct. Mr. Davis was trustee for a long time and Mr. Goldsby was for a while, Davis was the chief man in that region, Jim Davis.

By Mr. Rosenwinkel:

- Q Jim Davis was white trustee of schools and he certified that his children were entitled to the schools there? A Yes sir, he was acknowledged everywhere; the children were recognized as citizens.

By Mr. Ralls:

- Q That same matter was certified to by Mr. Goldsby was it ?
A Yes sir, while he was trustee.

Witness Excused.

JANE WARD, being first duly sworn, testified as follows:

By the Commissioner:

- Q What is your name? A Jane Ward.
Q How old are you? A 66 years old, as near as I can remember, suppose I am a little older.
Q Where do you live? A Live in Atoka.
Q Are you on any of the rolls of the Choctaw Nation? A Yes sir.
Q What roll? A On the Choctaw roll, freedman I guess.

By Mr. Ralls:

- Q Aunt Jane, were you acquainted with James D. Davis during his lifetime? A Yes sir, I belonged to his first wife.
Q What was ~~his~~ his first wife's name? A Salina.
Q What was her other name? A Salina Hollis when Davis married her, Joe Hollis married her; she was a widow when she married Davis.
Q And you belonged to her? A Yes sir.
Q Did her first husband die? A Yes sir.
Q And he died before Jim Davis married her? A Yes sir, he was dead five years.
Q What was she, white person or Indian? A Choctaw Indian by blood.
Q Do you know Mrs. Robb here today? A Yes sir.
Q Do you know Judge Fulson? A Yes sir.
Q What relation was she to them? A Cousins.
Q Were you present when Mr. Davis and she were married? A Yes sir.
Q Do you remember about when it was when they were married? A No sir, I was quite small, dont know the date; I was standing by when they were married.
Q You saw them married? A Yes sir.
Q Remember how long before the war it was? A No sir, I couldnt remember, just before the war; I was about ten years old.
Q After their marriage did they still keep you? A Yes sir.
Q Do you remember where it was you were freed? A Yes sir.
Q Where? A At Atoka, right on Boggy.
Q At Atoka? A Yes sir, right at Atoka, at the toll bridge.
Q Who owned you at that time? A Jim Davis.
Q When did Jim Davis's first wife die? A Second year of the war.
Q Do you know about Mr. Davis's marrying the white woman after her death? A Yes sir.

- Q Remember her name? A Her name was Martha Southard.
- Q Do you know where he got acquainted with her? A Got acquainted right in the yard, camped there.
- Q Do you know where they came from, how they happened to camp there? A Came from Arkansas.
- Q How got acquainted with her there and they were married? A Yes sir.
- Q Were you present at their marriage? A Yes sir, standing right before them.
- Q What became of that wife? A She died.
- Q You know Mrs. Mason do you? A Yes sir. I know her. I didnt see that marriage; saw them after they was married.
- Q I am speaking about one of Mr. Davis's daughters. A Yes sir, I nursed her when she was a baby.
- Q Is she a child by Mr. Davis's second marriage? A Yes sir.
- Q And Mr. Davis was living there at Atoka at the time of the war? A Yes sir.
- Q Do you know how long he continued to live there? A No sir. I dont know just exactly how long he lived there. He lived there twelve years before the war, and he lived there, I disremember just how long after the war that he moved away.
- Q Was he the one that first built the toll bridge there at Atoka across the bottom? A Yes sir.
- Q Do you know where it was he died? A Yes sir, I was at the place before; he died the side of his field; I know where their home is.
- Q I believe you say you are a Choctaw Freedman; did you get your right by virtue of belonging to Davis's first wife? A Yes sir I got my rights by belonging to her.
- Q After her death Mr. Davis kept you until you were freed? A Yes sir.
- Q During that time he was married to his white wife? A Yes sir.
- Q You think that was just about the close of the war? A Yes sir.
- Q Aunt Jane do you know anything about Mr. Davis losing his house? A Yes sir, house he first built out there on the prairie, first house he had it burned down.
- Q Where was that house located? A Out on the prairie where he was living.
- Q Do you know whether or not he saved anything out of the house? A Didnt save but one bed; house was falling in when they got there.
- Q Were they all away from home? A Yes sir.
- Q Did he have a second house burn too? A Yes sir, burned down about in the same place.
- Q You know Brother Marrow? A Yes sir.
- Q Now did Mr. Davis have any children by his Indian wife? A Yes sir he had seven.
- Q Do you remember who they were? A Yes sir.

- Q Who were they? A His oldest one was Henry Davis, next one was Alice Davis and then Melissa, Alwilda, and Johnnie Davis; the others wasnt named.
- Q Know how many are still living? A Two.
- Q Who are living? A Johnnie and Alwilda.
- Q By his second wife what children did he have? A He had seven.
- Q Do you remember their names? A Yes sir, I remember all their names but the baby, never heard its name.
- Q Do you know anything about the children he had by his third wife? A No sir, never saw them.
- Q You continued to live there at Atoka? A Yes sir, I am living there.
- Q After you were freed did you continue to reside with them any length of time? A Yes sir.
- Q About how long after you were freed did you stay with them? A Yes sir, two years.
- Q Did you get married? A No sir. Went off to stay with my folks, my mother and father.
- Q Went to live with your mother and father? A Yes sir.
- Q You have remained about Atoka ever since then, Have you? A Yes sir.
- Q Give us the names of the children by his second wife that are still living? A Alonzo, Dempsey, he's dead, Robert, Clara and Annie.
- Q You dont remember the baby's name? A No sir, I dont know its name.
- Q Do you know anything about Annie's marriage to a fellow by the name of Krebbs of your own knowledge? A No sir, heard she was married, dont know the man, never seen him.
- Q Do you remember when you were before the Commission to be enrolled as a freedman whether or not you stated the name of your mistress? A Yes sir stated it.
- Q Did you give it as Mr. Davis's first wife? A Yes sir.

Witness Excused.

MRS. RHODA L. DAVIS, being first duly sworn, testified as follows:

By the Commissioner:

- Q What is your name? A Rhoda L. Davis.
- Q How old are you? A 55.
- Q Where do you live? A I live on Boggy, Choctaw Nation.
- Q What is your post-office? A Olney.

By Mr. Ralls:

- Q Your husband's name is James D. Davis? A Yes sir.
Q When were you married to Mr. Davis? A 1877.
Q Where were you married to him? A Near Atoka.
Q Who performed the marriage ceremony? A Uncle Row.
Q That is J.S. Murrow? A Yes sir.
Q How long had you known Mr. Davis before you married him?
A Quite a while.
Q About how long? A I wasnt grown when I first got acquainted
with the family.
Q Know his first wife? A No sir.
Q Know his second wife? A Well acquainted with her.
Q How long was it after her death until you were married to
Mr. Davis? A Wasnt quite a year, lacked a month, married him
the 21st of September and the 21st of October would have been
a year.
Q Do you know his children by his first wife? A Three,
Henry, Johnnie and Alwilda, and in just between the youngest
and Alwilda was a baby child, by his first wife.
Q Know his children by his second wife marriage? A Yes sir.
Q Who were they? A Alonzo, Anna, Clara and Robert; I mostly
raised them, ought to know them.
Q What children did you have by this marriage? A Yes sir.
Q What are their names? A Clarence and Neta (Juanita)
and Arthur and Mamie, Virgil and Jimmie.
Q Are any of these children married? A One.
Q Which one is that? A Neta.
Q What is her name now? A Crum.
Q Neta Crum? A Yes sir.
Q The children of Mr. Davis second wife, are any of those
married? A Yes sir.
Q Which one? A All four of them.
Q Who did Clara marry? A Travel.
Q Was she married before? A Yes sir.
Q What is the name of her first husband? A Robert Standifer.
Q White man? A Yes sir.
Q Any children by that marriage? A One.
Q What was its name? A Named Willie.
Q Mr. Travel is a white man also? A Yes sir.
Q Are there any children by that marriage? A Yes sir.
Q How many? A Two.
Q What are their names? A Georgena and Kathrena.
Q Youngest child of Mr. Davis's second wife what did you say
the name was? A No answer.
Q Mrs. Mason was married was she? A Yes sir.
Q Her husband a white man? A Yes sir, present husband is
a white man.
Q Know about her marriage to Mr. Krebbs? A Yes sir.
Q Seen Mr. Krebbs have you?

- Q A Yes sir. Never saw them married; they was at my house a long while after they was married.
- Q What was he? A Indian, Mississippi Choctaw.
- Q Came from Mississippi ~~at~~ out here? A Yes sir.
- Q Now dead is he? A Yes sir.
- Q Robert is married is he? A Yes sir.
- Q Who did he marry? A Cora Winans.
- Q When were they married? A I dont know.
- Q Are there any children by that marriage? A Yes sir, one little girl, Gertrude.
- Q Alonzo is married is he? A Yes sir.
- Q What is the name of his wife? A Lorena.
- Q White woman? A Choctaw.
- Q His children on the roll? A Yes sir, all of them.
- Q How long did you reside in the Choctaw Nation after you were married to Mr. Davis? A Mostly raised there.
- Q What was your maiden name? A Pate.
- Q All these children been born, raised in the Choctaw Nation have they? A Yes sir, never was out of it.
- Q Know about them having attended the Choctaw schools? A Attended all their lives.
- Q Attend as citizens or non-citizens? A Citizens.
- Q As citizens? A Yes sir, clear up till we was denied; I had the children in school at Durant in the nation-- and they boarded them and paid their schooling there, my own children.
- Q Was your husband a recognized Choctaw? A Yes sir.
- Q Participate in the elections? A Yes sir.
- Q Never any question about his right? A No sir.
- Q Where was he living at the time they were married? A Near Atoka, about a mile from Atoka.
- Q Still owned the toll bridge there at that time? A Yessir.
- Q Is he the same James Davis to whom with others the Choctaw Nation granted a charter to the rolls? A No answer.

By Mr. Rosenwinkel:

We object to this as incompetent, irrelevant and immaterial; has no bearing on the grounds involved.

By Mr. Ralls:

We offer it for the purpose of showing that in the act granting the charter they were named as citizens of the Choctaw Nation.

By Mr. Ralls to the witness:

- Q What date did your husband die? A Died in 1896.
- Q What time? A 23rd or 4th of March he will be dead ten years.
- Q When was it; before the Choctaws made out the census roll of 1896 was it? A Yes sir, I think so.
- Q Are you sometimes called Vee or Lavenia? A Yes sir.
- Q Did you or your children file application before the Commission in 1896 to be enrolled? A Yes sir.

- Q Know what was done with the application? A No sir, I dont.
Q Dont know whether you were admitted or rejected. by the Commission? A No sir.
Q Do you know of your own knowledge whether your name is on the rolls? A No sir, couldnt say, might be. I remember that time that John Fulsom or Israel Fulsom was at my home and taking the census of the children, and I dont remember what time it was, seemed like it was in 90 or 91, and I know the census was taken down then of our family. And John Fulsom or Israel Fulsom, one of Judge Fulsom's sons was out taking the census, seemed like he was out to our place after that- I wont be certain- I know their names was all taken down then, because Virgil was a little baby and his name was taken down on the roll; all the children can be found there.

By Mr. Rosenwinkel:

We move that all the testimony that relates to the presence of the names of these petitioners on the Census roll be excluded because the roll is the best evidence; all the rolls known to be in existence are in the possession of the Commission in this office at this time.

By Mr. Ralls:

I will ask that the Commission examine the various rolls in regard to this matter.

By Mr. von Weise:

I will ask that the Commission examine the 1885 Choctaw roll for the name of Alonzo M. Davis at No. 621 thereof.

By Mr. Riley:

I will ask that the same examination be made for all the other applicants who were living at that date.

By Mr. Ralls to the witness:

- Q The children that you hav named by your marriage to Mr. Davis are living are they? A Yes sir, I have three dead, older than them.
Q Name your children who are living? A Clarence Davis and Neta Davis and Arthur Davis and Mamie Davis and Virgil Davis and James Davis.
Q These are living? A Yes sir, living children.

- Q Neta is Neta Crum? A Yes sir, Neta Crum.
Q These then are the names of all that are living? A Yes sir.
Q How old is the youngest child? A 12 years old.
Q What is ~~the~~ name? A James.
Q What is the name of the one just older? A Virgil, he is 15.
Q Next? A Mamie, she is 17; Arthur is 19; Neta 23.
Q What is the other one? A Clarence.
Q How old is he? A 25. I have two older than him dead.
Q Did they leave any children? A They were small children, little children.
Q Is Mamie sometimes called Minnie? A Sometimes called Minnie and Mary and Ethel. Mr. Pate gave it in that way when he was down there when they were enrolled and he gave the names in; we didnt have Mamie named then, and let them put it that way so they would know it all the way through.
Q Mr. Pate did that? A Yes sir, George Pate.
Q Have you your marriage certificate? A No sir, it is lost.
Q I believe you stated Brother Murrow married you? A Yes sir.

By Mr. Rosenwinkel:

- Q You stated a while ago in your direct examination that James Davis was a recognized Choctaw Indian, did you mean Choctaw by blood? A Intermarried Indian.
Q Recognized as an intermarried citizen? A Recognized as an intermarried citizen of course he would be a citizen of the Choctaw Nation.
Q Because he was married to an Indian? A Yes sir.
Q You never drew any money for any of these children? A No sir.
Q Never drew any yourself? A No.
Q So far as you know your name is not on any of the tribal rolls? A Couldnt say.
Q So far as you know? A No.

Witness Excused.

ANNA MASON, being first duly sworn, testified as follows:

By the Commissioner:

- Q What is your name? A Anna Mason.
Q How old are you and what is your post-office address?
A 38; Olney is my post-office.

Q Are you one of the petitioners in this case? A Yes sir.

By Mr. Ralls:

Q Your middle initial is "J", Anna J. Mason? A Yes sir.
Q What was your maiden name? A Davis.
Q What was the name of your father? A James D. Davis.
Q Dead? A Yes sir.
Q What was your mother's name? A Martha C. Davis; her maiden name was Southard.
Q Was your father recognized as a member of the Choctaw Nation prior to his death? A Yes sir.
Q What was the name of your first husband? A Roberson.
Q When were you married to Mr. Roberson? A I cant recall the date.
Q Do you remember what year it was? A No sir.
Q How long did you live with him? A A little over a year.
Q You were separated and became divorced from him? A Yes sir.
Q After that did you marry Mr. Krebs? A Yes sir.
Q What was his first name? A Henry Krebs.
Q What was Krebs? A Choctaw Indian.
Q Where were you married to him? A Lehigh.
Q That is in the Choctaw Nation? A Yes sir.
Q Do you know whether Mr. Krebs was recognized as a citizen of the nation? A I am not certain as to that, no sir.
Q He was a Choctaw Indian though? A Yes sir.
Q Do you know whether at any time he participated in the Choctaw elections? A He did.

By Mr. Rosenwinkel:

We object to that as incompetent.

By the Commissioner:

The applicant does not claim as a citizen by intermarriage.

By Mr. Ralls:

She has a case before the Commission; I told her to file in that also.

By Mr. Ralls to the witness:

Q Now Mr. Krebs is dead is he? A Yes sir.
Q How long has he been dead? A Died in the fall of 1896.
Q You are now married to Mr. Mason are you? A Yes sir.
Q Are you the same person that is on the Choctaw Census roll of 1896 as Anna Krebs? A Yes sir.
Q Do you know who looked after having the names placed on that roll? A Yes sir, Judge Simon Lewis, member of the Choctaw Commission and Frank Rogers, a citizen also.
Q Judge Lewis a citizen also? A Yes sir.

- Q Have you any children? A None living; have one dead.
- Q You are step-mother to these other children here? A Yes sir.
- Q Were you present at the time your father was married to Mrs. Davis here? A Yes sir.
- Q Where was that marriage ceremony? A About one mile west of Atoka.
- Q Performed by Judge Murrow, was it? A Yes sir.
- Q Do you know these brothers and sisters? A I nursed them all, should know them.

By the Commissioner:

- Q When were you married to Mr. Krebs? A 1890, November 22.
- Q When were you married to your first husband, Roberson? A I cant remember the date, I was nothing but a child.
- Q Do you remember when you were separated or divorced? A Not the date, no sir, not quite positive as to the date.
- Q After your separation from your first husband and prior to your marriage to Mr. Krebs what name did you bear? A Davis, I took my maiden name.
- Q What name did you go by from the time that you were divorced from your first husband until you were married to Mr. Krebs? A Anna Davis, correct.
- Q Was your name in 1885 Anna Davis? A Well now, I cant be real positive as to that.

By Mr. Roenwinkel:

- Q How old are you? A 33 years old.
- Q How old were you when you married Mr. Roberson? A I am not sure as to my age, but as I said before, I was simply a little school girl, I would not want to say that I was more than thirteen, I am not quite certain, I presume I must have been about thirteen or fourteen.
- Q How long did you continue to live with him? A Well I suppose a year, thereabouts.
- Q Did you ever claim to be possessed of any Choctaw blood? A Never, no sir.
- Q Did your mother ever claim to be a Choctaw by blood? A No, sir, not my mother.
- Q If your name and the names of your sisters and brothers appear upon the roll of the Choctaw Nation as Choctaws by blood, that is a mistake? A We never did claim citizenship as Choctaws by blood, not to my knowledge.
- Q You would be apt to know? A Not to my knowledge we never did.
- Q Have you any recollection about the time you were seventeen of any roll being made? A Well I dont believe that I do. I remember, as my step-mother stated, there was a party came out to our place when I was a young lady at home who was making up the census roll, but what that roll was, or what about it I cant say; I remember of giving the children's names in, but, as I stated before, I dont know what that roll was nor the date.
- Q Did you state to the man taking these names that you were a Choctaw by blood? A No sir.

We have always claimed

to be citizens of the Choctaw Nation, but not as by blood, to my knowledge.

By the Commissioner:

- Q What was the full name of your first husband? A George Roberson; if my memory serves me right it was George W. Roberson, but of the "W" I would not be quite positive.
- Q Was he older than you? A Older, yes sir, I should say, he was a middle aged man, yes sir, much older; he was a widower with a family.

By Mr. Ralls:

- Q Your father always claimed that he was a Choctaw citizen under the treaty? A Yes sir.

By Mr. Rosenwinkel:

- Q Did you ever hear your father say anything about the treaty? A Nothing about it that I remember except this one thing, that he married my mother under the treaty of 1866.
- Q You heard him say that? A I have heard him say that.
- Q Wasnt your father recognized as an intermarried citizen? A Yes sir.

Witness Excused.

NETA CRUM, being first duly sworn, testified as follows:

By the Commissioner:

- Q What is your name? A Neta Crum.
- Q How old are you? A 23 years old.
- Q What is your post-office address? A Olney, Choctaw Nation.
- Q What is the name of your father? A James D. Davis.
- Q What is your mother's name? A Rhoda Lavina Davis.
- Q You are one of the petitioners in this case are you? A Yes sir.

By Mr. Ralls:

- Q You are married now? A Yes sir.
Q Where were you married? A Olney, Choctaw Nation.
Q Have you any children? A No sir.
Q Your mother is sometimes called Lavina or Vinay Davis? A Yes sir.
Q The same one that testified here today? A Yes sir.
Q Your name was Davis before you were married? A Yes sir.
Q Are you sometimes called Juanita? A Yes sir.
Q You were born in Atoka County, Choctaw Nation, and raised there? A Yes sir.
Q Never lived out of the Territory? A No sir.

By Mr. Rosenwinkel:

- Q Did you ever claim to be a Choctaw by blood? A No sir.
Q Ever hear your mother make that claim? A Not to my knowledge I never.

Witness Excused.

MRS. CLARA TRAVEL, being first duly sworn, testified as follows:

By the Commissioner:

- Q What is your name? A Clara Travel.
Q What is your age and post-office address? A 36; my post-office is Lehigh.
Q Indian Territory? A Yes sir.
Q What is the name of your mother? A Martha C. Davis.
Q What was the name of your father? A James D. Davis.
Q You are one of the petitioners in this case are you? A Yes sir.

By Mr. Ralls:

- Q What was the name of your mother? A Martha C. Davis.
Q Are you a sister of Anna J. Mason? A Yes sir.
Q You were born and raised in the Choctaw Nation were you? A Born at Atoka, yes sir.
Q You were married to Mr. Standifer were you? A Yes sir.

- Q When were you married to him? A 1890 I believe.
Q Did you have any children by that marriage? A Yes sir.
Q Any of them living? A One.
Q What is the name of that child? A Willie Gertrude Standifer.
Q How old is she? A She is 11.
Q She is with you yet is she? A Yes sir.
Q Is Mr. Standifer dead, or are you divorced from him? A Divorced.
Q After you were divorced, did you marry Mr. Travel? A Yes sir.
Q Have any children by that marriage? A Two.
Q What are their names and ages? A Georgena is five years and the baby is two, Kathrena.
Q Your father is now dead? A Yes sir.
Q When did he die? A In March, 1896, the 24th of this month.
Q Were you present when your mother was married, your step-mother? A Cant remember nothing about it, I was small; I remember seeing them stand on the floor.
Q Do you know whether or not your father claimed to be a citizen by virtue of being adopted by the treaty? A Yes sir.
Q Always claimed to be an adopted citizen? A Yes sir.
Q Recognized as such? A Yes sir.

By Mr. Rosenwinkel:

Objected to as incompetent.

By Mr. Ralls:

- Q Did you attend any of the tribal schools? A Yes sir.

By Mr. Rosenwinkel:

Objected to.

By Mr. Rosenwinkel:

- Q How old are you? A 36.
Q Did you ever claim to be a citizen by blood? A No sir.
Q Did your mother ever claim citizenship by blood? A No sir.
Q Did you ever know her to claim that she was a citizen by blood? A No sir.

Witness Excused.

ALONZO M. DAVIS, being first duly sworn, testified as follows:

By the Commissioner:

- Q What is your name? A Alonzo M. Davis.
Q What is your age and post-office address? A 41; Byars, Chickasaw Nation.
Q You are one of the petitioners in this case are you? A Yes.

By Mr. von Weise:

- Q Who is your father? A James D. Davis.
Q And your mother? A Martha C. Davis.
Q Where were you born? A At Atoka.
Q Choctaw Nation? A Choctaw Nation.
Q Were you residing in the Choctaw or Chickasaw Nations June 28, 1898? A Yes sir.
Q Do you remember of attending the tribal schools of the Choctaw Nation during your boyhood? A Yes sir; all the schooling I have got is in the Choctaw schools.
Q You are the oldest one of your father's children are you not by his second marriage? A Yes sir.
Q Do you know whether your father claimed to be a citizen by adoption of the Choctaw Nation? A Yes sir.
Q Have you ever heard him state in what manner he claimed? A No never did.
Q You were always recognized as a citizen yourself, were you? A Yes sir, by my wife.
Q And your father was as far as you know? A Yes sir.
Q You are married to a Choctaw woman, are you not? A Yes sir.
Q Where were you married? A G.W. Choate's residence, in Tobucksey County.
Q In the Choctaw Nation? A Choctaw Nation.
Q Is he an Indian official or minister? A G.W. Choate--
Q At that time? A No, he had been a judge, ex-judge.
Q Was he a minister? A No sir.
Q Did Choate marry you? A No, just married at his house.
Q Now you have not been married but once? A No sir.
Q Children all enrolled are they? A Yes sir.
Q Know anything about your name appearing on any of the tribal rolls of the Choctaw Nation? A Think that it ought, my father has had me enrolled at different times.

By Mr. Rosenwinkel:

- Q Ever claim to be a citizen of the Choctaw Nation by blood? A No sir.
Q Never had yourself enrolled as a citizen by blood? A No sir.
Q Did your mother ever claim to be a citizen by blood? A No sir.

- Q You made an application pertaining to citizenship by inter-marriage? A Yes sir.
- Q Has it been determined? A Not that I know of.
- Q Did you marry your Choctaw wife by a Choctaw license? A Never got any license; was recognized as a citizen at the time I married her; voted at all the precincts.

Witness excused.

ROBERT DAVIS, being duly sworn, testified as follows:

By the Commissioner:

- Q What is your name? A Robert Davis.
- Q How old are you? A 33.
- Q What is your post-office address? A Phillips, Indian Territory.
- Q You are one of the petitioners in this case are you? A Yes sir.

By Mr. Riley:

- Q What is the name of your father? A James D. Davis.
- Q What is the name of your mother? A Martha C. Davis.
- Q Did your father claim to be a citizen of the Choctaw Nation by adoption? A Yes sir.
- Q Did you ever attend the tribal schools when a boy? A Yes sir.
- Q Are you married Mr. Davis? A Yes sir.
- Q What is your wife's name? A Cora D. Davis.
- Q When were you married to her? A About eight years ago I guess.
- Q Have you got any children? A One living.
- Q What is that child's name? A Gertrude M. Davis.
- Q How old is that child? A Three years old; will be next month.
- Q Mr. Davis, where have you lived since you have been old enough to remember? A Choctaw Nation.
- Q Any other place? A No sir.
- Q Live there yet? A Yes sir.
- Q Have you got your marriage certificate to your wife? A No sir, it was filed with the Commission.
- Q Filed here at the time you made former application? A Yes sir.

By Mr. Riley:

I desire to offer in evidence formal certificate of marriage;

"This certifies that Robert Murrow Davis and Miss Cora Delvina Winans were by me united in marriage at Atoka, Choctaw Nation, Indian Territory, according to the laws of the United States District Court on the 24th day of December, 1896.

Joseph S. Murrow,
Missionary.

W.R. Standifer
W.C. Winans."

~~which said certificate was filed with the Commission on June 4, 1900, and is found with the papers in the case numbered "R 482".~~

By Mr. Rosenwinkel to the witness:

- Q Ever claim to be a Choctaw by blood? A No sir.
Q Your mother ever claim she was a Choctaw by blood? A No sir.

Witness excused.

CLARENCE DAVIS, being duly sworn, testified as follows:

By the Commissioner:

- Q What is your name? A Clarence Davis.
Q What is your age and post-office address? A Age is 25; post-office address Olney, I.T.
Q What is the name of your father? A James D. Davis.
Q What is the name of your mother? A Rhoda L. Davis.
Q You are one of the petitioners in this case are you?
A Yes sir.

By Mr. Riley:

- Q Where have you lived Mr. Davis ever since you have been old enough to ~~know~~ remember? A In the Choctaw Nation.
Q Have you ever lived anywhere else? A No sir.
Q How old were you when your father died? A About 16 years old.

- Q Do you know whether your father claimed to be a citizen by adoption of the Choctaw Nation? A Yes sir, he did.
- Q Have you and your father's other children that are old enough always claimed citizenship in the Choctaw Nation? A Yes sir.
- Q When you were growing up did you attend any schools? A Yes sir?
- Q What schools did you attend? A Choctaw schools.
- Q Where? A Lehigh and Phillips, went to a school close to Ardmore.
- Q Did you attend those tribal schools as a child of a citizen of the nation? A Yes sir.

By Mr. Rosenwinkel:

Object to all testimony pertaining to attendance of the tribal schools, for the reason that it is incompetent, irrelevant and immaterial.

By Mr. Rosenwinkel:

- Q Did you ever claim to be a Choctaw by blood? A No sir.
- Q Ever hear your mother claim to be a Choctaw by blood? A No sir.

By Mr. Balls:

In behalf of Mrs. Mason, I desire to request the Commission to refer to "Choctaw 4448, Anna Krebbs", where will be found personal application made by her before the Commission September 2, 1899, claiming her right to be enrolled by virtue of being the daughter of James D. Davis, adopted citizen; in the same case pertaining to her right to be enrolled as an intermarried citizen I ask the Commission to refer to the Choctaw Census roll of 1896, and her name will be found upon that roll as an intermarried citizen. Her name will be found as "Anna Krebbs" on the 1896 roll.

By Mr. Riley:

We desire for the purpose of showing that an application has been heretofore made that reference be made to the Commission's records in the case of Cora Delvina Davis R 482; and R 558 for the purpose of showing that application was made for enrollment of Willie G. Standifer; also to Choctaw Roll, field No. 4-44, for the purpose of showing that application was made for Rhoda L. Davis, Clarence Davis, Neta Davis, Arthur Davis, Mamie Davis, Virgil Davis and James Davis; also to Choctaw roll card, field No. 4445, for the purpose of showing that application was made for Robert M. Davis; also to Choctaw roll

card, field No. 4447, for the purpose of showing that application was made for Clara Standifer, now Clara Travel, and Georgena or Ethel Travel, all of which applications were made prior to September 25, 1902.

By Mr. von Weise:

We desire to call attention specially to the records of the Commission in Choctaw case 4446, being in regard to the application of Alonzo M. Davis, and desire specially to call attention to the undated testimony taken before the Commission at Atoka, wherein the applicant claims that he is a citizen by adoption, and to the memoranda on file in said jacket, which bears the same number as the jacket, and wherein the date appears as September 8, 1899, and for the purpose of showing that application was made by Alonzo M. Davis prior to September 25, 1902, and that he at that time claimed to be a citizen of the Choctaw Nation by adoption.

Witness Excused

MRS. RHODA L. DAVIS, recalled by Mr. Rosenwinkel, testified as follows:

By Mr. Rosenwinkel:

- Q Were you the second or third wife of James D. Davis? A Third.
Q Ever claim to be a citizen by blood of the Choctaw Nation?
A No sir.
Q Ever make that claim for your children, the petitioners here; did you ever claim your children were citizens by blood of the Choctaw Nation? A Not by blood.
Q Do you know whether or not the second wife of James D. Davis ever claimed to be possessed of Indian blood? A No sir.
Q Have you any knowledge of how the names of the petitioners in this case came to be placed on the 1885 roll as citizens by blood? A No sir.
Q You didnt authorize it? A No sir.

Witness Excused.

MRS. ANNA J. MASON, recalled by Mr. Ralls, testified as follows:

By Mr. Ralls:

- Q Mrs. Mason were you before the Commission while it was at Atoka in September, 1899, and make application to be placed on the roll there? A Went before the Commission at Atoka; whether it was in 1899 or not I am not sure; went before the Commission when it came there.
- Q When it was at Vails park? A Yes sir.
- Q The record shows that on September 2, 1899, you appeared before the Commission and stated that your father was married to an Indian woman; that she died, then he was married to your mother; that is the time that statement was made while they were at Vails park? A Yes sir, while they were at Vails park.

Witness excused.

By the Commissioner:

On the 1885 Choctaw Census Roll, opposite No. 630, there appears the name of Rhoda Levina Davis, 32 years of age, "citizen by marriage"; opposite No. 635 on said roll appears the name of Clarence T. Davis, six years of age "Choctaw by mother's side"; opposite No. 636, on said roll appears the name of Wanta Levina Davis, three years of age, "Choctaw by mother's side"; opposite No. 631, on said roll appears the name of Alonzo Davis, twenty years of age "some Indian blood"; opposite No. 633 on said roll appears the name of Robert Davis, fourteen years of age, "Choctaw by mother's side"; opposite No. 632 on said roll appears the name of Clara Davis, fifteen years of age, "Choctaw by mother's side"; opposite No. 1024 on the said roll appears the name of Anna Roberson, seventeen years of age, "Choctaw by blood". On the 1896 Choctaw Census roll appears the name of Anna Crebba "citizen by intermarriage".

By Mr. von Weise:

Attorneys for petitioners ask that certificate be made, showing what the 1885 Census roll is.

By the Commissioner:

These names appearing on the 1885 Choctaw Census roll above referred to, after the last names on said roll appears the following:

"I do solemnly swear that the census taken in Atoka County, C.N. by me are true and correct.

Census of Atoka County, Choctaw Nation.

John Fowler Com.

Subscribed and sworn to before me this 5 day of October, 1885, A.D.

Enos Learnes Co and Probate

Judge, Jacks Fork County, C.N.

Filed in my office this 7th Oct., 1885.

Thompson McKinney,

National Secretary C.N."

Cora Moore, being duly sworn, states that as stenographer to the Commissioner to the Five Civilized Tribes, she reported the proceedings had in the above entitled cause on the 6th day of March, 1906, and that the above and foregoing is a transcript of her stenographic notes taken in said cause on said date.

Cora Moore

Subscribed and sworn to before me this 10th day of March, 1906.

Myron White
Notary Public.

(COPY-DEB)

DEPARTMENT OF THE INTERIOR.

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

.....

In the matter of the enrollment of Rhoda L. Davis as an intermarried citizen of the Choctaw tribe or Nation of Indians.

B R I E F .

Come: now your applicant, Rhoda L. Davis, by and through her attorney of record, Chilion Riley, of Ardmore, Indian Territory, and respectfully asks that this brief be considered by the Commissioner to the Five Civilized Tribes and the Honorable, the Secretary of the Interior, in passing upon her right to enrollment as an intermarried citizen of the Choctaw tribe or Nation of Indians.

Your petitioner respectfully states that she claims her right to enrollment, as will appear from the record herein, by and through her marriage to one James Davis, who, about 1850 was duly and lawfully married to Selina Davis, formerly Flint, nee Nail, a Choctaw Indian woman by blood; that at the time of the marriage of the said James Davis to his Indian wife, Selina Davis, he, the said James Davis acquired no right to citizenship in the Choctaw Nation, other than the right to live in said nation with his wife; that subsequent to said marriage by article thirty eight of the treaty of April 28, 1866, said James Davis was, by force and without his asking, adopted and

incorporated into the Choctaw tribe of Indians as though he were a native born Choctaw; that said James Davis lived with his Indian wife until the time of her death after which he was married to Rhoda L. Davis, the applicant herein under a Choctaw license in which he, James Davis, was described "as a citizen of the Choctaw Nation. For this reason the applicant, Rhoda L. Davis, claims her right to enrollment.

The applicant herein further represents and states that she has always been, since the date of her said marriage, recognized as an intermarried citizen; that she has received such recognition by the Choctaw Tribal Authorities as will appear from a reference to the Choctaw Census Roll of 1885, her name appearing thereon as an "INTERMARRIED CITIZEN OF SAID NATION."

The applicant herein further represents and states that in the United States Court, Central District, Indian Territory, Honorable William H. H. Clayton presiding, it was held that she and all of her minor children were entitled to enrollment, she, by virtue of being lawfully married to an adopted citizen and her children by virtue of being born to "Choctaw allegiance."

Your applicant further represents that the adoption of her said husband, James Davis, as a citizen of the Choctaw Nation as though he were a native born Choctaw was made complete by the thirty-eighth article of the treaty of April 28, 1866, supra, which is as follows:

"Every white person who, having married a Choctaw or Chickasaw is to be deemed a member of said nation in all respects as though he was a NATIVE Choctaw or Chickasaw."

It is the contention of Rhoda L. Davis, the applicant herein that James Davis having theretofore married his Indian spouse, and at the time of said marriage acquiring no right, he

was, by force and without his asking, by this article of the treaty adopted and incorporated into the Choctaw tribe of Indians as though he was a NATIVE born citizen; that if he were living at this time it would not be proper to enroll him as an INTER-MARRIED citizen of the Choctaw Nation, unless he had married an Indian spouse subsequent to the adoption of the treaty, but that he should be enrolled as an ADOPTED CITIZEN of the Choctaw Nation and given all the rights, privileges and immunities of a NATIVE BORN or INDIAN BLOOD CHOCTAW. Surely there is no one who will contend that an ADOPTED citizen cannot confer, upon his or her white spouse, intermarried rights for the reason that the act of adoption removes all disabilities of blood, if any, there are.

By reference to article twenty six of the treaty here inbefore referred to we may be able to find further light as to the rights which were intended to be conferred upon the adopted and intermarried citizens of the Choctaw and Chickasaw Nations. Said article is as follows:

"The right here given to Choctaws and Chickasaws, respectively, shall extend to all persons who have become citizens BY ADOPTION or intermarriage of either of said nations, or who may hereafter become such."

There is only one question in this case. What were the rights given to Choctaws and Chickasaws under the provisions of the treaty of 1866. Did they have the right, by marriage, to confer citizenship upon non-citizen white persons? If they did, then James Davis, an adopted citizen, the husband of this applicant had that right as though he were a NATIVE CHOCTAW, and could, by his marriage, confer that right upon Rhoda L. Davis

It must be admitted that an ADOPTED CITIZEN can confer citizenship. We have been unable to find any law whereby the wife does not assume the citizenship of the husband on the date of the marriage, but, on the contrary all laws are to this effect. If a male citizen of the Choctaw Nation marry a white woman, resident of some State or foreign country, she is

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deemed to become, on the date of her marriage, a citizen and resident of the Choctaw Nation and is entitled to enrollment. Thus, if a male citizen of the State of Ohio marry a woman, a citizen of the State of Iowa, then, on the date of the marriage the wife is deemed to take the citizenship and residence of her husband, regardless of where the marriage ceremony is performed.

We contend in this case that, James Davis, who prior to the adoption of the treaty herein referred to, was married to an Indian woman, acquired the same rights by article 38, supra, as a NATIVE citizen and that all disability of blood, if any, was thereby removed; that this applicant, Rhoda L. Davis, by virtue of her marriage to him in accordance with Choctaw law and under a Choctaw license thereby became an intermarried citizen. To hold otherwise would deny that a non-citizen, having married a Choctaw and living in the nation at the time of the adoption of the treaty had acquired the same rights as a NATIVE Choctaw and would be in direct contravention of the articles of the treaty herein quoted.

In the event the Commissioner, and the Department should decide that, James Davis, if living, would not be an adopted citizen, but that he should be enrolled as an intermarried citizen, then we respectfully contend that the applicant herein is still entitled to enrollment, as it is our belief that an intermarried citizen, under the treaties and laws, has an EQUAL RIGHT with an Indian by blood or a NATIVE born citizen of either of these nations.

In what follows we have been greatly aided by Messrs. Thomas Norman and Charles von Weise, Attorneys at Law, of Ardmore Indian Territory; and, as a prelude to the argument hereafter to be made we desire, not only to call attention, but to forcibly impress upon your mind the fact that the question herein--and the ONLY question--is one of CITIZENSHIP and NOT one of property rights.

Heretofore it has ever been the aim of counsel for the nation to divert the course of argument and judicial consideration, from that relating to the CITIZENSHIP STATUS of this class of claimants, to one which shall bea consideration of the PROPERTY RIGHTS which they may possess. We submit that the only question to be answered herein is "WHAT IS THE CITIZENSHIP OF RHODA L. DAVIS" and not what are her property rights. Counsel in opposition will doubtless contend, as they have heretofore, that the latter necessarily follows the former. We think not. Neither did the Supreme Court of the United States in the case of Stephens vs. Cherokee Nation, 174 United States 1041, wherein Mr. Chief Justice Fuller in rendering the opinion of the Court stated: ~~"It may be remarked that the legislation seems to~~ recognize, especially the act of June 28, 1898, a distinction between an admission to citizenship merely and the distribution of property to be subsequently made, as if there might be circumstances under which the right to a share in the latter would not necessarily follow from the consession of the former."

Citizenship and property rights are TWO SEPARATE AND DISTINCT SUBJECTS and ought not to be confusable even in the most dense mind. Citizenship is the state of being vested with the rights, privileges and obligations of a citizen--a citizen is one of a number of persons who form a body politic and have submitted themselves to the dominion of some government to which they owe allegiance and from which they are to derive protection of their individual rights. Allegiance and protection are, in this connection, reciprocal obligations, the one is given in consideration for the other. He is a citizen who, by either of the four known methods, is a member of some organized government, and as such member is subject to its laws and entitled to its protection in the enjoyment of ~~civil~~ and private rights. It is a STATUS or CONDITION and is NOT PROPERTY. Citizenship, or membership, in such government may be acquired in either of the

four following ways:

- 1st. By birth.
- 2nd. By naturalization, sometimes called adoption.
- 3rd. BY MARRIAGE.
- 4th. By succeeding to the parents status.

It is though that these four methods include every known way by which a person may acquire citizenship, and that all other ways which appear to be different, will be found on last analysis to be reducible to one or the other of these four. As stated above, CITIZENSHIP IS A STATUS, not property. However, it has become popular to confuse citizenship with inheritance, and to try to apply to questions of citizenship the laws governing the distribution of the property of deceased persons, just as though citizenship were property.

The recent decisions of the Supreme Court of the United States have announced unequivocally that it is not property, but ONLY a status, and hence the endeavor to apply the principles of law governing the descent and distribution of estates of deceased persons can only prove abortive. The principles of law to be applied, are the principles governing citizenship.

Before discussing what these are we desire to investigate the extent of the rights of different citizens, and from this to ascertain whether an intermarried citizen's rights are equal of, and co-extensive with, that of any other citizen who has acquired his citizenship by birth or naturalization. It would seem to an American that the statement of the proposition carries with it its own answer. To us, it is fundamental that each citizen possesses all the rights and privileges and immunities of any other citizen, regardless of race or color, or of the manner by which citizenship may be acquired. We do not measure the extent of a person's citizenship by the color of his skin, nor by the race to which he belongs; neither do we measure it by the manner in which he acquired his citizenship. If he is a

citizen, he is the equal of any other citizen. Discriminations on account of race or color or the manner citizenship is acquired are odious, and in a republican form of government are not to be tolerated.

Our Declaration of Independence declares:
"We hold these truths to be self-evident:
That all men are created equal".

Mr. Kent, in discussing citizenship, and particularly the rights of naturalized citizens, has said that the rights, privileges and immunities possessed by him are the same as that of a NATIVE born citizen. We quote:--.

"A person thus duly naturalized becomes entitled to all the privileges and immunities of natural born subjects-- except that a residence of seven years is requisite to enable him to hold a seat in Congress, and no person except a natural born citizen is eligible to the office of governor in some of the States. Book 2, pp 65-6

It will be noted that the rights thus withheld from the alien born citizens, are political; and it has been held by the Supreme Court that discrimination can be made in political rights on account of age or sex, but not in their private or civil rights.

This equality of all citizens is a fundamental concept, not alone of our own government, but it is also of the Choctaws and Chickasaws.

The Bill of Rights of the Choctaw Nation, provides:

"That the general, great and essential principles of liberty and free government may be recognized and established, we declare:

Sec. 1 That all free men when they form a social compact, ARE EQUAL IN RIGHTS, and that no man or set of men are entitled to exclusive, separate, public emoluments or privileges from the community, but in consideration of public services."

The Bill of Rights of the Chickasaw Nation, provides:

"That the general, great and essential principles of liberty and free government may be recognized and established, we declare that:

All freemen when they form a social compact have EQUAL RIGHTS, and no man or set of men is entitled to exclusive, separate, public emoluments or privileges, but in consideration of public services."

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If then, all men are born EQUAL; if, when they form a social compact they have EQUAL RIGHTS; if the naturalized citizen possesses all the rights, privileges and immunities of natural born citizens, we ask how can there be degrees of citizenship? How can one be a full citizen, whilst another is some fractional part of a citizen? And what fractional part of a citizen is he? To all of which questions the answer is " that there are no degrees of citizenship, that there are no citizens of fractional parts." No matter how citizenship be acquired, when it is once acquired, that citizen is the EQUAL of any other citizen.

These general and fundamental principles enter into the consideration of the treaty of 1866, from an interpretation of which we seek to ascertain the extent of the rights of the intermarried citizen; so that if the status of such intermarried citizen be expressed in general words, he will be deemed to possess all the rights of any other citizen; while if limiting words are used restricting his rights, the limitations MUST BE CONFINED to the precise restrictions set forth, for the reason that the limitations will be in derogation of the usual rights and liberties of the citizen. Article XXXVIII of the treaty of 1866 which grants the right to acquire citizenship in these two nations, to white persons alone, 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 were a NATIVE Choctaw or Chickasaw."

Under the provisions of the law above quoted, James Davis, the husband of the applicant herein was, by force and without his asking, incorporated into the Choctaw tribe of Indians as though he were a NATIVE Choctaw.

This article does not say that the white person must marry a Native Choctaw; that he must marry a Choctaw of Indian blood; that he must marry a person with a RED SKIN, but says, "every white person who, having married a Choctaw or Chickasaw" and we respectfully submit that an intermarried person, citizen of the nation, is a Choctaw to all intents and purposes of the law. There are no LIMITATIONS in this treaty on the extent of the intermarried citizen's rights; nor are there any restrictions placed on him on account of being of white color; of caucasian race; or of the acquiring of his citizenship by marriage.

It would be a dangerous innovation of supplying limitations where there is NONE expressed. It is NOT the duty of the Commissioner, or of the Department, to supply limitations by reading into the 38th article of the treaty the words "by blood" or "Native Choctaw", but it is their duty to construe the law as it is. We have said that it would be a dangerous innovation to supply limitations where NONE exist, and especially would this be true where the generality of the language used, interpreted in the light of fundamental principles of citizenship, imports no restriction whatever. Vattel, in his work on the law of Nations, says:

"The first general maxim of interpretation (of treaties) is, that it is not allowable to interpret what has no need of interpretation . . . Those cavillers who dispute the sense of a clear and determinate article, are accustomed to seek their frivolous subterfuges in the pretended intentions and views which they attribute to its authors. It would be very often dangerous to enter with them into the discussion of these supposed views that are not pointed out in the piece itself. The following rule is better calculated to foil such cavillers, and will at once cut short all chicanery: If he who could and ought to have explained himself clearly and fully has not done so, it is the worse for him. He cannot be allowed to introduce subsequent restrictions which he has not expressed. . . . The equity of this rule is glaringly obvious, and its necessity is not less evident. There will be no security in conventions, no stability in grants, or concessions, if they may be rendered nugatory by subsequent limitations, which ought to have been originally specified in the deed, if they were in the contemplation of the contracting parties." Chap. 17, Sec. 264-5

Not only are there no restrictions on the extent of the citizenship acquired by marriage or on account of his race or

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color, but on the contrary, the treaty by its very terms **MAKES HIS CITIZENSHIP CO-EXTENSIVE WITH THAT OF THE OTHER MEMBERS OF THE NATION.** It says he "is to be deemed a member of said nation "as though he was a **NATIVE Choctaw or Chickasaw; that is, to be incorporated into the tribe as an integral part of it, just as though he had a RED SKIN, was of North American Choctaw or Chickasaw Indian blood, or had acquired his citizenship by birth.** By expressing that he "is to be deemed a member of the nation as though he was a **NATIVE Choctaw or Chickasaw", there is excluded the idea that he was not to be deemed a member of the nation, or treated as a NATIVE Choctaw or Chickasaw, for the reason that it is a familiar maxim of interpretation that "Expressio UNIUS Est Exclusio Alterius".**

Nor do we believe that the use of the words "Choctaw or Chickasaw" in the clause "Every white person who, having married a Choctaw or Chickasaw . . . is to be deemed a member of said Nation . . ." imports any particular class of people, for instead of these being words of limitation or restriction they are words of the greatest breadth and comprehensiveness. No words could be used to comprehend all the different citizens of these two nations, of all races and colors more appropriate than the words "Choctaws" and "Chickasaws". It is used in the same sense that we use the word "American" to comprehend all the different peoples of this country, of every race and color, and if we desire to limit the comprehensiveness of it we say, an American Indian--an American white man--an American Negro, or some other qualification. Thus, we say we have eighty millions of American citizens--this does not mean that they are all whites--that they are all Americans by birth--that they are all of the caucasian race--that some are not Americans by adoption or naturalization--that some are not Indians. It means that we have that number of American citizens of every race and color.

Then, just in the same sense we limit the comprehensiveness of the words "Choctaws" and "Chickasaws" by the use of such expressions as "A Choctaw of Indian blood", "A Choctaw by adoption", "or a Choctaw by marriage". But, used in the usual and ordinary sense, it includes all Choctaws and Chickasaws of every kind.

These words as used in the treaty some twenty or more times, are, with a single exception, used to represent the whole body of these nations--all of their peoples, all of their citizens--and their use here in the same sense should be held to mean ALL of the Choctaws, unless to do so would be in violation of the language. Instead of doing violence to it, it conforms with the usual and customary construction.

The contentions of these nations--or their attorneys--that the usual and customary rule of construction should not be applied to the interpretation of a treaty between the Federal Government and the Indians is without merit, and is not entitled to judicial consideration. The matter of the proper interpretation of treaties between the Government and the Indian tribes is clearly set forth by the United States Supreme Court in the case of United States vs. Choctaw Nation, et al., 179, U.S. pp 494.

In this decision there are set out the propositions, seven in number, which were submitted to the Indians by Chairman Cooley on behalf of the Commissioners for the United States and there is a reply quoted therein from the Committee on the part of the Choctaw and Chickasaw people. The seventh proposition as submitted, has reference to the white people then residing in the Indian Territory, and on behalf of the Choctaws and Chickasaws this proposition was adopted and accepted by these tribes without quibble. The result of the negotiations culminated in the treaty of April 28, 1866, and article thirty eight

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of that treaty embodies proposition number seven as originally submitted to the Indians and accepted by the Choctaws and Chickasaws thereafter. In the light of the proposition made and accepted, prior to the formal written treaty, there is no room for a construction upon the intent of the Indians when they drew up article thirty eight of said treaty and incorporated it as one of the articles thereof. The Indians of these two nations clearly understood what they were doing and in the light of the previous negotiations between them and the Government of the United States it is clear to an unprejudiced mind that they intended, by said article to do, just what the words embraced, or used, in that article say: And that is, that the white people, adopted or intermarried, into either of said tribes were incorporated by said article into the tribe with the same rights and privileges as if they were citizens by blood or by birth.

This decision is the last expression of the Supreme Court on the rules of construction applicable to a treaty made with one of the Indian tribes, and it was made in interpreting this identical treaty. From said decision it is clear that, where there is no ambiguity, words should be construed according to their usual and customary meaning, and that to add a restriction or limitation would be usurpation, and NOT construction.

Applying then these principles to the interpretation of the aforesaid article of the treaty it becomes plain that the citizen who acquired his citizenship by marriage becomes a member of the nation "as though he were a native" or natural born member, and that no discrimination between the alien born citizen and the native or natural born citizen is permissible. The alien born citizen, on acquiring his citizenship by marriage, enters into ALL THE RIGHTS, PRIVILEGES and IMMUNITIES of the native born citizen, just as the naturalized or adopted citizen does. They all stand on an EQUAL footing.

There are absolutely no limitations or restrictions in the thirty eighth article of the treaty requiring the marriage to be made to a "native Choctaw" or a "Choctaw of Indian blood," but the language is the broadest and most comprehensive that could have been used and it is the same as if the words "any kind" had been added or prefixed to the words "Choctaws and Chickasaws" for this is the natural meaning of these words. No Court, or other tribunal is justified in inserting limitations or restrictions where none is expressed.

In these nations we have four classes of citizens. First, citizens by blood; Second, native born children; third citizens by adoption; and, fourth, citizens by intermarriage. We respectfully submit that any white person, non-citizen of the nation, marrying either of these four classes of citizens "is to be deemed a member of said nation as though he was a native Choctaw or Chickasaw." The only thing necessary to acquire such citizenship is that he be married to a citizen of one of these two nations, and it matters not whether his skin be RED or WHITE.

We have entered into this discussion at length without reference to the more recent laws and treaties. Let us now ascertain, if possible, whether or not the rights of an intermarried citizen, of either of these nations, is anywhere curtailed.

The next law we have been able to find affecting the citizenship of these two nations is paragraph three, section 21, Act of Congress of June 28, 1898, commonly known as the Curtis Bill. Said paragraph is as follows:

"Said Commission is authorized and directed to make correct rolls of the citizens by blood of all the other tribes with such intermarried white persons as may be entitled to Choctaw and Chickasaw citizenship under the treaties and laws of said tribes."

There is certainly nothing in this section of the law limiting the right to be acquired by marriage to a union

with a Choctaw by blood, or a native born citizen. The next law we have been able to find in clear and concise language recognizes that the intermarried Choctaw has all the rights of a native Choctaw, or a Choctaw by blood. It is section twenty eight of the Act of Congress of July 1, 1902 (32 Stat. 641), and is as follows:

"The names of all persons living on the date of the final ratification of this agreement entitled to be enrolledshall be placed upon the rolls made by said Commission, and no child born thereafter to a citizen and no person intermarried thereafter to a CITIZEN shall be entitled to enrollment....."

What then, is contemplated in the above act by the words "CITIZEN"? Can it be contended that only Choctaws of Indian blood were contemplated by the word CITIZEN? The Department has uniformly held in determining the rights of white persons married to Choctaws by blood that such white persons are CITIZENS as well as their native born or Indian blood spouses and that such citizenship is acquired on the date of the marriage. It must, therefore, be conceded that the word CITIZEN as used in the act above quoted contemplated any person who owed allegiance to the Choctaw Nation regardless of their race or color, or the manner by which they owed such allegiance.

The law above quoted was ratified by a vote of the Choctaw and Chickasaw people on September 25, 1902, and thus became treaty stipulation. It is thus seen that the nations were not, at that time nor have they ever, attempted to limit the rights of the intermarried citizen. We do not believe that the nations are now attempting to limit the rights of the intermarried citizens, but that it is the attorneys for said nations who are trying to limit their rights, and without authority of law.

The question in this case is whether or not, Rhoda L. Davis, on the date of her marriage to James Davis acquired

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his citizenship. In the United States a naturalized citizen confers citizenship upon his alien born wife on the date of the marriage. We think this must also be held with reference to Indian tribes and this has been the decisions of the United States Court in Indian Territory, rendered by Judges Clayton and Townsend.

This brief is submitted with all due respect and consideration for the opinion of the Assistant-Attorney General for the Department of the Interior of January 28, 1905 (I T D 11582, 1904), rendered in the Choctaw enrollment case of Emma McMenamin.

W H E R E F O R E , we respectfully submit that under the treaties and laws of said tribes, and under the facts as they will appear from the record in this case, the applicant herein, Rhoda L. Davis, is entitled to enrollment as an inter-married citizen of the Choctaw Nation.

Respectfully submitted,

Chilion Riley,

Attorney for applicant.

I, Fred V. Kinkade, of lawful age, being first duly sworn on oath states, that I did on the 1 day of June, 1906, transmit by registered mail to Mansfield, McMurray & Cornish, Attorneys for the Choctaw-Chickasaw Nations, at So. McAlester, Indian Territory, a true, full and correct copy of enclosed brief and argument; that same was enclosed in letter for which attached registry receipt is given.

Subscribed and sworn to before me a Notary Public
this the 5th day of June, A. D. 1906.
(SEAL) Registry receipt attached.

Fred V. Kinkade
Robert Lee Russell,
Notary Public.

(Endorsed on Back)
DEPARTMENT OF THE INTERIOR.
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

F I L E D

JUN 8, 1906. Tams Bixby, Commissioner.
Chilion Riley, Ardmore, I. T.

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Fred V. Kinkade

(SEAL)

Subscribed and sworn to before me a notary public this the 5th day of June, A. D., 1906.

Robert Lee Russell.

Notary Public.

Letter

No. 2396

P. O., Ardmore.

Received for registration 6/5-1906 from
Chilion Riley, addressed to Mansfield,
McM & Cornish, So. McAlester, I.T.

1 class postage prepaid.

Postmaster, per S.

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

In the matter of the application for the enrollment of
Anna Krebbs, et al., as citizens of the Choctaw Nation.

D E C I S I O N.

It appears from the record herein and from the records in the possession of the Commissioner to the Five Civilized Tribes that on September 2, 1899, application was made to the Commission to the Five Civilized Tribes for the enrollment of Anna Krebbs (now Anna J. Mason) as a citizen of the Choctaw Nation; that on September 2, 1899, application was made for the enrollment of Alonzo M. Davis as a citizen of said nation; that on September 2, 1899, application was made for the enrollment of Clara Standifer (now Clara Travel) as a citizen of said nation; that on July 27, 1901, application was made for the enrollment of Georgena Ethel Travel as a citizen of said nation; that on June 8, 1900, application was made for the enrollment of Willie Gertrude Standifer as a citizen of said nation; that on September 2, 1899, application was made for the enrollment of Robert M. Davis as a citizen of said nation; that on June 4, 1900, application was made for the enrollment of Cora Delvina Davis as a citizen by intermarriage of said nation; and that on September 2, 1899, application was made for the enrollment of Rhoda L. Davis as a citizen by intermarriage of the Choctaw Nation, and for the enrollment of her six minor children, Clarence, Neta, Arthur, Mamie, Virgil and James Davis, as citizens of said nation.

The right of the applicant, Anna Krebbs (now Anna J. Mason), to enrollment as a citizen by intermarriage of the Choctaw Nation by virtue of her marriage to one Henry Krebbs, an alleged Choctaw by blood, was denied by the Commission to the Five Civilized Tribes on May 6, 1905, and is now pending before the Department. Her rights as a citizen by intermarriage of the Choctaw Nation will, therefore, not be passed upon herein.

It further appears from the records of the Commission to the Five Civilized Tribes that on September 9, 1896, in the case entitled "J. B. Davis, et al., vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, Case No. 317), original application was made 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 of the applicants, Anna Krebbs, Clara Standifer, Robert M. Davis, Rhoda L. Davis, Clarence Davis, Neta Davis, Arthur Davis, Virgil Davis, Mamie Davis, and James Davis, as citizens of said nation; and that on December 2, 1896, said Commission rendered its decision therein denying said application.

It further appears from the records of the Commission to the Five Civilized Tribes that on September 7, 1896, in the case entitled "Alonzo M. Davis, vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, Case No. 325), original application was made 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 of the applicant, Alonzo M. Davis, as a citizen by intermarriage of the Choctaw Nation, said applicant claiming his right thereto by virtue of having married a citizen by blood of the Choctaw Nation; and that on December 2, 1896, said Commission rendered its decision therein admitting said applicant as an intermarried citizen of the Choctaw Nation.

Thereafter appeals were taken in the above cases to the United States Court for the Central District of the Indian Territory, where on July 15, 1897, the court ordered that the above cases be consolidated under the style of "A. M. Davis, et al., vs. Choctaw Nation" (Central District Court Case No. 174). On August 26, 1897, said court rendered its decision therein, decreeing that all of the above named applicants "be enrolled as members of the Choctaw Nation and entitled to all the privileges of such citizens."

On December 17, 1902, the Choctaw and Chickasaw Citizenship Court, created under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), "set aside, annulled, vacated and held for naught" the aforesaid judgment of the United States Court for the Central District of the Indian Territory.

Subsequently, said cause was certified to said Choctaw and Chickasaw Citizenship Court for a trial de novo, and on November 29, 1904, said court, in the case entitled "Viney Davis, et al., vs. Choctaw and Chickasaw Nations" (Choctaw-Chickasaw Citizenship Court Case No. 100, McAlester Docket), rendered its decision therein, wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, Viney Davis, or Mrs. R. L. Davis, Clarence Thomas Davis, or Clarence Davis, Jaunita Levina Davis, or Neter Davis, Arthur Earl Davis, or Arthur Davis, Marie Ethel Davis, or Mamie Davis, Virgie Jerome Davis, or Vergie Davis, James Russell Davis, or James Davis, Alonzo McConnel Davis, or Alonzo L. Davis, Anna James Mason, or Annie Krebs (nee Davis), Clara Louise Davis Travel, (or Trowel), or Clara Standifer, and Robert Murrow Davis, or Robt. W. Davis, be denied, and that they be declared not citizens of the Choctaw Nation, and not entitled to enrollment as such citizens, and not entitled to any rights whatever flowing therefrom; and as to the petitioners, Willie Gertrude Standifer and Georgina Ethel Travel (or Trowel), the court having no jurisdiction their case is dismissed."

January 21, 1905, the Commission to the Five Civilized Tribes entered of record orders dismissing the applications for the enrollment of Georgina Ethel Travel and Cora Delvina Davis as citizens of the Choctaw Nation for the reason that the persons through whom they claimed their said right were denied by the Choctaw and Chickasaw Citizenship Court.

On April 1, 1905, the Commission to the Five Civilized Tribes denied the application for the enrollment of Willie Gertrude Standifer as a citizen of the Choctaw Nation, which decision was on January 16, 1905 (I.T.D. 370-1905), affirmed by the Department.

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there was filed in January, 1906, petitions praying for the enrollment of Anna J. Mason, Alonzo M. Davis, Clara L. Travel, Willie G. Standifer, Georgenia E. Travel, Kathrena A. Travel, Robert M. Davis, Gertrude M. Davis, Cora D. Davis, Rhoda L. Davis, Arthur Davis, James Davis, Virgil Davis, Mamie (or Minnie) Davis, Neta Crum (nee Davis), and Clarence Davis as citizens of the Choctaw Nation.

Hearings were had in the matter of said petitions at Muskogee, Indian Territory, on March 6, 1906.

The applicants, Anna Krebs (now Anna J. Mason), Alonzo M. Davis, Clara Standifer and Robert M. Davis, claim their right to enrollment as citizens of the Choctaw Nation by reason of being the children of J. D. Davis, a white man, who is alleged to have been a citizen by intermarriage of the Choctaw Nation, and Mattie Davis, a non-citizen white woman; that the applicants, Clarence Davis, Neta Davis (now Crum), Arthur Davis, Mamie Davis, Virgil Davis and James Davis, claim their right to enrollment as citizens of said nation by reason of being the children of the said J. D. Davis (above mentioned), and the applicant, Rhoda L. Davis, a white woman; that Cora Delvina Davis claims her right to enrollment as a citizen by intermarriage of said nation by reason of her marriage to the applicant, Robert M. Davis; that Rhoda L. Davis claims her right to enrollment as a citizen by intermarriage of the Choctaw Nation by virtue of her marriage to J. D. Davis (now deceased), an alleged citizen by intermarriage of the Choctaw Nation; and Alonzo M. Davis also claims his right to enrollment as a citizen of said nation by virtue of his marriage in 1890 to Lorena Davis, a recognized citizen by blood of the Choctaw Nation, whose name appears as number 12321 upon the final roll of citizens by blood of the Choctaw Nation approved by the Secretary of the Interior March 6, 1903. Willie Gertrude Standifer is the minor daughter of the applicant, Clara Standifer, and Robert Standifer, a non-citizen white man; Georgenia Ethel Travel and Kathrena A. Travel are the minor daughters of said Clara Standifer and one Travel, a non-citizen white man; and Gertrude M. Davis is the daughter of the applicants, Robert M. Davis and Cora Delvina Davis.

The record in this case shows that Alonzo M. Davis was not married to his Choctaw wife by virtue of a license issued by the tribal authorities of the Choctaw Nation.

Upon an examination of the tribal rolls of the Choctaw Nation in the possession of this office it appears that the applicants, Rhoda L. Davis, Alonzo M. Davis, Clara Standifer (now Travel), Robert M. Davis, Clarence Davis and Neta Davis (now Crum), are identified upon the 1885 Choctaw Census Roll, Atoka County, opposite numbers 630, 631, 632, 633, 635 and 636, respectively. The applicant, Anna Krebs (now Mason), is identified upon the 1896 Choctaw Census Roll, Atoka County, No. 14421.

I am of the opinion that the orders of the Commission to the Five Civilized Tribes of January 21, 1905, dismissing the applications for the enrollment of Georgenia Ethel Travel and Cora Delvina Davis as citizens of the Choctaw Nation should be rescinded, and it is so ordered.

I am further of the opinion that following the ruling of the Department of April 24, 1906 (I.T.P. 4048-1906), in the case of Mary Elizabeth Martin, the application and petition for the enrollment of Anna Krebs (now Mason), Alonzo M. Davis, Clara Standifer, Georgens Ethel Travel, Robert M. Davis, Clarence Davis, Meta Davis, (now Crum), Arthur Davis, Annie Davis, Virgil David, and James Davis as citizens 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.

I am further of the opinion that the petition for the enrollment of Willie Gertrude Standifer as a citizen of the Choctaw Nation should be dismissed, and it is so ordered.

I am further of the opinion that the application and petition for the enrollment of Alonzo M. Davis and Cora Delvina Davis as citizens 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.

I am further of the opinion that following the ruling of the Department in the case of John McFenarin (I.T.P. 11582-1904), the application and petition for the enrollment of Rhoda L. Davis 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.

I am further of the opinion that the petition for the enrollment of Kathrene A. Travel and Gertrude J. Davis as citizens of the Choctaw Nation should be denied, under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137), as amended by the Act of Congress approved June 11, 1906 (Public No. 258), and it is so ordered.



Commissioner.

Muskogee, Indian Territory,

NOV 9 1906

7-4448

Muskogee, Indian Territory, November 1, 1906.

Anna J. Mason,

Olney, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered November 9, 1906, denying the application and petition for the enrollment of Anna Krebs (now Mason), 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,

Commissioner.

Registered.

Incl. 7-44.8, et al.

7- 4444

Muskogee, Indian Territory, November 9, 1906.

Neta Crum,

Olney, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered November 9, 1906, denying the application and petition for the enrollment of Neta Davis (now Crum), 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,

John G. Sibley
Commissioner.

Registered.

Incl. 7-4448 et al.

7-4444

COPY.

Muskogee, Indian Territory, November 9, 1906.

Clarence Davis,
Olney, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered November 9, 1906, denying the application and petition for your enrollment 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

Tau

Commissioner.

Registered.

Incl. 7-4448. et al.

7-4446 .

Muskogee, Indian Territory, November 9, 1906.

Alonzo M. Davis,

Lehigh, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered November 9, 1906, denying the application and petition for your enrollment as a citizen of the Choctaw Nation, and as a citizen by intermarriage of said 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.

Incl. 7-4448, et al.

7-4448

COPY

Muskogee, Indian Territory, November 9, 1906.

Robert M. Davis,
Nixon, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered November 9, 1906, denying the application and petition for your enrollment as a citizen of the Choctaw Nation, the application and petition for the enrollment of your wife, Cora Delvina Davis as a citizen by intermarriage of the said nation, and the petition for the enrollment of your minor child, Gertrude M. Davis, as a citizen of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1906.

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.

Incl. 4448 et al.

7-4447
7-R-558

CO

Muskogee, Indian Territory, November 9, 1906.

Clara L. Travel,
Lehigh, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered November 9, 1906, denying the application and petition for the enrollment of Clara Standifer and Georgena Ethel Travel, as citizens of the Choctaw Nation, and the petition for the enrollment of Kathrena A. Travel as a minor citizen of said nation, under the act of Congress approved April 26, 1906, and dismissing the petition for the enrollment of Willie Gertrude Standifer 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,

W. H. H. H. H.
Commissioner.

Registered.

Incl. 4448 et al.

7-4444

Muskogee, Indian Territory, November 9, 1906.

Rhoda L. Davis,
Olney, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commissioner to the five Civilized Tribes, rendered November 9, 1906, denying the application and petition for your enrollment as a citizen by intermarriage of the Choctaw Nation, and the application and petition for the enrollment of your children, Arthur Davis, Mamie Davis, Virgil Davis and James Davis, as citizens of said 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.

Incl. 7-4448 et al.

COPY

Muskogee, Indian Territory, November 9, 1906.

A. T. West,
Attorney at Law,
Lehigh, Indian Territory.

Dear Sir:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on November 9, 1906, rendered his decision denying the application and petition for the enrollment of Anna Krebs (now Mason), Clara Standifer, Georgena Ethel Travel, Robert M. Davis, Clarence Davis, Weta Davis (now Crum), Arthur Davis, Mamie Davis, Virgil Davis, and James Davis, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Gora Delvina Davis and Rhoda L. Davis, as citizens by intermarriage of said nation, the petition for the enrollment of Kathrena A. Travel and Gertrude K. Davis, as minor citizens of the Choctaw Nation, under the Act of Congress approved April 26, 1906, the application and petition for the enrollment of Alonzo M. Davis as a citizen, and also as a citizen by intermarriage of said nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer, 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.

A. T. W. - - #2.

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 Birby*

Commissioner.

Registered.

Muskogee, Indian Territory, November 9, 1906.

V. W. Wright,

Corcoran Bldg.,

Washington, D. C.

Dear Sir:

You are hereby notified that the Commissioner to the Five Civilize Tribes, on November 9, 1906, rendered his decision denying the application and petition for the enrollment of Anna Krebbs (now Mason), Clara Standifer, Georgena Ethel Travel, Robert M. Davis, Clarence Davis, Meta Davis (now Crum), Arthur Davis, Marie Davis, Virgil Davis and James Davis, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cora Belvina Davis, and Rhoda L. Davis, as citizens by intermarriage of said nation, the petition for the enrollment of Kathrena A. Travel and Gertrude M. Davis, as minor citizens of the Choctaw Nation, under the Act of Congress approved April 26, 1906, the application and petition for the enrollment of Alonzo W. Davis, as a citizens, and also as a citizens by intermarriage of said nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer, 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.

V. W.W. - - #2.

The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED *Liam Dwyer*

Commissioner.

Registered.

Muskogee, Indian Territory, November 9, 1906.

Linebaugh Brothers,
Attorneys at Law,
Atoka, Indian Territory.

Gentlemen:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on November 9, 1906, rendered his decision denying the application and petition for the enrollment of Anna Krebbe (now Mason), Clara Standifer, Georgena Ethel Travel, Robert M. Davis, Clarence Davis, Meta Davis (now Crum), Arthur Davis, Mamie Davis, Virgil Davis and James Davis, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cora Delvina Davis and Rhoda L. Davis, as citizens by intermarriage of said nation, the petition for the enrollment of Kathrena A. Travel, and Gertrude M. Davis, as minor citizens of the Choctaw Nation, under the Act of Congress approved April 26, 1906, the application and petition for the enrollment of Alonso M. Davis as a citizen, and also as a citizen by intermarriage of said nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer, 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.

L. B. -- 2.

The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED *Tama Birbu*

Commissioner.

Registered.

4448 et al.

Waskogee, Indian Territory, November 9, 1906.

Charles von Weise,
Attorney at Law,
Ardmore, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered November 9, 1906, denying the application and petition for the enrollment of Anna Kreebs (now Mason), Clara Standifer, Georgena Ethel Travel, Robert M. Davis, Clarence Davis, Meta Davis (now Crum), Arthur Davis, Yanie Davis, Virgil Davis and James Davis, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cora Delvina Davis and Rhoda L. Davis, as citizens by intermarriage of said nation, the petition for the enrollment of Kathrena A. Travel and Gertrude W. Davis, as minor citizens of the Choctaw Nation, under the Act of Congress approved April 26, 1906, the application and petition for the enrollment of Alense M. Davis as a citizen, and also as a citizen by intermarriage of said nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer, 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.

C. von W.---2

The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

WALTER G. ...
Commissioner.

Registered.

Incl. 448 et al.

7-4448 et al.

COPY.

Muskogee, Indian Territory, November 9, 1906.

Chilton Kiley,
Attorney at Law,
Ardmore, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered November 9, 1906, denying the application and petition for the enrollment of Anna Krebs (now Mason), Clara Standifer, Georgena Ethel Travel, Robert M. Davis, Clarence Davis, Meta Davis (now Crum), Arthur Davis, Mamie Davis, Virgil Davis, and James Davis, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cora Delvina Davis and Rhoda L. Davis, as citizens by intermarriage of said nation, the petition for the enrollment of Kathrena A. Travel and Gertrude M. Davis, as minor citizens of the Choctaw Nation, under the Act of Congress approved April 26, 1906, the application and petition for the enrollment of Alonzo M. Davis, as a citizen, and also as a citizen by intermarriage of said nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer, 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.

C. R. -- #2.

The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

James D. Kirby

Commissioner.

Registered.

Incl. 7-144 et al.

4446-101

COPY

Muskogee, Indian Territory, November 9, 1906.

J. C. Halls,
Attorney at Law,
Atoka, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered November 9, 1906, denying the application and petition for the enrollment of Anna Krebs (now Mason), Clara Standifer, Georgena Ethel Travel, Robert F. Davis, Clarence Davis, Neta Davis (now Crum), Arthur Davis, Mamie Davis, Virgil Davis, and James Davis, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cora Delvina Davis and Rhoda L. Davis, as citizens by intermarriage of said nation, the petition for the enrollment of Kathrena A. Travel and Gertrude M. Davis, as minor citizens of the Choctaw Nation, under the Act of Congress approved April 26, 1906, the application and petition for the enrollment of Alonzo M. Davis as a citizen, and also as a citizen by intermarriage of said nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer, 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.

J. C. R. -- #2.

The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

WALTER T. ...

Commissioner.

Registered.

Incl. 7-4448 et al.

5-4468 et al.

Muskogee, Indian Territory, November 9, 1906.

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 the Commissioner to the Five Civilized Tribes, rendered November 9, 1906, denying the application and petition for the enrollment of Anna Krebs (now Mason), Clara Standifer, Georgena Ethel Travel, Robert M. Davis, Clarence Davis, Neta Davis (now Cruz), Arthur Davis, Mamie Davis, Virgil Davis, and James Davis, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cora Delvina Davis and Rhoda L. Davis, as citizens by intermarriage of said nation, the petition for the enrollment of Kathrena A. Travel and Gertrude M. Davis, as minor citizens of the Choctaw Nation, under the Act of Congress approved April 26, 1906, the application and petition for the enrollment of Alonzo M. Davis as a citizen and also as a citizen by intermarriage of said nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer, 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.

F. V. & C. - - #2.

The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

W. H. P. *James P. [unclear]*
Commissioner.

Incl. 7-4448 et al.

Muskogee, Indian Territory, November 9, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith record of proceedings in the matter of the application and petition for the enrollment of Anna Krebs, et al., as citizens of the Choctaw Nation, including the decision of the Commissioner to the Five Civilized Tribes, dated November 2, 1906, denying the application and petition for the enrollment of Anna Krebs (now Mason), Clara Standifer, Georgena Ethel Travel, Robert M. Davis, Clarence Davis, Meta Davis (now Cross), Arthur Davis, Annie Davis, Virgil Davis and James Davis, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cora Delvina Davis and Rhoda L. Davis, as citizens by intermarriage of said nation, the petition for the enrollment of Kathrena A. Travel and Gertrude M. Davis, as minor citizens of the Choctaw Nation, under the Act of Congress approved April 26, 1906, the application and petition for the enrollment of Alonzo M. Davis as a citizen and also as a citizen by intermarriage of said nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer, as a citizen of the Choctaw Nation.

Respectfully,

2 Incl 7-4448 et al.

Through the
Commissioner of Indian Affairs.

Commissioner.

DEPARTMENT OF THE INTERIOR
WASHINGTON

GR
O.K.

D.C. 12335-1907.
I.T.D. 5302-1907.

March 1, 1907.

LRS

Direct.

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

In conformity with the opinion of the Attorney General of the United States, of February 19, 1907 (I.T.D. 4564), in the consolidated case of Myrtie Randolph et al., and in accordance with the recommendation of the Indian Office of February 26, 1907 (Land 99858-1906), copy whereof is enclosed, your decision of November 9, 1906, denying the applicants named in the consolidated case of Anna Krebbs et al., for enrollment as citizens of the Choctaw Nation, and dismissing the applications of certain other named applicants therein for enrollment as citizens of the Choctaw Nation, is hereby affirmed. You will advise applicants and their attorneys of this action.

The record in the case and a carbon copy hereof have been sent to the Indian Office.

Respectfully,

1 inc. and 2 inc.
for Ind. Of.

Jesse E. Wilson,

Assistant Secretary.

A.F.Mc.
3-1-07.

Land
99858-1906

--Copy--

DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS
WASHINGTON

February 26, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed the record of proceedings in the matter of the application and petition for the enrollment of Anna Krebs et al., as citizens of the Choctaw Nation, including the decision of the Commissioner to the Five Civilized Tribes dated November 9, 1906, denying the application and petition for the enrollment of Anna Krebs (now Mason), Clara Standifer, Georgena Ethel Travel, Robert M. Davis, Clarence Davis, Neta Davis (now Crum), Arthur Davis, Mamie Davis, Virgil Davis and James Davis as citizens of the Choctaw Nation, the applications and petitions for the enrollment of Cora Delvina Davis and Rhoda L. Davis as citizens by intermarriage of the Choctaw Nation, the petition for the enrollment of Kathrena A. Travel and Gertrude M. Davis as minor citizens of the Choctaw Nation, the application and petition for the enrollment of Alonzo M. Davis as a citizen by intermarriage of the Choctaw Nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer as a citizen of the Choctaw Nation.

The applicants, Anna Krebs (now Anna J. Mason), Alonzo M. Davis, Clara Standifer and Robert M. Davis claim their

right to enrollment as citizens of the Choctaw Nation by reason of being the children of J. D. Davis, a white man, who is alleged to have been a citizen by intermarriage of the Choctaw Nation, and Mattie Davis, a non-citizen white woman; that the applicants Clarence Davis, Neta Davis (now Crum), Arthur Davis, Mamie Davis, Virgil Davis and James Davis claim their right to enrollment as citizens of the Choctaw Nation by reason of being the children of J. D. Davis and the applicant, Rhoda L. Davis, a white woman; that Cora Delvina Davis claims her right to enrollment as a citizen by intermarriage of the Choctaw Nation by reason of her marriage to the applicant, Robert M. Davis; that Rhoda L. Davis claims her right to enrollment as a citizen by intermarriage of the Choctaw Nation by virtue of her marriage to J. D. Davis, now deceased, an alleged citizen by intermarriage of the Choctaw Nation; and Alonzo M. Davis also claims his right to enrollment as a citizen of the Choctaw Nation by virtue of his marriage in 1890 to Lorena Davis, a recognized citizen by blood of the Choctaw Nation. Willie Gertrude Standifer is the minor daughter of the applicant, Clara Standifer, and Robert Standifer, a non-citizen white man; Georgena Ethel Travel and Kathrena A. Travel, are the minor daughters of Clara Standifer and one Travel, a non-citizen white man; and Gertrude M. Davis is the daughter of the applicants Robert M. Davis and Cora Delvina Davis.

The record shows that Alonzo M. Davis was not married to his Choctaw wife by virtue of a license issued by the tribal authorities of the Choctaw Nation.

Therefore, by reason of the provisions of the Act of Congress approved June 28, 1898 (30 Stat. L., 495) and the Act of April 26, 1906 (34 Stat. L., 137) as amended by the Act of June 21, 1906 (34 Stat. L., 325), the Office concurs in the decision of Commissioner Bixby denying the enrollment of the applicants herein as citizens of the Choctaw Nation.

Very respectfully,

C. F. LARRABEE

Acting Commissioner.

EBM.Ph.

7-4448

Muskogee, Indian Territory, May 7, 1907.

Charles von Weise,
Attorney at Law,
Ardmore, Indian Territory.

Dear Sir:

You are hereby advised that on March 1, 1907, the Secretary of the Interior affirmed the decision of this office of November 9, 1906, denying the application and petition for the enrollment of Anna Krebs (now Mason) Clara Standifer, Georgena Ethel Travel, Robert M. Davis, Clarence Davis, Neta Davis (now Crum), Arthur Davis, Mamie Davis, Virgil Davis, and James Davis as citizens, for the enrollment of Cora Delvina Davis and Rhoda L. Davis as citizens by intermarriage, for the enrollment of Alonzo M. Davis as a citizen and also as a citizen by intermarriage, and the petition for the enrollment of Kathrena A. Travel and Gertrude M. Davis and dismissing the petition for the enrollment of Willie Gertrude Standifer as a citizen, of the Choctaw Nation.

Respectfully,

Commissioner.

7-4448

Muskogee, Indian Territory, May 7, 1907.

Chilion Riley,

Attorney at Law,

Duncan, Indian Territory.

Dear Sir:

You are hereby advised that on March 1, 1907, the Secretary of the Interior affirmed the decision of this office of November 9, 1906, denying the application and petition for the enrollment of Anna Krebs (now Mason), Clara Standifer, Georgena Ethel Travel, Robert M. Davis, Clarence Davis, Weta Davis (now Crum), Arthur Davis, Mamie Davis, Virgil Davis and James Davis, as citizens, for the enrollment of Cora Delvina Davis and Rhoda L. Davis as citizens by intermarriage, for the enrollment of Alonzo M. Davis as a citizen and also as a citizen by intermarriage, the petition for the enrollment of Kathrena A. Travel and Gertrude M. Davis and dismissing the petition for the enrollment of Willie Gertrude Standifer as a citizen, of the Choctaw Nation.

Respectfully,

Commissioner.

7-4448

Muskogee, Indian Territory, May 7, 1907.

J. G. Ralls,

Attorney at Law,

Atoka, Indian Territory,

Dear Sir:

You are hereby advised that on March 1, 1907, the Secretary of the Interior affirmed the decision of this office of November 9, 1906, denying the application and petition for the enrollment of Anna Krebs (now Mason) Clara Standifer, Georgena Ethel Travel, Robert M. Davis, Clarence Davis, Neta Davis (now Crum), Arthur Davis, Manie Davis, Virgil Davis and James Davis, as citizens, for the enrollment of Cora Delvina Davis and Rhoda L. Davis as citizens by intermarriage, for the enrollment of Alonzo M. Davis as a citizen and also as a citizen by intermarriage, the petition for the enrollment of Kathrena A. Travel and Gertrude M. Davis, and dismissing the petition for the enrollment of Willie Gertrude Standifer as a citizen, of the Choctaw Nation.

Respectfully,

Commissioner.

7-4448

Muskogee, Indian Territory, May 7, 1907.

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

Gentlemen:

You are hereby advised that on March 1, 1907, the Secretary of the Interior affirmed the decision of this office of November 9, 1906, denying the application and petition for the enrollment of Anna Krebbs (now Mason) Clara Standifer, Georgena Ethel Travel, Robert M. Davis, Clarence Davis, Neta Davis (now Crum), Arthur Davis, Mamie Davis, Virgil Davis and James Davis as citizens, for the enrollment of Cora Delvina Davis and Rhoda L. Davis as citizens by intermarriage, for the enrollment of Alonzo M. Davis as a citizen and also as a citizen by intermarriage, the petition for the enrollment of Kathrena A. Travel and Gertrude M. Davis and dismissing the petition for the enrollment of Willie Gertrude Standifer as a citizen of the Choctaw Nation.

Respectfully,

Commissioner.

7-4448

Muskogee, Indian Territory, May 7, 1907.

Anna J. Mason,

Olney, Indian Territory,

Dear Madam:

You are hereby advised that on March 1, 1907, the Secretary of the Interior affirmed the decision of this office of November 9, 1906, denying the application and petition for the enrollment of Anna Krebbs (now Mason) as a citizen of the Choctaw Nation.

Respectfully,

Commissioner.

7-4448

Muskogee, Indian Territory, May 7, 1907.

Neta Crum,

Olney, Indian Territory,

Dear Madam:

You are hereby advised that on March 1, 1907, the Secretary of the Interior affirmed the decision of this office of November 9, 1906, denying the application and petition for the enrollment of Neta Davis (now Crum) as a citizen of the Choctaw Nation.

Respectfully,

Commissioner.

7-444

Muskogee, Indian Territory, May 7, 1907.

Clarence Davis,

Olney, Indian Territory,

Dear Sir:

You are hereby advised that on March 1, 1907, the Secretary of the Interior affirmed the decision of this office of November 9, 1906, denying the application and petition for your enrollment as a citizen of the Choctaw Nation.

Respectfully,

Commissioner.

7-4446

Muskogee, Indian Territory, May 7, 1907.

Alonzo M. Davis,

Lehigh, Indian Territory,

Dear Sir:

You are hereby advised that on March 1, 1907, the Secretary of the Interior affirmed the decision of this office of ~~September 9, 1906~~, denying the petition and application for your enrollment as a citizen by intermarriage of the Choctaw Nation, and as a citizen of said nation.

Respectfully,

Commissioner.

7-4445

Muskogee, Indian Territory, May 7, 1907.

Robert M. Davis,

Phillips, Indian Territory,

Dear Sir:

You are hereby advised that on March 1, 1907, the Secretary of the Interior affirmed the decision of this office of November 9, 1906, denying the application and petition for your enrollment as a citizen of the Choctaw Nation, for the enrollment of your wife, Cora Belvina Davis as a citizen by intermarriage, and the petition for the enrollment of your minor child, Gertrude M. Davis as a citizen of said nation.

Respectfully,

Commissioner.

7-4447

Muskogee, Indian Territory, May 7, 1907.

Clara J. Travel,

Lohigh, Indian Territory,

Dear Madam:

You are hereby advised that on March 1, 1907, the Secretary of the Interior affirmed the decision of this office of November 9, 1906, denying the application and petition for the enrollment of Clara Standifer and Georgena Ethel Travel and the petition for the enrollment of Kathrena A. Travel, as citizens of the Choctaw Nation, and dismissing the petition for the enrollment of Willie Gertrude Standifer as a citizen of said nation.

Respectfully,

Commissioner.

7-4444

Muskogee, Indian Territory, May 7, 1907.

Rhoda L. Davis,

Olney, Indian Territory,

Dear Madam:

You are hereby advised that on March 1, 1907, the Secretary of the Interior affirmed the decision of this office of November 9, 1906, denying the application and petition for your enrollment as a citizen by intermarriage of the Choctaw Nation, and ~~the application and petition for the enrollment of your children, Arthur, Mamie, Virgil, and James Davis, as citizens of said nation.~~

Respectfully,

Commissioner.

7-4448

Muskogee, Indian Territory, May 7, 1907.

A. T. West,

Attorney at Law,

Lehigh, Indian Territory.

Dear Sir:

You are hereby advised that on March 1, 1907, the Secretary of the Interior affirmed the decision of this office of November 9, 1906, denying the application and petition for the enrollment of Anna Krebs (now Mason), Clara Standifer, Georgena Ethel Travel, Robert M. Davis, Clarence Davis, Neta Davis (now Crum), Arthur Davis, Mamie Davis, Virgil Davis, and James Davis, as citizens of the Choctaw Nation, for the enrollment of Cora Delvina Davis and Rhoda L. Davis as citizens by intermarriage, the enrollment of Alonzo M. Davis as a citizen and also as a citizen by intermarriage, the petition for the enrollment of Kathrena A. Travel and Gertrude M. Davis, and dismissing the petition for the enrollment of Willie Gertrude Standifer as a citizen, of the Choctaw Nation.

Respectfully,

Commissioner.

7-4448

Muskogee, Indian Territory, May 7, 1907.

W. W. Wright,
Attorney at Law,
Washington Loan and Trust Building,
Washington, D. C.,

Dear Sir:

You are hereby advised that on March 1, 1907, the Secretary of the Interior affirmed the decision of this office of November 9, 1906, denying the application and petition for the enrollment of Anna Krebs, (now Mason), Clara Standifer, Georgena Ethel Travel, Robert M. Davis, Clarence Davis, Neta Davis (now Crum), Arthur Davis, Mamie Davis, Virgil Davis, and James Davis, as citizens for the enrollment of Cora Delvina Davis and Rhoda L. Davis as citizens by intermarriage, for the enrollment of Alonzo M. Davis as citizen and also as a citizen by intermarriage, the petition for the enrollment of Kathrena A. Travel and Gertrude M. Davis and dismissing the petition for the enrollment of Willie Gertrude Standifer as a citizen, of the Choctaw Nation.

Respectfully,

Commissioner.

7-4448

Muskogee, Indian Territory, May 7, 1907.

Linebaugh Brothers,
Attorneys at Law,
Atoka, Indian Territory,

Gentlemen:

You are hereby advised that on March 1, 1907, the Secretary of the Interior affirmed the decision of this office of November 9, 1906, denying the application and petition for the enrollment of Anna Krebs (now Mason) Clara Standifer, Georgena Ethel Travel, Robert M. Davis, Clarence Davis, Neta Davis (now Crum), Arthur Davis, Mamie Davis, Virgil Davis, James Davis, as citizens, for the enrollment of Cora Delvina Davis, and Rhoda L. Davis as citizens by intermarriage, for the enrollment of Alonza M. Davis, as a citizen and also as a citizen by intermarriage, the petition for the enrollment of Kathrena A. Travel and Gertrude M. Davis and dismissing the petition for the enrollment of Willie Gertrude Standifer as a citizen of the Choctaw Nation.

Respectfully,

Commissioner.

Choc 4449 Frank Perry

4449
bhh

Muskogee, Indian Territory , December 2, 1901.

Frank Percy,

Stigler, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Sampson Perry, the infant son of Frank and Callie Perry, born October 7, 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.

7-4449

MEMORANDA.

Some Collect

(Date) *Sept 14* 1899.

40

Name *Frank Perry*
 Choctaw? *yes* County *Winston* Year *16* No. *10053*
 Chickasaw? County Year Page *255*
 Citizen by blood? *yes* Mother's citizenship *Choctaw*
 Intermarried citizen?
 Married under what law?

License filed this day,

19

Wife's name, *Fanny Perry*
 Choctaw? *yes* County *Winston* Year *16* No. *9396*
 Chickasaw? County Year Page *51*
 Citizen by blood? *yes* Mother's citizenship *Choctaw*

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

14
7
1ms

<i>Davis Perry</i>	County <i>Winston</i>	Year <i>16</i>	Page <i>255</i>	No. <i>10054</i>
<i>Robert</i>	County	Year	Page	No. <i>10055</i>
<i>Lizzie</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.

4449

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation, of Lizzie Perry, born on the 9th day of July, 1899.

Name of father: Frank Perry, a citizen of the Choctaw Nation.

Name of mother: Sallie Perry, a citizen of the Choctaw Nation.

Post Office: Stigler Ind-Ter

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District.

I, Sallie Perry, 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 Frank Perry, who is a citizen, by Blood, of the Choctaw Nation; that a Girl child was born to me on the 9th day of July, 1899; that said child has been named Lizzie Perry, and is now living.

I, G. L. Cook, witness of Sallie Perry, her husband Frank Perry, Subscribed and sworn to before me this 6th day of Sep, 1899.

D. S. Curstner Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, District.

I, J. M. Sumner, a Physician, on oath, state that I attended on Mrs. Sallie Perry, wife of Frank Perry, on the 9 day of July, 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 Lizzie Perry.

J. M. Sumner Subscribed and sworn to before me this 11th day of Sep, 1899.

D. S. Curstner Notary Public.

7-4449 ✓

INDEXED

32

IN RE
THE DEATH OF

Lizzie Perry
a citizen of the

Choctaw Nation.

Approved *Dec* 190.

[Signature]
Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE CHOCTAW AND CHICKSAW TRIBES.

FILED

DEC 2 1901

[Signature]
ACTING CHAIRMAN.

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

In the matter of the death of Lizzie Perry
(Here insert name of deceased.)
a citizen of the Choctaw Nation, who formerly resided at or near
Stigler, Ind. Ter., and died on the 29 day of
June, 1900
(Here insert name of postoffice.)

AFFIDAVIT OF RELATIVE.

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

I, Frank Perry, on oath state that I am 44
years of age and a citizen, by blood of the Choctaw Nation;
that my post office address is Stigler, Ind. Ter.; that I am
father of Lizzie Perry
(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 Lizzie Perry died on the 29 day of
June, 1900

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 15 day of Dec, 1902

P. C. Bolger
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

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

I, Frank Robinson, 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 McClinton, Ind. Ter.;
(Here insert name of post office.)
that I was personally acquainted with Lizzie Perry
(Here insert name of deceased.)
who was a citizen, by blood of the Choctaw Nation;
and that said Lizzie Perry died on the 29 day of
June, 1900

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 15 day of Dec, 1902

P. C. Bolger
Notary Public.

CHOCTAW.

INDEXED

20

IN RE

Application for Enrollment of

INFANT CHILD

Sampson Perry
as a citizen of

Choctaw Nation.

Approved NOV 9 1901 1901

C. R. Beckwith
Commissioner.

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

FILED

NOV 20 1901

[Signature]

ACTING CHAIRMAN

CHOCTAW.

4447.

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

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Sampson Perry, born on the 7 day of October, 1901
(Here insert name of child.)
Name of Father: Francis Perry a citizen of the Choctaw Nation.
Name of Mother: Sallie Perry a citizen of the Choctaw Nation.
Post-office Stigler I.T.

AFFIDAVIT OF MOTHER.

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

I, Sallie Perry, on oath state that I am 20
years of age and a citizen, by Blanch, of the Choctaw Nation;
that I am the lawful wife of Francis Perry, who is a citizen, by
Blanch, of the Choctaw Nation; that a Male child was
(male or female.)
born to me on 7 day of October, 1901; that said child has been
named Sampson Perry, and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses.)

L. K. Stephens
J. R. Cole

Sallie + Perry

Subscribed and sworn to before me this 14 day of November, 1901.

J. R. Cole Notary Public
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, L. K. Stephens, a M.D., on oath state that I
attended on Mrs. Sallie Perry, wife of Francis Perry
on the 7 day of October, 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 Sampson Perry.

WITNESSES TO MARK:

(Must be Two Witnesses.)

L. K. Stephens M.D.

Subscribed and sworn to before me this 14 day of November, 1901.

J. R. Cole Notary Public
NOTARY PUBLIC

7-4449



INDEXED

32

IN RE
THE DEATH OF

Sampson Perry
a citizen of the

Choctaw Nation.

Approved

DEC 11 190

190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE CIVILIZED TRIBES.

FILED

DEC 22 1902

ACTING CHAIRMAN.

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

In the matter of the death of Sampson Perry
(Here insert name of deceased.)

a citizen of the Choctaw Nation, who formerly resided at or near
Stigler, Ind. Ter., and died on the 5 day of
March, 1902
(Here insert name of postoffice.)

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,)
INDIAN TERRITORY,)

Central District)

I, Frank Perry, on oath state that I am 44

years of age and a citizen, by Blood, of the Choctaw Nation;

that my post office address is Stigler, Ind. Ter.; that I am
(Here insert name of post office.)

father of Sampson Perry,
(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 Sampson Perry died on the 5 day of
(Here insert name of deceased.)

March, 1902 Frank Perry

WITNESSES TO MARK:

(Must be Two Witnesses.)

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

P. C. Bolger
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,)
INDIAN TERRITORY,)

Central District.)

I, Frank Robinson, 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 McClintan Ind. Ter.;
(Here insert name of post office.)

that I was personally acquainted with Sampson Perry
(Here insert name of deceased.)

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

and that said Sampson Perry died on the 5 day of
(Here insert name of deceased.)

March, 1902 Frank Robinson

WITNESSES TO MARK:

(Must be Two Witnesses.)

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

P. C. Bolger
Notary Public.

Choc 4450 Isham Perry

4450

MEMORANDA.

P. M. M. M. M.

(Date) *April 11* 1899.

45

Name *P. M. M. M. M.*

Choctaw? *yes* County *Adams* Year *1898* No. *1234*

Chickasaw? County Year Page *235*

Citizen by blood? *yes* Mother's citizenship *Choc*

Intermarried citizen?

Married under what law?

License filed this day,

60

Wife's name, *Mary Perry*

Choctaw? *yes* County *Adams* Year *1898* No. *1234*

Chickasaw? County Year Page *235*

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

70

Thomas Perry County *Adams* Year *1898* Page *235* No. *1234*

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

11120

Choc 4451 Stephen L. Taylor

Nos 1 and 2 herein transferred to Chickasaw #1656

4451

Muskogee, Indian Territory, December 14, 1900.

Mr. Stephen L. Tayler.

Byrne, Ind. Ter.

Dear Sir:-

The Commission is in receipt of the application for enrollment as a citizen of the Choctaw Nation of Edmund Mc Kee Taylor, the infant son of Stephen L. Taylor, and Mary A. Taylor, born August 23, 1900, 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.

7-4451.

7-4451.

Muskogee, Indian Territory, November 20, 1902.

S.L. Taylor,

Wapanucka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your affidavit dated November 15, 1902, from which it appears that your minor child, Edward McKee Taylor, a citizen by blood of the Creek Nation, died June 20, 1901.

You are advised that your affidavit has been duly filed with the records of the Commission as evidence of death of the above named person.

Respectfully,

Acting Chairman.

Proc of death

of
Edward N^o Kee Taylor

Approved NOV 11 1909

 Chairman

Witness

ACTING SECRETARY

Wapamucka I T. 11/15--1902
I L. L. Taylor. Father of
Edward McKee Taylor. do certify
that the said Edward McKee Taylor
died 20 day of June, 1901.

He was registered a citizen
of the Choctaw Nation in
the year 1901. Do not remember
the month.

witness. J L Taylor
W. K. James

Subscribed to and sworn
to before me Nov 15-1902

A. A. James
N P

Choctaw.

20

IN RE

Application for Enrollment of

INFANT CHILD

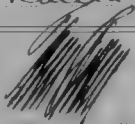
Edmond McKee Taylor

as a citizen of

Choctaw

Nation.

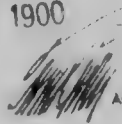
Approved, *December 14* 1900



Commissioner.

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

FILED
DEC 14 1900



ACTING CHAIRMAN.

Choctaw,

4451.

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

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Edmund McKee Taylor, born on the 28th day of Aug, 1902
(Here insert name of child)
Name of Father: Stephen L. Taylor, a citizen of the Choctaw Nation.
Name of Mother: Mary A. Taylor, a citizen of the Choctaw Nation.
Post-office, Byrne S. T.

AFFIDAVIT OF MOTHER.

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

I, Mary A. Taylor, on oath state that I am 2-1
years of age and a citizen, by Birth, of the Choctaw Nation;
that I am the lawful wife of Stephen L. Taylor, who is a citizen, by
Marriage, of the Choctaw Nation; that a Male child was
(male or female)
born to me on the 28th day of Aug, 1902; that said child has been
named Edmund McKee Taylor, and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses) }

Mary A. Taylor

Subscribed and sworn to before me this 7th day of Dec, 1902.

C. L. Ball

NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, Lorena James, a Midwife, on oath state that I
attended on Mrs. Mary A. Taylor, wife of Stephen L. Taylor,
on the 28th day of Aug, 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 Edmund McKee Taylor.

WITNESSES TO MARK:

(Must be Two Witnesses) }

Lorena James

Subscribed and sworn to before me this 7th day of Dec, 1902.

C. L. Ball

NOTARY PUBLIC

Choc 4452 William W. Massey

4452

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 -

ALICE VICTORIA MASSEY, - - 7-4452

Department of the Interior.
Commission to the Five Civilized Tribes.
South McAlester, Indian Territory, December 23, 1902.

Choctaw 4452.
Intermarried.

In the matter of the application of Alice Victoria Massey for enrollment as an intermarried citizen of the Choctaw Nation.

Alice Victoria Massey, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Alice Victoria Massey.
Q How old are you? A Twenty four.
Q What is your post office address? A Massey, Indian Territory.
Q That is in the Choctaw Nation? A Yes sir.
Q How long have you resided in the Choctaw Nation? A I was raised in the Choctaw Nation.
Q Always lived here? A Yes sir.
Q Never have made your home elsewhere? A No sir.
Q You are a white woman? A Yes sir.
Q An applicant for enrollment as an intermarried citizen of the Choctaw Nation? A Yes sir.
Q What is the name of your Choctaw husband? A William Wilson Massey.
Q Is he a recognized and enrolled citizen by blood of the Choctaw Nation? A Yes sir.
Q Has he always been recognized by the Choctaw tribal authorities as a citizen? A Yes sir.
Q When were you married to him? A In September 1895.
Q Where were you living when you married him? A At his house.
Q In the Choctaw Nation? A Yes sir.
Q You had always lived here? A Yes sir.
Q Had your husband always lived in the Choctaw Nation? A Yes sir.
Q Were you ever married before your marriage to William Wilson Massey? A No sir.
Q Had he ever been married before his marriage to you? A Yes
Q How many times? A Twice.
Q Were both of his former wives ~~ix~~ Choctaw citizens? A No sir, one of them was.
Q Were both of them dead when you married him? A Yes sir.
Q When were you married to him? A 4th day of September, 1895.
Q Who married you? A I forget his name.
Q Have you since your marriage in 1895 lived with this man continuously? A Yes sir.
Q Has there ever been any separation, desertion or divorce? A No sir.
Q Are you and William Wilson Massey now living together as husband and wife as actual and bona fide residents of the Choctaw Nation?
A Yes sir.

--o--o--o--

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 23rd 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 19 day of January 1903.

Charles H Sawyer

Notary Public.

CERTIFICATE OF MARRIAGE.

Indian Territory.

I, M. L. Bearden, a Minister of the Gospel, do hereby certify that on the 4 day of September 1895, I did duly solemnize the rite and publish the bans of matrimony between Mr. Wilum W. W. Massey and Miss Alas Victora Crouch this 4 day of September 1895.

M. L. BEARDEN,

A Minister of the Gospel.

CERTIFICATE OF RECORD.

This certifies that the foregoing marriage certificate was this day recorded by me in the records of Gaines county, Choctaw Nation, in Book "B 2", page 43.

J. W. VAWTER,

County Clerk of Gaines Co., C.N.

(Seal.)

Indian Territory,)) ss.
Western District.)

S. A. Apple, stenographer to the Commission to the Five Civilized Tribes, certifies on oath that the foregoing is a true and correct copy of the marriage certificate and clerk's certificate of record now on file with the Commission in case No. 7-4452.

Subscribed and sworn to before me this May 4, 1903.

S. A. Apple
Charles H. Sawyer

Notary Public.

J. R. B.

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


In the matter of the application for the enrollment of Alice Victoria Massey as a citizen by intermarriage of the Choctaw Nation.

DECISION.

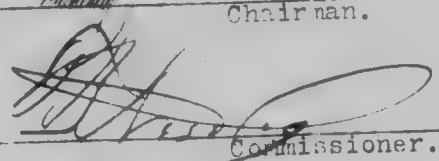
It appears from the record herein that Alice Victoria Massey (nee Crouch), on September 4, 1895, was lawfully married to William V. Massey, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as No. 14419 upon the lists prepared by this Commission under the act of Congress 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 April 11, 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 Alice Victoria Massey 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.

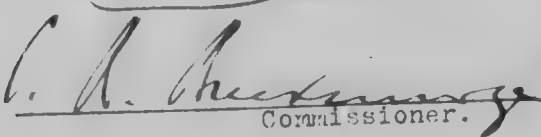
COMMISSION TO THE FIVE CIVILIZED TRIBES,



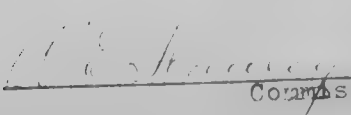
Chairman.



Commissioner.



Commissioner.



Commissioner.

Muskogee, Indian Territory,

JUL 17 1903

COPY.

Muskogee, Indian Territory, July 30, 1903.

Alice Victoria Massey,
Massey, Indian Territory.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission, rendered July 30th 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,

T. B. Needles.
Commissioner in Charge.

Registered.
Enc.HG.25/30

COPY:

Muskogee, Indian Territory, July 30, 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 30, 1903, granting the application of Alice Victoria Massey, for enrollment as a citizen by int 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,

E. B. Hodges

Commissioner in Charge.

Registered.

Enc. RG. 26/30

211
Certificate of Record

This certifies that the
foregoing marriage certificate
was this day recorded by me
in the records of Lincoln County
by Charles Palmer in Book B
page 43

J. H. Archer
County Clerk of
Lincoln Co. N.C.

Certificate of marriage

Indian Territory

I M G Bearden

Minister of the Gospel

do hereby certify that
on the 11 day of September 1895
I did duly solemnize the rite and
publish the ~~bands~~ bands of matrimony
between

Mr Wilum M W Mosey and
Miss alas Victoria Crouch
this 11 day of September 1895

M G Bearden

Minister of the Gospel

Certificate of Record

This certifies that the
foregoing marriage certifi-
cate was this day recorded by
me in the records of Grimes
County, Book "B 2" Page 61

J. H. Tucker
Co. Clerk of
Grimes Co. Tenn.

This is to certify that
I have this day solemnized in
marriage according to the
laws of the Choctaw Nation
Mr William M. Massey to Miss
Nancy Burk
Given this 6th
day of January 1887.

S. E. Lewis
Circuit Judge
1st Judicial District
Choctaw Nation

MEMORANDA.

(Date) 7/11/1899. 1899.

18 ✓ Name William H. Mansley
 Choctaw? yes County Garfield Year 1898 No. 18
 Chickasaw? County Year Page 22
 Citizen by blood? yes Mother's citizenship C. C.
 Intermarried citizen?
 Married under what law?
 License filed this day,
 Wife's name, Anna Mansley
 Choctaw? County Garfield Year No.
 Chickasaw? County Year Page 311

Citizen by blood? Mother's citizenship
 Intermarried citizen?
 Married under what law?
 License filed this day yes

Names of children:

3	<u>William H. Mansley</u>	County	Year <u>92</u>	Page <u>212</u>	No. <u>85-48</u>
2ms	<u>Samuel P.</u>	County	Year	Page	No.
19		County	Year	Page <u>214</u>	No. <u>30-29</u>
16		County	Year	Page	No. <u>30</u>
14		County	Year	Page	No. <u>31</u>
4 x	<u>George</u>	County	Year	Page	No. <u>32</u>
6		County	Year	Page	No. <u>33</u>
		County	Year	Page	No.
		County	Year	Page	No.
		County	Year	Page	No.

H11524

IN RE

Application for Enrollment of

INFANT CHILD

Reby Louise Massey

as a citizen of the

Nation.

Approved ~~XXXXXXXXXX~~ OCT 16 1902 1902

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

OCT 15 1902

~~XXXXXXXXXX~~ ACTING CHIEF

41412

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

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,
of Reby Louise Massey, born on the 28th day of May, 1901
(Do not insert name of child.)
Name of Father: William W. Massey, a citizen of the Choctaw Nation.
Name of Mother: Alice Victoria Massey, a citizen of the Choctaw Nation.
Post-Office: Massey, I. T.

AFFIDAVIT OF MOTHER.

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

I, Alice Victoria Massey, on oath state that I am 23
years of age and a citizen, by Marriage, of the Choctaw Nation;
that I am the lawful wife of William Wilson Massey, who is a citizen, by
Blood, of the Choctaw Nation, that a Female child was
(Male or female.)
born to me on the 28th day of May, 1901; that said child has been
named Reby Louise Massey, and is now living.

WITNESSES TO MARK.

(Must be Two
Witnesses.)

Subscribed and sworn to before me this 14th day of October, 1902

Will T. Walker
County Clerk, Choctaw Nation

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, J. H. Bristow, a Physician, on oath state that I
attended on Mrs. Alice Victoria Massey, wife of William W. Massey,
on the 28 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 Reby Louise Massey.

WITNESSES TO MARK.

(Must be Two
Witnesses.)

Subscribed and sworn to before me this 14th day of October, 1902

Will T. Walker
County Clerk, 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 Ernest Carl Massey, born on the 8th day of June, 1899.
 Name of father: Hilson Massey, a citizen of the Choctaw Nation.
 Name of mother: Allie Victor Massey, a citizen of the United States Nation.
 Post Office: South Canadian St

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
 District.

I, Allie Victor Massey, on oath, state that I am 20 years of age and a citizen, by Marriage, of the Choctaw Nation; that I am the lawful wife of Hilson Massey who is a citizen, by Blood, of the Choctaw Nation; that a Male child was born to me on the 8th day of June, 1899; that said child has been named Ernest Carl Massey and is now living.

Subscribed and sworn to before me this 14th day of Sept, 1899.

Allie Victor Massey
L. P. Martin
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
 District.

I, Rosa A. Maynard, a Midwife, on oath, state that I attended on Mrs. Allie Victor Massey, wife of Hilson Massey, on the 8th 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 Ernest Carl Massey.

Subscribed and sworn to before me this 14th day of Sept, 1899.

Rosa A. Maynard
L. P. Martin
 Notary Public.

EXE

IN RE

Application for Enrollment of

Enc Y 28

W. Daniel
INFANT CHILD

W. Daniel
W. Daniel

as a citizen of

Choctaw Nation.

Approved, JUL 2 1902

[Signature]

Commissioner.

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

FILED
JUL 2 1902

[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 William Wilson Daniel, born on the 9th day of Oct, 1901
(Here insert name of child)
Name of Father: W. H. Daniel, a citizen of the Choctaw Nation.
Name of Mother: Beatrice Daniel, a citizen of the Choctaw Nation.
Post-office: Massy, Ok

AFFIDAVIT OF MOTHER.

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

I, Beatrice Daniel, on oath state that I am 19
years of age and a citizen, by Blood, of the Choctaw Nation;
that I am the lawful wife of W. H. Daniel, who is a citizen, by
Marriage, of the Choctaw Nation, that a Male child was
(male or female)
born to me on the 9th day of Oct, 1901; that said child has been
named William Wilson Daniel, and is now living.

WITNESSES TO MARK

(Must be Two)
Witnesses

W. W. Massey
Wm Barber

Subscribed and sworn to before me this 14th day of June, 1902

NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, E. C. Coe, on oath state that I
attended on Mrs. Beatrice Daniel, wife of W. H. Daniel,
on the 9th 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 William Wilson Daniel.

WITNESSES TO MARK:

(Must be Two)
Witnesses

Subscribed and sworn to before me this 14th day of June, 1902

NOTARY PUBLIC.

No. 1383

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. F. Daniel* and

Mrs. *Beatrice Massey*

was filed in my office in said Territory and District

the *12* day of *July* A. D.

1900 and duly recorded in Book *9* of

Marriage Record, Page *57*

WITNESS my hand and seal of said Court,

at *McMurtre* this *26*

day of *July* A. D. *1900*

E. J. FANNIN,
Clerk.

By *E. J. Fannin* Deputy.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JUL 2 1902

[Signature]
ACTING CHAIRMAN.

MARRIAGE LICENSE.

No. *1283*

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. J. J. Daniel* of *Canadian* in the Indian Territory, aged *21* years, and *Miss Beatrice Massey* of *Canadian* 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

6 day of *July* A. D. *1900*

W. M. Dodge

Deputy.

E. J. Darrin

Clerk of the United States Court.

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
CENTRAL DISTRICT. } SS.

1. *B. F. Alley*
a Minister of the gospel

do hereby CERTIFY, that on the

8 day of *July* 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 *10* day of *July* 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 *49*

B. F. Alley
a Minister of the gospel

No. from w. l. Hundred

Certificate of Marriage must be returned to the Office of the Clerk of the United States Court of the Indian Territory, in sixty days from the date thereof, or the party to whom the License was issued will be liable in the amount of One

Choctaw 4452

Muskogee, Indian Territory, July 3, 1902.

J. F. Daniels,

South Canadian, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 30, 1902, enclosing marriage license and certificate between J. F. Daniel and Miss Beatrice Massey and also enclosing the application for enrollment as a citizen of the Choctaw Nation of William Wilson Daniel, the infant son of J. F. and Beatrice Daniel, born October 9, 1901.

The evidence of marriage enclosed in your letter has been duly filed with the records of this office and the application for the enrollment of William Wilson Daniel, being in proper form, has also been duly filed and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Commissioner in Charge.

7-4452.

Muskogee, Indian Territory, September 27, 1902.

William W. Massey,

Massey, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Roby Louise Massey, infant daughter of William W. and Alice Victoria Massey, born May 28, 1901; and the same is returned to you herewith, for the reason that the affidavit of the attending physician states that this child was born September 28, 1901.

You are informed that it will be necessary that the dates of the birth of this child as shown in the affidavit of the mother and that of the attending physician should correspond.

Upon receipt of the application for the enrollment of this child properly executed, containing no discrepancies as to the date of birth, the matter will receive further consideration.

Respectfully,

Enc B I 98.

Acting Chairman.

7-4452.

Muskogee, Indian Territory, October 16, 1902.

Will W. Miller,

Canadian, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 15th inst., enclosing the application for enrollment as a citizen of the Choctaw Nation of Reby Louise Massey, infant daughter of William W. and Alice Victoria Massey, born May 23, 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.

Respectfully,

Acting Chairman.

Choc 4453 Robert S. Harrison
Missie Harrison

4453

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 -

ROBERT S. HARRISON, - - 7-4453

Department of the Interior.
Commission to the Five Civilized Tribes.
Garvin, I. T., November 27th, 1902.

Choctaw 4453
Intermarried

-----oOo-----

In the matter of the application of Robert S. Harrison for enrollment as an intermarried citizen of the Choctaw Nation.

Robert S. Harrison being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Robert S. Harrison.
Q How old are you? A Thirty-five years old.
Q What is your post office address? A Kullituklo.
Q How long have you been a resident of the Choctaw Nation? A Since 1887 - - fifteen years.
Q You have lived here continuously for the past fifteen years?
A Mighty near all the time. I have lived in the edge of Texas six months one time.
Q When was that? A Six or seven years ago; '95 I lived in Texas.
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 Missie Tushka.
Q Is she a recognized citizen of the Choctaw Nation? A Yes sir.
Q Her rights have never been disputed? A Never have.
Q When were you married to Missie Tushka? A I was married the 30th of August, 1899.
Q Where was this marriage ceremony performed? A In this county, below here - -Red river county, ten miles below this place.
Q Were you married in accordance with the Choctaw tribal law?
A Yes sir.
Q From whom did you get your license? A I got it from the County Clerk--Sidney Herndon.
Q How much did you pay for that license? A \$100.
Q Who performed the marriage ceremony? A Judge Brown, Mike Brown.
Q At the time of this marriage both you and your wife were bona fide residents of the Choctaw Nation were you? A Yes sir.
Q Were you ever married before your marriage to Missie Tushka?
A No sir.
Q Was she ever married before her 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 None at all.
Q Are you at present living together as bona fide residents of the Choctaw Nation? A Yes sir.
-

Robert S. Harrison----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 27th 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 day of January, 1903.

Chas. H. Sawyer

Notary Public.

Wes

CHOCTAW NATION, }

Red River County. }

To any Ordained Minister of the Gospel or Judge of a Court of Record;

THIS Certifies that *Mr. Robt. S. Garrison* a citizen of the U. S. has filed a petition in the Clerk's office, recommended by ten citizen signers, proposing to marry *Miss Missie Gushka* a citizen of the Choctaw

Nation. And now therefore, by virtue of the authority in me vested by the laws of said Nation, have caused this license to be issued, and that the said *Mr. Robt. S. Garrison* a citizen of the U. S. having taken the oath of allegiance, is entitled to all rights, privileges and immunities as guaranteed to citizens by blood.

WITNESS my hand and seal this *15th* day of

August A.D. 189*7*.

Sidney J. Herndon
County Clerk Red River County, C. N.

12
Cherokee Nation 3 August 30th/1894
Red River County

This is to certify that
I have this day visited in the
presence of my wife, Mrs. Robert S. Harrison
Citizen of the United States, and Miss
Missie Tushka, a Collector by law,
according to the laws of the Cherokee Nation

Given under my hand this the
30th day of August 1894

W. L. Brown

Co. & Probate Judge
Red River Co. N. C.

7 - 4453

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

In the matter of the application for the enrollment of Robert S. Harrison as a citizen by intermarriage of the Choctaw Nation.

D E C I S I O N .


It appears from the record herein that Robert S. Harrison, on August 30, 1899, was married in accordance with the laws, customs and usages of the Choctaw Nation to Missie Harrison (nee Tushka), a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as No. 12369 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 March 6, 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 Robert S. Harrison 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,

JUL 28 1903

Chectaw 4488

COPY.

Muskogee, Indian Territory, July 28 , 1903.

Robert S. Harrison,

Kullituklo, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 28, 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 Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Commissioner in Charge.

Register.

Enc. NEW 11/28

COPY, Choctaw 1453

Muskogee, Indian Territory, July 28, 1903.

Manafield, McMurray and 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 July 28, 1903, granting the application of Robert S. Harrison 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.

Register.

Enc. NEW 12/28

MEMORANDA.

33

Name Robert J. ... (Date) ... 1899.

Choctaw ? County Year No.

Chickasaw ? County Year Page

Citizen by blood ? Mother's citizenship

Intermarried citizen ?

Married under what law ?

License filed this day,

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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.....

Handwritten signature and scribbles

Choc 4454 Louisa Griffith

4454

7-4454

COMMISSIONERS:
TAMM BERRY,
THOMAS E. NEEDLES,
C. R. BRACKENRIDGE,
WM. O. BRALL,
Secretary.

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

REFER IN REPLY TO THE FOLLOWING:
7-4454

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, March 11, 1905.

Fannie E. Grady,
Centerville, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of March 7, 1905, stating that your mother Louisa Griffith died July 19, 1900.

For the purpose of making her death a matter of record there is inclosed herewith blank form for proof of death which you are kindly requested to have executed and returned to this office as early as practicable. In having the same executed be careful to see that all blanks are properly filled, all names written in full, and the Notary Public before whom the same are acknowledged affixes his name and seal to each affidavit. Signatures by mark must be attested by two disinterested witnesses.

Respectfully,

D. C.
Env.

Chairman.

MEMORANDA.

(Date) Sept 11 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,

75

Wife's name, Louisa Grigg

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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.....

Handwritten signature or initials at the bottom right corner.

Choc 4455 Thomas J. walls SR

4455

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

CATHERINE WALLS ,

7 - 4455

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.

M. D. Green

Commission to the Five Civilized Tribes,

South McAlester, Indian Territory.

Sept. 4, 1899.

In the enrollment of Catherine Walls as an intermarried Choctaw; Jim Scott being sworn and examined by Com'r McKennon states:

- Q What is your name? A Jim Scott.
- Q How old are you? A Fifty-one.
- Q Did you know Thomas J. Walls, Sr.? A Yes sir.
- Q Do you know his wife Catherine Walls? A Yes sir.
- Q He is a Choctaw citizen? A Yes sir.
- Q She is a white woman is she? A Yes sir.
- Q Did you see them married? A Yes sir.
- Q Where? A At Enterprise in the Choctaw Nation.
- Q When? A I don't recollect what year nor what month.
- Q About how long ago? A I couldn't hardly tell you, it has been five or six years.

Jesse Walls being sworn and examined testifies:

- Q What is your name? A Jesse Walls.
- Q How old are you? A Twenty-six.
- Q What relation are you to Thomas J. Walls, Sr.? A He is my father.
- Q Then you know his wife Catherine? A Yes sir.
- Q She is a white woman? A Yes sir.
- Q He is a Choctaw citizen? A Yes sir.
- Q Were you present when they married? A Yes sir.
- Q Who married them? A Parson Newton.
- Q Where was that? A In the Choctaw Nation.
- Q About how long ago? A It has been ten or eleven years I reckon.

Department of the Interior,
Commission to the Five Civilized Tribes,
Atoka, Indian Territory,
March 10, 1903.

Choctaw 4455:

--

In the matter of the application for the enrollment of
Catharine Walls as an intermarried citizen of the Choctaw Nation.

--

Catharine Walls being first duly sworn testifies:

EXAMINATION BY THE COMMISSION:

- Q What is your name ? A Catharine Walls.
Q How old are you, Mrs. Walls ? A Thirtyseven years old yesterday morning.
Q What is your post office address ? A Enterprise.
Q What nation is that in ? A Choctaw Nation.
Q How long have you lived in the Choctaw Nation ? A I cannot tell you -- I am -- I have been here about seventeen years I guess.
Q Have you lived here continuously for the past seventeen years ?
A I dont know that it is seventeen years exactly -- I have been here a good while.
Q You have never made your home any where else during that time ?
A No, sir.
Q You are a white woman ? A Yes, sir.
Q Do you claim the right to enrollment as an intermarried citizen of the Choctaw Nation ? A Yes, sir.
Q What is the name of your Choctaw husband through whom you claim this right ? A Thomas J. Walls.
Q Is he a recognized and enrolled citizen of the Choctaw Nation ?
A Yes, sir.
Q Have his rights as such ever been disputed ? A No, sir.
Q When were you married to this man ? A Thirteen years ago last October -- the second day.
Q Where was this marriage ceremony preformed ? A Enterprise.
Q At that time were both you and your husband residents of the Choctaw Nation ? A Yes, sir.
Q Who preformed that marriage ceremony ? A Parson Newton.
Q Was he a Minister of the Gospel ? A Yes, sir.
Q Were you married under a license ? A No, sir. It was in accordance with the Choctaw rule.
Q Did he give you a ceryificate ? A No, sir, he never. He said The he would send it to us in a few days.
Q Have you any evidence of your marriage to this man ? A No, sir, not here, I have at home -- there was over one hundred people there at the marriage.

Catharine Walls 2

- Q Were you ever married before you were married to this man ?
A Yes, sir.
- Q How many times ? A Once.
- Q What was the name of your former husband ? A William Watson.
- Q Was he a white man ? A Yes, sir.
- Q Was he dead at the time of your marriage to Thomas J. Walls ?
A Yes, sir, he died at Woodbine, Texas.
- Q Was Thomas J. Walls ever married before he was married to you ?
A Yes, sir, three times/
- Q Were any of his former wives living at the time of his marriage to you ? A No, sir, all dead.
- Q Since your marriage to Thomas J. Walls 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 husband and wife and as actual and bona fide residents of the Choctaw Nation ? A. Yes, sir.

--

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 above entitled cause at Atoka, Indian Territory, March 10, 1903 ; that the above and foregoing transcript is a true, full and correct translation of his stenographic notes as taken in said cause on said date.

Fred V. Kinkade

Subscribed and sworn to before me this 3 day of April 1903.

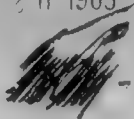
Charles Notawyer

Notary Public.

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

FILED

MAR 20 1903



CHAIRMAN

CHOCTAW.

4455

4455-

In Central District.

Personally appeared
Before me a Notary Public in & for
the Central District of Md. Caused in
the said J. G. Mingard and Chas
Lewallen well known to me and known
both that they were present on Oct.
1st 1889 and saw a marriage contract
consummated between Thomas J. Grace &
Catha J. Grace (nee Lewallen) Rev. alford
Newton a minister of the Gospel,
officiating and said parties have
lived together continuously since and
are living together now
do witness where to set our hands and
seal this February 11th 1903

Charles Lewallen
G. T. Mingard

Subscribed & sworn to before me
this 11th day of February 1903
C. M. Rice
M.D.

7 - 4455

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

In the matter of the application for the enrollment of Catherine Walls as a citizen by intermarriage of the Choctaw Nation.

DECISION.

It appears from the record herein that Catherine Walls (formerly Watson), on or about October 1, 1889, was lawfully married to Thomas J. Walls, Sr., a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 12371 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 March 6, 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 Catherine Walls 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.

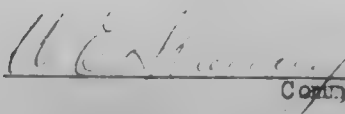
Muskogee, Indian Territory,

JUL 23 1903


Chairman,


Commissioner,


Commissioner,


Commissioner.

Choctaw-1458

copy.

Muskogee, Indian Territory, July 23, 1903.

Catherine Walls,
Enterprise, 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,

F. D. Woodlee,
Commissioner in Charge.

Registered.

Enc.HG.35/23

Choctaw-4455

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
Catherine Walls, 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,

[Signature]
Commissioner in Charge.

Registered.

Enc. HC. 36/23

Indian Territory
Central District

Personally appeared before me
a Notary Public of the aforesaid
District ~~of the Territory of~~ Katherine
Walls. ~~and she being duly~~
sworn by me deposes and
says that she is the lawful
wife of J. J. Walls - and
that on the 2nd day of
May 1897 she had a
girl child born to her
and that she named said
child Annie and that
said child is still alive.
She further swears that
~~said child~~ the said J. J. Walls
is the father of said child
My age 34 years
Katherine Walls

~~Subscribed and sworn to before~~
me this the 24th day of Aug - 1899
J. Chumars
Notary Public

Indian Territory
Central District

Personally appeared before me
a Notary Public of aforesaid
District and Territory -

Margaret Kittingworth
who upon her oath after
being duly sworn by me
deposes and says -

"I was present when Koth-
erine (Walls) wife of J. Walls
gave birth to a girl child
and saw said child born
and that said girl child
is still alive and named
"Annie" said child was
born on the 27th day of
May - 1897. my age 36 yrs -

Margaret Kittingworth
Subscribed and sworn to
before me this the 24th
day of August, 1899
J. J. Chambers
Notary Public

No. 1736

Certificate of Record of Marriages.

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

I, E. H. Harrison, 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. W. J. Hill and
Mrs. Martha Hill was
filed in my office in said Territory and District the
7 day of July A. D. 1901
and duly recorded in Book 4 of Marriage
Record. Page 7103.

WITNESS my hand and seal of said Court,
at McAlester this 7
day of July A. D. 1901

E. H. Harrison
Clerk.

By _____ Deputr.

No. 1736

Form No. 503

MARRIAGE LICENSE.

UNITED STATES OF AMERICA,
THE INDIAN TERRITORY,
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. J. O. Collier of Enterprise in the Indian Territory, aged 22 years, and Miss Martha Walls of Enterprise in the Indian Territory, aged 19 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 17 day of Dec, A. D. 1900

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

Deputy.

CERTIFICATE OF MARRIAGE.

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

Wm. E. Harmon
Minister of the Gospel

do hereby CERTIFY, that on the 17 day of December, A. D. 1900, 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 17 day of December, 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 *215*

Wm. E. Harmon
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)



IN RE

Application for Enrollment of

INFANT CHILD

Leona Ramey Hall

as a citizen of the

Nation.

Approved

OCT 10 1900

1900

[Handwritten Signature]
Commissioner.

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

FILED

OCT 25 1900

[Handwritten Signature]

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,
 of Cassie R. Walls, born on the 7 day of Dec, 1899
(Here insert name of child.)
 Name of Father: Thos. J. Walls, a citizen of the Cherokee Nation.
 Name of Mother: Kate Walls, a citizen of the Cherokee Nation.
 Postoffice, Empire S.T.

AFFIDAVIT OF MOTHER.

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

I, Kate Walls, on oath state that I am 34
 years of age and a citizen, by Marriaga of the Cherokee Nation;
 that I am the lawful wife of Thos. J. Walls, who is a citizen, by
blood of the Cherokee Nation; that a Male child was
(male or female)
 born to me on the 7 day of Dec 1899 that said child has been
 named Cassie R. and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses)

Kate Walls
here
A. C. Bullard
William ...

Subscribed and sworn to before me this 8 day of October 1900

NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, A. C. Bullard, a Physician, on oath state that I
 attended on Mrs. Kate Walls, wife of Thos. J. Walls,
 on the 7 day of December 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
(male or female)
 named Cassie R.

WITNESSES TO MARK:

(Must be Two Witnesses)

A. C. Bullard M.D.

Subscribed and sworn to before me this 8 day of October 1900

NOTARY PUBLIC

CHOCTAW.

INDEXED

20

IN RE

Application for Enrollment of

INFANT CHILD

Uma Collins

as a citizen of

Choctaw

Nation.

Approved FEB 13 1902 190

[Signature]
Commissioner.

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

FILED
FEB 13 1902

[Signature]

ACTING CHAIRMAN.

CHOCTAW.

4455

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

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Osma Collier, born on the 19 day of January, 1902.
(Here insert name of child)
Name of Father: J. O. Collier a citizen of the United States Nation.
Name of Mother: Martha Collier a citizen of the Choctaw Nation.
Post-office Enterprise S. I.

AFFIDAVIT OF MOTHER.

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

I, Martha Collier, 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 J. O. Collier, who is a citizen, by
Blood, of the United States Nation; that a Female child was
(male or female.)
born to me on 19 day of January, 1902 that said child has been
named Osma Collier, and is now living.

WITNESSES TO MARK: }
(Must be Two }
Witnesses.) }
Martha Collier

Subscribed and sworn to before me this 8 day of February, 1902.
H. W. Douglas
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, D. S. Billington, a Physician on oath state that I
attended on Mrs. Martha Collier, wife of J. O. Collier
on the 19 day of January, 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
(male or female.)
named Osma Collier

WITNESSES TO MARK: }
(Must be Two }
Witnesses.) }
D. S. Billington

Subscribed and sworn to before me this 8 day of February, 1902.
H. W. Douglas
NOTARY PUBLIC.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

P. H. B. D.

JAN 23 1881

[Signature]
Assistant Commissioner

Indian Territory }
Western District }

I, Dr. A. C. Bullard a physician do
solemnly swear that I am practicing
Physician and Treated Mrs. Thomas.

J. Grace wife of Thomas J. Grace
a citizen a citizen by blood of
the Choctaw Nation. His wife is
in a delicate condition and
has not been able to be up any
length of time for the past
thirty days and is liable at
any time to be caught.

In witness where to me set
my hand this 2nd day of
January 1903.

A. C. Bullard, M.D.

Subscribed & sworn to
before me a Notary Public
in & for the Western District
of the Ind. Ter

1903 This 2nd day of January
J. M. White
N. P.

MEMORANDA.

(Date) _____ 1899.

Name _____

Choctaw? _____ County Dawson Year 94 No. 12666

Chickasaw? _____ County _____ Year _____ Page 332

Citizen by blood? _____ Mother's citizenship _____

Intermarried citizen? _____

Married under what law? _____

License filed this day, _____

38 x Wife's name, _____

Choctaw? _____ County Dawson 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 _____ County _____ Year _____ Page 332 No. 12668
- 12 _____ County _____ Year _____ Page 333 No. 12694
- 10 _____ County _____ Year _____ Page _____ No. 12669
- 5 _____ County _____ Year _____ Page _____ No. 12670
- 2 _____ County _____ Year _____ Page _____ No. _____
- _____ County _____ Year _____ Page _____ No. _____
- _____ County _____ Year _____ Page _____ No. _____
- _____ County _____ Year _____ Page _____ No. _____
- _____ County _____ Year _____ Page _____ No. _____

Handwritten signature/initials

Handwritten notes at the bottom of the page, including "A Co. p 85 # 879 9 3 per your order" and other illegible scribbles.

Muskogee, Indian Territory, October 11, 1900.

Thomas J. Walls,

Enterprise, Indian Territory.

Dear Sir:

The Commission is in receipt of the application for enrollment as a citizen of the Choctaw Nation, of Cassie R. Walls, the infant son of Thomas J. and Kate Walls, born December 7th, 1899.

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.

7-4455

Muskogee, Indian Territory, January 24, 1902.

Oliver Collier,

Enterprise, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 20th instant, in which you desire to be informed as to how to proceed in order to have your infant enrolled as a citizen of the Choctaw Nation.

You state that on December 13, 1900, you married a Choctaw woman by the name of Martha Walls, daughter of Thomas J. Walls.

You are informed that in the matter of applications for enrollment of infant children, the Commission uses a blank, one of which is enclosed you herewith, upon which may be stated all the information necessary for the enrollment of an infant child. 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 acknowledgments of the mother and the attending physician or nurse are made must

002

affix his notarial jurat and seal to each separate affidavit.

You should forward either the original or certified copy of the marriage license and certificate between yourself and Martha Walls, as authority for the changing of her name upon our records from her maiden name of Walls to her present married name of Collier.

Yours truly,

Acting Chairman.

7 4455

BC

Muskogee, Indian Territory, February 13, 1902.

J. O. Collier,

Enterprise, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 8th instant, enclosing marriage license and certificate of J. O. Collier and Miss Martha Walls, and also enclosing the application for enrollment as a citizen of the Choctaw Nation of Oma Collier, the infant daughter of J. O. and Martha Collier, born January 19, 1902.

The evidence of marriage enclosed in your letter has been duly filed with the records of this office and the application for the enrollment of Oma Collier, being in proper form, has also been duly filed, and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Commissioner in Charge.

7-4455.

Muskogee, Indian Territory, December 18, 1902.

Thomas J. Walls,
Muskogee, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 3d inst., in which you state that your wife is an intermarried citizen of the Choctaw Nation; and ask to be informed if it will be necessary for her to appear before the Commission again in the matter of her application for enrollment.

You are 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, under the provisions of the act of Congress approved July 1, 1902, which was ratified by the citizens of said nations September 25, 1902; and it is necessary that intermarried citizens appear before the Commission at its appointment at South McAlester, Indian Territory, December 20 to 24, 1902 inclusive, and testify as to their status as such intermarried citizens on September 25, 1902.

Respectfully,

Commissioner in Charge.

Choctaw 4455

Muskogee, Indian Territory, January 23, 1903.

Thomas T. Walls,
Enterprise, Indian Territory,
Dear Sir:

Receipt is hereby acknowledged of your letter of January 2, inclosing affidavit of A. C. Bullard, M. D., relative to the inability of your wife, Catherine Walls, to appear before the Commission at any of its recent appointments.

In reply to your letter you are advised that it appears from our records that your wife, Catherine Walls, has been listed for enrollment as an intermarried citizen of the Choctaw Nation. 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, and it is necessary to secure the testimony of all intermarried citizens of these two nations relative to their status as such intermarried citizens on September 25, 1902, the date of the ratification of the act of Congress of July 1, 1902, by the Choctaw and Chickasaw Nations.

Your wife should appear before the Commission at the ear-

T J W 2

liest date possible for the purpose of giving this testimony as until the same is received no further consideration can be given her application for enrollment as an intermarried citizen of the Choctaw Nation.

Respectfully,

Acting Chairman.

Chootaw-4455

Muskogee, Indian Territory, February 28, 1903.

Catherine Walls,
Enterprise, Indian Territory.

Dear Madam:

It is the present intention of the Commission to establish land offices in the Chootaw 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 Chootaw and Chickasaw tribes."

It will be necessary, before your right to enrollment as an intermarried citizen of the Chootaw 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.

7-4455

Muskogee, Indian Territory, March 21, 1903.

Thomas J. Walls, Sr.

Enterprise, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the joint affidavit of Charles Lowellen and G. T. Minyard, witnesses to the marriage between your self and your present wife and the same has been duly filed with our records in the matter of the application for enrollment of Catherine Walls as an intermarried citizen of the Choctaw nation.

Respectfully,

Chairman.

7-4455

Muskogee, Indian Territory, July 28, 1903.

J. O. Collier,

Enterprise, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of July 17, relative to the enrollment of your wife. The information contained therein has enabled the Commission to identify her as Martha Collier, who has been enrolled by this Commission, together with her child, Oma Collier, as citizens by blood of the Choctaw Nation, and on March 6, 1903, their enrollment was approved by the Secretary of the Interior.

If your wife desires to appear at the land office and make application for allotment for herself and her child, a ticket of admission to the land office will be issued to her upon written request to the land office for the nation in which the land which she desires to select is located.

Respectfully,

Commissioner in Charge.

Choc 4456 Thomas J. JR. walls

4456

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--

HELLIE ALICE WALLS ----- 7 D-650.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T. August 22, 1901.

In the matter of the application of Nellie Alice Walls
for enrollment as an inter-married citizen of the Choctaw Nation.

Nellie Alice Walls being first duly sworn by Commissioner
Needles testified as follows:

Examination by the Commission:

- Q What is your name? A Nellie Alice Walls.
Q What is your age? A 15.
Q What is your post office address? A Brooken.
Q Is that in the Indian Territory? A Yes sir.
Q Choctaw Nation? A Yes sir.
Q How long have you lived in the Choctaw Nation? A All my life.
Q Have you always lived at Brooken? A Yes sir.
Q What is your father's name? A Dr. A. C. Bullard.
Q Is he living or dead? A Living.
Q What is your mother's name? A Sarah Bullard.
Q Is she living? A No sir.
Q Is your father a white man? A Yes sir.
Q Was your mother a white woman? A Yes sir.
Q Both citizens of the United States? A Yes sir.
Q Did you ever claim to be an Indian? A No sir.
Q You do not now claim citizenship in my 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 Thomas Walls.
Q Is he a Choctaw Indian? A Yes sir.
Q Do you know to what county in the Choctaw Nation he belongs? A
Yes sir.
Q What is it? A San Bois County.

Examination of the Choctaw rolls in the possession of the Commission show that the name of Thomas J. Walls, Jr, appears on page 332, Choctaw census record 1898 number 12667; the name of Thomas J. Walls Jr. also appears upon Choctaw roll card field number 4456 dated September 4, 1899. The records show that Thomas J. Walls Jr. has been duly listed for enrollment as a Choctaw Indian by blood.

- Q When were you married? A The 10th of last February.
Q 1901? A Yes sir.
Q Where? A At Brooken
Q In the Indian Territory? A Yes sir.
Q Who married you? A J. M. White.
Q Is he a minister of the Gospel? A Yes sir.
Q Did you procure a license? A Yes sir.
Q What kind of license was it - United States or Choctaw? A United States.
Q Have you your marriage license with you? A Yes sir.
Q Do you wish to offer it in evidence? A Yes sir.

N. A. W. 2.

There is offered in evidence, filed and made part of the record in this case marriage license issued by E. J. Fannin clerk of the United States Court for the Central District of the Indian Territory to Thomas B. Walls and Nellie A. Bullard dated February 6, 1901 and certificate of marriage signed by J. M. White a minister of the gospel stating that the parties named in the above license were duly married by him February 10, 1901. This license and certificate appear to have been filed in the office of the clerk of the United States Court for the Central District of the Indian Territory at South McAlester, February 25, 1901 in book 9 marriage records page 319.

- Q Were you ever married before? A No sir.
Q Were you married under this license? A Yes sir.

Witness excused.

Thomas Benjamin Walls being duly sworn by Commissioner Needles testified as follows:

Examination by the Commission:

- Q What is your name? A Thomas Benjamin Walls.
Q How old are you? A 21
Q What is your post office address? A Brooken, I. T.
Q What is the name of your father? A Thomas Jefferson Walls; I suppose its Jefferson; its Thomas J.
Q How old is he? A My father is about 59 I believe; I cant say.
Q Is he living? A Yes sir.
Q Where does he live? A He lives in the Choctaw Nation; San Bois County.
Q What is his post office address? A Enterprise.
Q What is the name of your mother? A Louvina Walls.
Q Is she living or dead? A She's dead.
Q Have you any sisters or brothers living? A Yes sir.
Q State their names please. A Martha.
Q How old is Martha? A She's about 19 years old I believe.
Q What is the next one? A Jincy.
Q How old is she? A She's 12 years old I believe.
Q What's the next? A Pearley.
Q How old is Pearley? A She's about 11 I believe.
Q What's the next one? A I have a brother named Guy.
Q How old is Guy? A I bedogged if I know; six or seven.
Q Is there another one? A Annie is next.
Q How old is Annie? A She's about three years old I think.
Q And the next one? A Raymond.
Q How old is he? A He's about two years old I believe.
Q What is the name of your father's present wife? A Katie is her name I dont know whether her name's on the books as Katie or Katherine.
Q Is she a white woman? A Yes sir.
Q The records of the Commission show that when you were listed for enrollment it was under the name of Thomas J. Walls, Jr; you have stated that your full name was Thomas Benjamin Walls; which name is the correct one? A Thomas Benjamin is the correct one.
Q Can you state why you were listed under the name of Thomas J. Walls Jr.? A Yes; it was when we registered at San Bois in '96; Simon Lewis was well acquainted with us; he's a cousin to my father; he was well acquainted with us and when we went to register, he thought my name was the same as my father's, and he had done had our names all down when we went, and we never gave him our names and when we went in to enroll he told my father he had all our names down and we told him that was alright and we never looked at the names at all; then when we went to McAlester to register I never had it changed; I just let it go.
Q Are you married? A Yes sir.
Q To whom are you married? A Nellie Walls.
Q What was her maiden name? A Nellie Bullard.
Q She is a white woman? A Yes sir.
Q Were you ever married before. A No sir.

Clara Mitchell Wood being duly sworn 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 22nd day of August 1901 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 Ford

Subscribed and sworn to before me this 22nd day of August 1901.

John E. Fieber
Notary Public.

No. 1848

Certificate of Record of Marriages.

UNITED STATES OF AMERICA,
THE INDIAN TERRITORY, } SCT:
Cherokee DISTRICT.

I, E. J. Fanning, 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 B. Walls and
Miss Willie Bullard was
filed in my office in said Territory and District the
12 day of February A. D. 1901
and duly recorded in Book 7 of Marriage
Record. Page 110

WITNESS my hand and seal of said Court,
at S. Mc Alester this 25
day of February A. D. 1901

E. J. Fanning
Clerk.

By _____ Deputy.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

AUG 22 1901

[Signature]
ACTING CHAIRMAN.

No. 1848

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. Thomas O. Walls of Brookton in the Indian Territory, aged 21 years, and Miss Nellie A. Bullard of Brookton 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 12th day of February, A. D. 1901

J. M. Woody
Deputy.

J. J. [Signature]
Clerk of the United States Court.

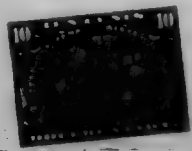
CERTIFICATE OF MARRIAGE.

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

I, J. M. White Minister of the Gospel, do hereby CERTIFY, that on the 10th day of February, A. D. 1901, 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 10th day of February, A. D. 1901

My credentials are recorded in the office of the Clerk of the United States Court in the Indian Territory, Central District, Book 63 Page 267



J. M. White
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)

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, Indian Territory, April 15, 1902.

.....
: In the matter of the application :
: of Nellie Alice Walls for enroll- : D-650.
: ment as a citizen by intermarriage :
: of the Choctaw Nation. :
:.....

On the 5th 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 Nellie Alice Walls 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 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 Choctaw Nation failed to appear, and the applicant, being called, failed to appear either in person or by attorney.

-----:-----

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 15, 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 18 day of April, 1902.

Hal Belford
W. W. F. [unclear]

Notary Public.

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

Choctaw D-660

Muskogee, Indian Territory, March 5, 1907.

Nellie Alice Walls,

Broken, Indian Territory.

You are hereby notified that the application of yourself

for enrollment as a citizen of the Choctaw Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 15th day of April, 1907.

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 which you may think proper or necessary.

You are further notified that the representatives of the Choctaw Nation will also, at the same time, be afforded an opportunity to introduce testimony affecting your right to enrollment, but said representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES,

Register.

T. D. Needles.

Commissioner in Charge.

Department of the Interior.
Commission to the Five Civilized Tribes.
South McAlester, I. T., December 22nd, 1902.

Choctaw D-650
Intermarried

-----oOo-----

In the matter of the application of Nellie Alice Walls for enrollment as an intermarried citizen of the Choctaw Nation.

Nellie Alice Walls being first duly sworn testified as follows:

Examination by the Commission.

- Q What is your name? A Nellie Alice Walls.
Q How old are you? A Seventeen years old.
Q What is your post office address? A Brooken, Indian Territory.
Q Are you the identical Nellie Alice Walls that on August 22, 1901, at Muskogee, Indian Territory, made application to be enrolled as an intermarried Choctaw? A Yes sir.
Q What is the name of your Choctaw husband? A T. B. Walls.
Q Have you since your marriage to this man in February, 1901, lived with him continuously? A Yes sir.
Q As actual bona fide residents of the Choctaw Nation? A Yes sir.
Q There has been no separation, desertion or divorce? A No sir.
Q You and this man are now living together as husband and wife and actual bona fide residents 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 22nd 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 29 day of January, 1903.

Charles H. Sawyer

Notary Public.

Blade

7 D-650.

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


In the matter of the application for the enrollment of
Nellie Alice Walls as a citizen by intermarriage of the Choctaw
Nation.

- D E C I S I O N -

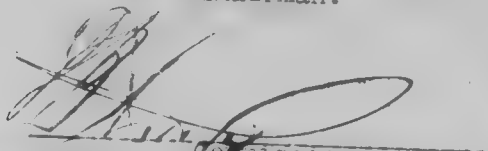
It appears from the records herein that Nellie Alice Walls
(nee Bullard), on February 10, 1901, was lawfully married to Thomas
J. Walls Jr., a recognized and enrolled citizen by blood of the
Choctaw Nation, whose name appears as number 12379 upon the lists
prepared by this Commission, under the act of Congress approved July
1, 1902 (32 Stat., 641), of persons entitled to enrollment as citi-
zens by blood of the Choctaw Nation, and approved by the Secretary
of the Interior on March 6, 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
Nellie Alice Walls should be enrolled as a citizen by intermarriage
of the Choctaw Nation, under the provisions of the acts of Congress
approved June 28, 1896 (30 Stat., 495) and July 1, 1902 (32 Stat.,
641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



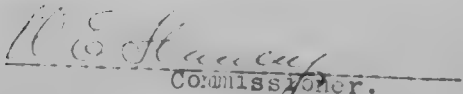
Chairman.



Commissioner.



Commissioner



Commissioner.

Muskogee, Indian Territory,

JAN 1 1904

Choctaw D-650.

Muskogee, Indian Territory, January 7, 1904.

Nellie Alice Walls,
Broken, Indian Territory.

Dear Madam:

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 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-650.

Choctaw D-650.

Muskogee, Indian Territory, January 7, 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 7, 1904, granting the application of Nellie Alice Walls 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 Nellie Alice Walls 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-650.

Enroll. No. 76
20

IN RE

Application for Enrollment of

INFANT CHILD

Lozil Court Walls

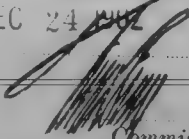
as a citizen of

Choctaw Nation.

Approved

DEC 24 1902

190

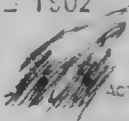


Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE UNDEVELOPED TRIBES.

FILED

DEC 25 1902



ACTING CHAIRMAN.

CHOCTAW

7-4456.

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

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Lucie Ewert, born on the 15 day of September, 1902.
(Here insert name of child)
Name of Father: J. B. Dralls a citizen of the Choctaw Nation.
Name of Mother: Julia Alice Dralls a citizen of the Sen Nation.
Post-office Brookton

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Wichita District.

I, Julia Alice Dralls, on oath state that I am 17
years of age and a citizen, by United States, of the Choctaw Nation;
that I am the lawful wife of J. B. Dralls, who is a citizen, by
Birth, of the Choctaw Nation; that a male child was
(male or female.)
born to me on 15 day of September 1902; that said child has been
named Lucie Ewert Dralls, and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses)

Julia Alice Dralls

Subscribed and sworn to before me this 30 day of September 1902.

A. J. Rodden Notary Public
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

^{7/12}
UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Wichita District.

I, A. C. Bullard, a Physician on oath state that I
attended on Mrs. Julia A. Dralls, wife of J. B. Dralls
on the 15 day of Sept, 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 Lucie Ewert.

WITNESSES TO MARK.

(Must be Two Witnesses)

A. C. Bullard M.D.

Subscribed and sworn to before me this 30 day of September 1902.

7-12-02
Wichita

A. J. Rodden Notary Public
NOTARY PUBLIC

Muskegee, Indian Territory, October 10, 1900.

McKennon, Mansfield, McMurray & Cornish,
South McAlester, Indian Territory.

Gentlemen:

The Commission is in receipt of your letter of the 9th instant, in which you request to be informed as to the status of Tom Walls, Jr. and the members of his family.

You are advised that the records of this Commission show that Thomas J. Wall, Jr. 19 years of age, of Enterprise, Indian Territory, the son of Thomas Walls and Lovina Walls, is listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

7-4456

Acting Chairman.

4456
7-2228

Muskogee, Indian Territory, October 6, 1902.

T.B. Walls,

Brooken, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Cecil Evert Walls, infant son of T.B. and Nellie Alice Walls, born September 15, 1902; and the same is returned to you herewith.

You are informed that the mother of the child being a non-citizen, it will be necessary that you furnish the Commission with either your original marriage license and certificate or a certified copy thereof.

Upon receipt of such 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 76.

MEMORANDA.

Memoranda

(Date) *Sept 11* 1899.

14 Name *Thomas J. Moore Jr.*

Choctaw ? *Yes* County *Sevier* Year *1898* No. *17*

Chickasaw ? County Year Page

Citizen by blood ? *Yes* Mother's citizenship *U.S.C.*

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.

4426

Choc 4457 William B. Dunn

Josephine Dunn

4457

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

WILLIAM B. DUNK,

7 - 4457

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskogee, Indian Territory, October 29th, 1902.

Choctaw 4457.

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

William B. Dunn, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission:

- Q What is your name? A William B. Dunn.
Q What is the full name? A William Baxter Dunn.
Q What is your age? A Thirty seven.
Q What is your post office address? A Canadian, Indian Territory.
Q How long have you lived in the Choctaw Nation? A Ever since 1890.
Q Have you maintained a continuous residence in the Choctaw Nation since 1890? A Yes sir.
Q You are a white man? A Yes sir.
Q And an applicant for enrollment as a citizen by intermarriage of the Choctaw Nation? A Yes sir.
Q What was the name of your Choctaw wife through whom you claim that right? A Josephine.
Q What was her full maiden name? A Josephine Massey.
Q Was she a recognized citizen of the Choctaw Nation? A Yes sir.
Q Are you and she living together now as husband and wife? A Yes sir.
Q When were you married to her? A In 1891, I think; I have got the license.
Q Where were you married? A At Wilson Massey's (her father's) in the Choctaw Nation.
Q Where were you living at that time? A At Jim LeFlore's place.
Q In the Choctaw Nation? A Yes sir.
Q Where was she living at the time you were married? A With her father in the Choctaw Nation.
Q How long had she been living in the Choctaw Nation? A She had been living here all her life; she was born in the Choctaw Nation.
Q Were you married under a Choctaw license? A Yes sir.
Q What did you pay for the license? A One hundred dollars.
Q From whom did you get it? A Judge Nelson.
Q In what county? A Gaines County.
Q Were you ever married before you married this woman? A No sir.
Q Was she ever married before she was married to you? A No sir.
Q Have you and she been living together as man and wife continuously ever since your marriage in 1891? A Yes sir.
Q You are now both bona fide residents of the Choctaw Nation?
A Yes sir.

(It appears from the records of the Commission that the marriage license and certificate of marriage between

William B. Dunn,-----2.

William Barter Dunn and Josephine Massey is filed with the records of the Commission in Dawes Commission citizenship case No.335).

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 29th day of October, 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 Risteen

Subscribed and sworn to before me this 1st day of November, 1902.

Charles H. Sawyer

Notary Public.

Winst

EX-1
JRP

7 - 4457

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

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

DECISION.

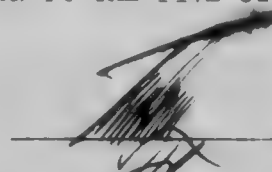
It appears from the record in this case that William B. Dunn appeared before the Commission and made personal application for enrollment as a citizen by intermarriage of the Choctaw Nation, claiming his right thereto by virtue of his marriage with Josephine Dunn (nee Massey), a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 12381 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 March 6, 1903.


It further appears from the records of the Commission that on September 9, 1896, in the case entitled "W. B. Dunn, et al., vs. Choctaw Nation", (1896 Choctaw Citizenship Docket, case number 335), 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 Josephine Dunn, and on December 2, 1896, the said William B. Dunn 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, 1896, 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 William B. Dunn should be enrolled as a citizen by intermarriage of the Choctaw Nation under the provisions of the acts of Congress approved June 28, 1896 (30 Stat., 496) and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

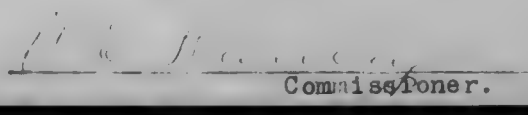

Chairman.


Commissioner.

Muskogee, Indian Territory.

JUL 28 1903


Commissioner.


Commissioner.

Muskogee, Indian Territory, July 28, 1905.

William B. Dunn,

Canadian, 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,

Register.
Enc. NEW 2/28

Commissioner in Charge.

Luskogee, Indian Territory, July 28 , 1903.

Manafield, McMurray and 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 July 28, 1903, granting the application of William B. Dunn 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.

Register.

Enc. NEW 10-28

Enc 109 184

INDEXED

20

IN RE

Application for Enrollment of

INFANT CHILD

Ellen Dunn

as a citizen of

Choctaw

Nation.

Approved

AUG 12 1902

190...

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
AUG 12 1902

ACTING CHAIRMAN.

CHOCTAW.

44-7

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

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Ellen Summ (Here insert name of child.) , born on the 21st day of July, 1902
Name of Father: William B Summ a citizen of the Choctaw Nation.
Name of Mother: Josephine Summ a citizen of the Choctaw Nation.
Post-office Canadian Ind Ter

AFFIDAVIT OF MOTHER.

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

I, Josephine Summ , on oath state that I am 29
years of age and a citizen, by Blood , of the Choctaw Nation:
that I am the lawful wife of William B Summ , who is a citizen, by
Marriage , of the Choctaw Nation; that a Female child was
born to me on 21st day of July , 1902 that said child has been
named Ellen Summ , and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses.) }

Josephine Summ

Subscribed and sworn to before me this

4 day of August 1902

Regil A. Pipkins
NOTARY PUBLIC (Seal)

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, Wesley P. Sewallen a Physician on oath state that I
attended on Mrs. Josephine Summ , wife of William B. Summ
on the 21st 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 Ellen Summ

WITNESSES TO MARK:

(Must be Two Witnesses.) }

W. P. Sewallen M.D.

Subscribed and sworn to before me this

4 day of August 1902

Regil A. Pipkins
NOTARY PUBLIC (Seal)

IN RE

Application for Enrollment of

INFANT CHILD

James William Neun.
as a citizen of the

Philippine, Nation.

Approved. **MAY 24 1907** 190-

~~A. S. Williams~~
Commissioner.

44-7.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,
 of *name William Nunn*, born on the *22* day of *March*, 1900
(Here insert name of child)
 Name of Father: *William B. Nunn*, a citizen of the *Choctaw* Nation.
 Name of Mother: *Josephine Nunn*, a citizen of the *Choctaw* Nation.
 Postoffice, *Heatsboro*

AFFIDAVIT OF MOTHER.

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

I, *Josephine Nunn*, on oath state that I am *29*
 years of age and a citizen, by *marriage*, of the *Choctaw* Nation;
 that I am the lawful wife of *William B. Nunn*, who is a citizen, by
marriage, of the *Choctaw* Nation; that a *male* child was
(name of female)
 born to me on the *22* day of *March*, 1900; that said child has been
 named *William Nunn*, and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses.)

Robt F. Lewis
Bernie Herstein

Subscribed and sworn to before me this *10* day of *April*, 1900

NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, *Anna Leonard*, a *midwife*, on oath state that I
 attended on Mrs. *Josephine Nunn*, wife of *William B. Nunn*,
 on the *22* day of *March*, 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
(name of female)
 named *William Nunn*.

WITNESSES TO MARK:

(Must be Two Witnesses.)

Robt F. Lewis
Bernie Herstein

Subscribed and sworn to before me this *10* day of *April*, 1900

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 So. Canadian Co., Ill., born on the 7 day of March, 1895.
 Name of father: H. B. Krum, a citizen of the Choctaw Nation.
 Name of mother: Josephine Krum, a citizen of the Choctaw Nation.
 Post Office: Weatherston, Ill.

AFFIDAVIT OF MOTHER.

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

I, Josephine Krum, 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 H. B. Krum who is a citizen, by marriage, of the
Choctaw Nation; that a girl child was born to me on the 7th day
 of March, 1895; that said child has been named Fannie May Krum
 and is now living.

Subscribed and sworn to before me this 17th day of Sept, 1899.

W. C. Young
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, Mrs. S. J. Melicor, a Midwife, on oath, state that I
 attended on Mrs. Josephine Krum, wife of H. B. Krum
 on the 7 day of March, 1895; 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 Fannie May Krum.

Subscribed and sworn to before me this 17th day of Sept, 1899.

Mrs. S. J. Melicor
W. C. Young
 Notary Public.

7-4487.

Muskogee, Indian Territory, August 6, 1908.

William B. Dunn,

Canadian, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Ellen Dunn, infant daughter of William B. and Josephine Dunn, born July 31, 1908, and the same is returned to you herewith for the reason that the notary public before whom the affidavits were acknowledged has neglected to affix his notarial seal thereto.

Upon return of the application with the seal of the notary public attached to each separate affidavit, the matter will receive further consideration.

Yours truly,

Acting Chairman.

W.B.
D.I. 184.

7-4487.

Muskogee, Indian Territory, August 12, 1902.

William B. Dunn,

Canadian, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Ellen Dunn, infant daughter of William B. and Josephine Dunn, born July 21, 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.

MEMORANDA.

(Date) _____ 1899.

3 ✓ 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. 57 59
 Chickasaw ? _____ County _____ Year _____ Page 79
 Citizen by blood ? _____ Mother's citizenship _____
 Intermarried citizen ? _____
 Married under what law ? _____
 License filed this day _____

Names of children:

3 ✓ _____ County _____ Year 16 Page 71 No. 13
 _____ County _____ Year _____ Page _____ No. _____
 _____ County _____ Year _____ Page _____ No. _____
 _____ 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
 11 15
 1/4/5

Choc 4458 Israel WATTS

4458

7-4458
7-D- 590

Muskogee, Indian Territory, March 10, 1903.

Israel Watts,

Kiowa, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 5th inst., stating that your wife, Elizabeth Watts, has been dead for several years and that you thought the Commission had been informed to that effect.

You are advised that no previous information relative to the death of your wife, Elizabeth Watts, has ever been received at this office. For the purpose of making the same a matter of record there is enclosed herewith a blank for proof of death, together with an envelope for the return of same when properly executed.

You are kindly requested to give this matter prompt attention.

Respectfully,

Chairman.

Env.

D.C.

7-3092
7-4458

Muskogee, Indian Territory, March 25, 1903.

Isreal Watts,

Kiowa, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your affidavit and that of J. M. Bohrer, relative to the death of your wife Elizabeth Watts, a citizen by intermarriage of the Choctaw nation which occurred in February 1885, and the same being in proper form have been duly filed with the records of the Commission in the matter of the enrollment of your daughter Mattie Foss, and her infant son William Jennings Foss as citizens by blood of the Choctaw nation.

Respectfully,

Chairman.

Choc 4459 Alexander J. Garner

4459
6shh

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--

ALEXANDER T. GARNER, 7-4459.

Choctaw, 4459.

Department of the Interior,
Commission to the Five Civilized Tribes.
Ardmore, I. T., October 30, 1902.

In the matter of the application for enrollment as a citizen by intermarriage of the Choctaw Nation of Alexander T. Garner.

Alexander T. Garner being duly sworn testifies as follows:

Examination by the Commission:

- Q What is your name? A Alexander T. Garner.
Q What is your age? A 30 years.
Q What is your post office address? A Kiowa.
Q What Nation? A Choctaw Nation.
Q How long have you been a resident of the Choctaw Nation?
A Thirty years.
Q Lived in the Choctaw Nation all your life? A Yes sir, born here.
Q Have you ever made your residence any place else? A No sir, only when I was going to school; I went to school two years.
Q When was that? A That was--- I was in Texas one year, in Denison.
Q How long ago was that? A About 1882 that time that I went to school I think; I went ten years ago in Denison.
Q You were just away to school at that time? A Yes sir.
Q You still had a permanent residence here in the Territory?
A Yes sir.
Q Are you now an applicant before the commission for enrollment as a citizen by intermarriage of the Choctaw Nation? A Yes sir.
Q What is the name of your Choctaw wife? A Alice Henderson.
Q Is she a recognized and enrolled citizen of the Choctaw Nation?
A Yes sir.
Q Her rights have never been questioned? A No sir.
Q When were you married to her? A In 1897.
Q Where did this marriage occur? A Kiowa.
Q Were you married under a Choctaw license? A Yes sir.
Q How much did you pay for that license? A \$12.00.
Q Who married you? A Rev. A. B. Johnson.
Q Before this marriage to Alice Henderson were you ever married before? A Yes sir.
Q To whom? A Mattie Landers.
Q A citizen of the Choctaw Nation? A No sir, a white woman.
Q When were you married to her? A '95.
Q How long did you live with her? A She died in about five months.
Q You lived with her until her death? A Yes sir.
Q Before her marriage to you had Alice Henderson ever been married to anyone else? A No sir.
Q You have only been married twice, first to this white woman and the next to Alice Henderson? A Yes sir.
Q Since this marriage to Alice Henderson have you been living with her continuously as her husband up until the present time? A Yes sir.

Alexander T. Garner---2

- Q There has been no separation, abandonment or divorce? A No sir.
Q What was your legal residence at the time of this marriage to Alice Henderson? A I lived at Kiowa.
Q You had been living there for several years? A Yes sir, I came there in 1892.
Q Have made that your home from 1892? A Yes sir.
Q Been living there ever ~~since~~ since? 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 30th day of October, 1902, and that the within and foregoing is a full, true, and correct transcript of his stenographic notes in the same.

W H Martin

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

R B Johnson
Notary Public.

Choctaw Nation To a minister of the Gospel or
 Jakes Fork County any person authorized to
 solemnize marriages
 you are hereby Commaneded to solemnize
 the rite and publish the Banns of Matimony
 between Mrs. [Name] aged 25 years
 and Miss [Name] aged 16 years resident
 of Blount Co. They being Companied
 with the laws of the Choctaw Nation regarding
 marriage license and you are hereby
 Commaneded as aforesaid to solemnize
 the rite and publish the Banns of
 Matimony between the parties
 herein named according to the
 laws of the Choctaw Nation and attach your
 certificate to the back of this
 license and return the same to the
 parties herein named
 Given under my hand and seal this
 1st day of [Month] 189[Year]

7150

0912

This is to certify that I
A. B. Johnson a minister
of the Gospel, did solemn-
ize and publish the bands
of Matrimony between
Mr Alex Gander, Miss Alice
Henderson on the 14th day
of November 1897, & in the
Linnestad Presbyterian
Church of Kasaan, S. P.

A. B. Johnson.

Certificate of Record of Marriage 7150

Jacksfork County, Indian Territory
Choctaw Nation.

I H. A. Johns Clerk of Jacksfork County
and Nation aforesaid Do hereby certify that
the License for and certificate of Marriage of
Mr Alex Garner and Miss. Alice Henderson
were filed in my office in said nation and
County the 22nd day of Nov. A.D. 1899;
and duly recorded in Book 1 of Marriage
Records Page 306.

Witness my hand and seal this 22nd
day of Nov. A.D. 1899.

H. A. Johns
Clerk

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

FILED

MAY 18 1903

[Handwritten signature]
S. W. HARRIS

Mrs Alice Garner (nee Henderson)
was living at Kiowa Choctaw
Nation Indian Territory at the
time we were married

Alexander T. Garner

Subscribed & sworn to ^{before} me a
Notary Public for the Central
District Indian Territory this
day of May 1903

A. D. Rowley
Notary Public

My Commission Expires November 1905

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

FILED

MAY 18 1893.



CHARMAN.

7-11-93

I was living at Kiowa
Choctaw Nation Indian Territory
at the time of my marriage
to Alexander Garner
Alic Garnet.

Subscribed & sworn to before
me a Notary Public for the Central
District Indian Territory this
day of May 1903

A. B. Rowley
Notary Public

My Commission Expires Nov 22nd 1904

etc.
etc.

7 - 4459.

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

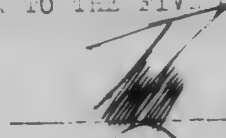
In the matter of the application for the enrollment of Alexander T. Garner as a citizen by intermarriage of the Choctaw Nation.

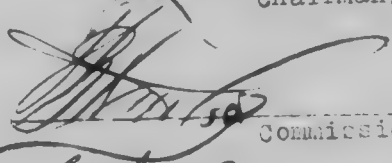
DECISION.

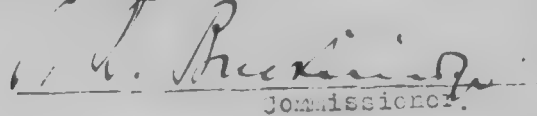
It appears from the record herein that Alexander T. Garner, on November 14, 1897, was married in accordance with the laws, customs and usages of the Choctaw Nation to Alice Garner (nee Henderson), a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as No. 12387 upon the 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 March 6, 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 28, 1902.

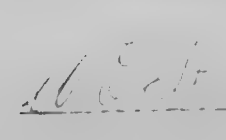
It is, therefore, the opinion of this Commission that Alexander T. Garner should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898, (30 Stat., 495) and July 1, 1902, (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.



Chairman.


Commissioner.


Commissioner.


Commissioner.

Luskogee, Indian Territory.

MAR 15 1904

Choctaw 4459

Muskogee, Indian Territory, March 29, 1904.

Alexander T. Garner,

Alex, Indian Territory.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission, rendered March 18, 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 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,

Yours truly,

G. W. [Signature]

Registered.
Enc. 7-4459.

Commissioner in Charge.

Choctaw 4459

COPY.

Muskogee, Indian Territory, March 29, 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 of Alexander T. Garner 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 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,

Commissioner in Charge.

Registered.
Enc. 7-4459.

Muskogee, Indian Territory, November 9, 1900.

Alexander T. Garner,

Kiowa, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 5th instant, enclosing the application for enrollment as a citizen of the Choctaw Nation of Roy James Garner, the infant son of Alexander T. and Alice Garner, born August 22nd, 1900.

You state that your wife's maiden name was Alice Henderson and that she was listed for enrollment by this Commission September 11th, 1899.

The information in your letter has enabled the Commission to identify both you and your wife as being listed for enrollment as citizens of the Choctaw Nation and the application for the enrollment of your child 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.

7-4459

Choctaw--4459

Muskogee, Indian Territory, May 7, 1903.

Alexander Garner,

Kiowa, 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 Choctaw Nation by virtue of your marriage to Alice Garner, (nee Henderson), a citizen by blood of said nation, but there does not appear to be any evidence as to the residence of your wife at the time of her marriage to you.

You are advised that it will be necessary that you furnish the Commission with sworn statements of yourself and wife, setting forth her place of residence at the time of her marriage to you.

This matter should receive your prompt attention.

Respectfully,

Chairman.

7-4459

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. 4459.

"Affidavits of Nos. 1 and 2 as to the residence
of No. 2 at the date of her marriage to No. 1,
filed May 18, 1903."

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

Respectfully,

Chairman.

7-4459

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. 4459.

"Affidavits of Nos. 1 and 2 as to the residence
of No. 2 at the date of her marriage to No. 1,
filed May 18, 1903."

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

Respectfully,

Chairman.

7-4459

Muskogee, Indian Territory, May 18, 1903.

Alexander T. Garner,
Kiowa, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your affidavit and that of Alice Garner, relative to her residence at the date of your marriage to her, 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.

Respectfully,

Chairman.

7-4459

Muskogee, Indian Territory, November 6, 1903.

Alex T. Gardner,

Alex, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of October 29, in which you ask if your enrollment as an intermarried citizen of the Choctaw Nation has been approved.

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.

CHOCTAW.

20

IN RE

Application for Enrollment of
INFANT CHILD.

Roy James Garner

As a citizen of the

CHOCTAW Nation.

Approved NOV 5 7 1900 1

[Signature]
Commissioner.

COMMISSIONER OF THE BUREAU OF INDIAN AFFAIRS,
DEPARTMENT OF THE INTERIOR,
WASHINGTON, D. C.
FILED
NOV 7 1900

[Signature]
ACTING COMMISSIONER

CHOCTAW.

4459,

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
 of Roy James Garner, born on the 22 day of August, 1900.
 Name of father: Alex T Garner, a citizen of the Choctaw Nation.
 Name of mother: Alice Garner, a citizen of the Choctaw Nation.
 Post Office: Meriva St

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,

INDIAN TERRITORY,
Central District.

I, Alice Garner, on oath, state that I am 19 years of age and a
 citizen, by Blood, of the Choctaw Nation; that I am the
 lawful wife of Alex T Garner who is a citizen, by Marriage, of the
Choctaw Nation; that a male child was born to me on the 22 day
 of August, 1900; that said child has been named Roy James Garner
 and is now living.

Subscribed and sworn to before me this 19 day of October, 1900.

Alice GarnerA B Rowley

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,

INDIAN TERRITORY,
Central District.

I, L W Mcmerris, a Physician, on oath, state that I
 attended on Mrs. Alice Garner, wife of Alex T Garner
 on the 22 day of August, 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 Roy James Garner.

Subscribed and sworn to before me this 30 day of October, 1900.

Dr. L. W. McMerrisA B Rowley

Notary Public.

MEMORANDA.

Donohoe

(Date) *April 11* 1899.

97

Name *William A. Donohoe*

Choctaw? County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day,

19

Wife's name, *Anna*

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

Name	County	Year	Page	No.
<i>John</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.

4459

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
 of Gladys G Garner, born on the 19 day of Sept, 1898.
 Name of father: Alex T Garner, a citizen of the Choctaw Nation.
 Name of mother: Alice Garner, a citizen of the Choctaw Nation.
 Post Office: Keown St.

AFFIDAVIT OF MOTHER.

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

I, Alice Garner, on oath, state that I am 19 years of age and a
 citizen by Blood, of the Choctaw Nation; that I am the
 lawful wife of Alex Garner who is a citizen, by Marriage, of the
Choctaw Nation; that a female child was born to me on the 19 day
 of Sept, 1898; that said child has been named Gladys G Garner
 and is now living.

Alice Garner.

Subscribed and sworn to before me this 11 day of Sept, 1899

H B Rowley
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, Julia Bailey, a midwife, on oath, state that I
 attended on Mrs. Alice Garner wife of Alex Garner
 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 Gladys G Garner

Julia Bailey

Subscribed and sworn to before me this 11 day of Sept, 1899.

H B Rowley
 Notary Public.

4460 Benjamin F. mozley

4460

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--

BENJAMIN F. MOZLEY. 7-4460.

Choctaw---4460.

Department of the Interior,
Commission to the Five Civilized Tribes.
Pauls Valley, I. T., October 24, 1902.

In the matter of the application for enrollment as a citizen by intermarriage of the Choctaw Nation of Benjamin F. Mozley.

Benjamin F. Mozley being duly sworn testifies as follows:

Examination by the Commission.

- Q What is your name? A Benjamin F. Mozley.
Q How old are you? A 45 years old.
Q What is your post office address? A Purcell.
Q How long have you resided in the Chickasaw Nation? A Four Years.
Q Maintained a continuous residence here for the past four years, A Yes sir.
Q Never lived anywhere else? A No sir.
Q Where did you live before that? A In the Choctaw Nation?
Q How long in the Choctaw Nation? A I have resided in the Choctaw Nation for over 20 years; been there ever since I was married.
Q You are a white man? A Yes sir.
Q And an applicant for enrollment as a citizen by intermarriage of the Choctaw Nation? A Yes sir.
Q What is the name of your Choctaw wife? A Laura E. Mozley, Henderson was her maiden name.
Q She has always been a recognized citizen by blood of the Choctaw tribe? A Yes sir.
Q Her rights have never in any manner been questioner? A No sir.
Q Were either of you ever married before you married each other? A No sir.
Q Where were you married to her? A Near Atoka in Atoka County.
Q In the Choctaw Nation? A Yes sir.
Q When? A October 11, 1888.
Q How long prior to your marriage to this woman had you been living in the Choctaw Nation? A For seven or eight years, I dont remember exactly.
Q She had always lived there? A Yes sir.
Q Did you marry her under a Choctaw license? A Yes sir.
Q How much did you pay for it? A One hundred dollars.
Q Have you since your marriage to this woman in 1888 lived with her continuously? A Yes sir.
Q Been no separation, desertion or divorce? A No sir.
Q You and this woman are now living together as man and wife, actual bona fide residents of the Chickasaw Nation? A Yes sir.

Benjamin F Mozley-----2

- Q And have been living here for the past four years? A Yes sir.
Q Before that in the Choctaw Nation? A Yes sir.
Q You applied to the Dawes Commission in 1896 for yourself and family to be admitted as citizens of the Choctaw Nation?
A Yes sir.
Q What action was taken on that application? A I was admitted to citizenship.
Q You and your family were admitted in 1896? 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 Pauls Valley, I. T., on the 24th day of October, 1902, and that the within and foregoing is a full, true, and correct transcript of his stenographic notes in the same.

W. H. Martin
Subscribed and sworn to before me this 30 day of October, 1902.

W. H. Martin

Notary Public.

217
166

7-4-00.

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

In the matter of the application for the enrollment of Benjamin F. Mozley as a citizen by intermarriage of the Choctaw Nation.

--: D E C I S I O N :--

It appears from the records herein that on October 11, 1898 the applicant, Benjamin F. Mozley, was married in accordance with the laws, customs and usages of the Choctaw Nation to Laura E. Mozley (nee Henderson), a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 1477 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 May 9, 1904.

It further appears from the records of the Commission that on September 7, 1896 in the case entitled "Frank Mcseley, et al. vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, case number 306) the applicant, Benjamin F. Mozley, 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 Laura E. Mozley and on December 2, 1896 the said Benjamin F. Mozley 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, Tobucksy County, number 1414, enrolled thereon as a citizen by intermarriage of said nation.

It further appears from the record herein that the applicant was a resident in good faith of Indian Territory on June 28, 1898 and that his status as an intermarried citizen of the Choctaw Nation remained unchanged from the date of his said admission in 1896 up to and including September 21, 1902.


It is, therefore, the opinion of this Commission that Benjamin F. Mozley should be enrolled as a citizen by intermarriage of the Choctaw Nation in accordance with the provisions of the acts


2.

of Congress approved June 28, 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 1904

Choctaw-4460

Muskogee, Indian Territory, September 7, 1904.

Benjamin F. Mozley,
Purcell, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered on September 7, 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 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 H. [unclear]
Chairman.

Registered.

Incl. 7-4460

Choctaw-4460
COPY.

Muskogee, Indian Territory, September 7, 1904.

Dorset Carter,
Attorney at Law,
Purcell, Indian Territory.

Dear Sir:

You are hereby notified that the Commission to the Five Civilized Tribes, on September 7, 1904, rendered its decision granting the application of Benjamin F. Mosley 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 Benjamin F. Mosley 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)

Chairman.

Registered.

Incl. 7-4460

Choctaw 4460

COPY:

Muskogee, Indian Territory, September 7, 1904.

George W. Miller,
Attorney at Law,
Purcell, Indian Territory.

Dear Sir:

You are hereby notified that the Commission to the Five Civilized Tribes, on September 7, 1904, rendered its decision granting the application of Benjamin F. Mozley 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 Benjamin F. Mozley 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)

Tams Bixby.

Chairman.

Registered.



Choctaw-4400

COPY.

Muskogee, Indian Territory, September 7, 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 September 7, 1904, granting the application for the enrollment of Benjamin F. Mozley, 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,

(SIGNED)

Tatis Bickett
Chairman.

Registered.

Incl. 7-1450.

See 7-5429 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 Louis Mozley, born on the 15th day of Dec, 1901.
(Here insert name of child.)
Name of Father: B. F. Mozley, a citizen of the Choctaw Nation.
Name of Mother: Laura E. Mozley, a citizen of the Choctaw Nation.
Post-office, Story, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District.

I, Laura E. Mozley, on oath state that I am 31
years of age and a citizen, by birth, of the Choctaw Nation;
that I am the lawful wife of B. F. Mozley, who is a citizen, by
marriage, of the Choctaw Nation; that a female child was
born to me on the 15 day of December, 1901; that said child has been
named Louis Mozley, and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses.)

Laura E. Mozley X

Subscribed and sworn to before me this 16th day of April, 1902.

Dorset Carter
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, W. B. Byrnes, as a physician, on oath state that I
attended on Mrs. Laura Mozley, wife of B. F. Mozley,
on the 15 day of December, 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 Louis Mozley.

WITNESSES TO MARK:

(Must be Two Witnesses.)

W. B. Byrnes, M.D.

Subscribed and sworn to before me this 5 day of March, 1902.

Dorset Carter
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 Karl C Mozley, born on the 11 day of January, 1899.
 Name of father: BF Mozley, a citizen of the Choctaw Nation.
 Name of mother: Laura E Mozley, a citizen of the Choctaw Nation.
 Post Office: Wayne, T.

AFFIDAVIT OF MOTHER.

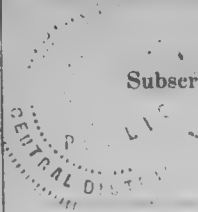
UNITED STATES OF AMERICA, }
 INDIAN TERRITORY, }
Okla District. }

I, Laura E Mozley, 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 BF Mozley who is a citizen, by Marriage, of the
Choctaw Nation; that a male child was born to me on the 11 day
 of January, 1899; that said child has been named Karl C Mozley
 and is now living.

Subscribed and sworn to before me this

2 day of Sept, 1899.

Laura E Mozley
H B Rowley
 Notary Public



AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

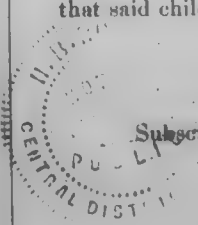
UNITED STATES OF AMERICA, }
 INDIAN TERRITORY, }
Okla District. }

I, Josephine Gill, a _____, on oath, state that I
helped to attend on Mrs. Laura E Mozley, wife of BF Mozley
 on the 11 day of January, 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 Karl C Mozley.

Subscribed and sworn to before me this

2 day of Sept, 1899.

Josephine Gill
H B Rowley
 Notary Public.



MEMORANDA.

(Date) Sept 20 1899.

43

✓ Name Henry ...

Choctaw? County Atchafalaya Year 1898 No. 1000

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law? St. Louis

License filed this day,

31

✓ 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 No.

3

✓ ... County Year Page No.

8

✓ ... County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

A1
H =
3

4010

7-4460

Waskagee, Indian Territory, April 19, 1902.

B. F. Mozley,

Story, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Lois Mozley, infant daughter of B. F. and Laura E. Mozley, born December 15, 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.

V-4460

Muskogee, Indian Territory, April 19, 1902.

Dorset Carter,

Attorney at Law,

Purcell, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 16th instant enclosing the application for enrollment as a citizen of the Choctaw Nation of Lois Mozley, infant daughter of B. F. and Laura Mozley, born December 15, 1901, and proper acknowledgment of the same has been made this day to B. F. Mozley, Story, Indian Territory.

Yours truly,

Acting Chairman.

Choctaw-4460

Muskogee, Indian Territory, January 9, 1904.

B. F. Mozley,

Purcell, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 2, 1904, asking why the rights of yourself as an intermarried citizen, and your wife and children as citizens by blood of the Choctaw Nation have not yet been determined as you have always been recognized by the tribes as being entitled to enrollment, and your citizenship has never been questioned.

In reply to your letter you are informed that your wife, Laura E. Mozley, and your children, Lena B., Warren M., Karl C. and Lois Mozley, 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.

You are further advise that the Commission has not yet passed upon your application for enrollment as an intermarried citizen of the Choctaw Nation, and it is impracticable at this time to state when the same will be taken up for consideration and determination.

As soon as a decision is reached in this case, however,

B F M 2

you will, be notified of the action taken therein.

You are further advised that if you will furnish a description of the land which you desire to select in allotment for yourself and the members of your family, proper notation thereof will be made upon our records and you will be notified in the event any person or persons make application for your land or any portion of it, and will be permitted to institute contest proceedings therefor.

Respectfully,

Commissioner in Charge.

Choctaw 4460.

Muskogee, Indian Territory, August 13, 1904.

George W. Miller,
Attorney at Law,
Purcell, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of August 9, in which you state that Benjamin F. Mozley, an intermarried citizen of the Choctaw Nation, is anxious to know if anything of a special nature delays his case.

In reply to your letter, you are advised that the Commission is now considering the application of Benjamin F. Mozley for enrollment as an intermarried citizen of the Choctaw Nation, and as soon as a decision is reached in this case he will be notified of the action taken.

Respectfully,

Commissioner in Charge.

Choc 4461

missing

4461

Choc 4462

JAMES SCOTT

Emily E. SCOTT

4462

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 -

JAMES SCOTT, - - - - Choctaw-4462

2-34

Choctaw #4462.
Intermarried.

Department of the Interior
Commission to the Five Civilized Tribes.
South McAlester, Indian Territory,
December 23, 1902.

-:-

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

James Scott being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A James Scott.
Q What is your age? A Fifty-five past.
Q What is your post office address? A Enterprise.
Q That is in the Choctaw Nation? A Yes, sir.
Q How long have you resided in the Choctaw Nation? A About thirty years.
Q Have you lived here continuously for the past thirty years? A Off and on yes, sir.
Q How long have you made this your continuous residence? A About twenty years.
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 Emily Elizabeth Walls.
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 this woman? A About fourteen or fifteen years ago.
Q Where was this marriage ceremony performed? A Granger station
Q Is that in the Choctaw Nation? A Yes, sir.
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 tribal laws? A Yes, sir.
Q Did you obtain a license? A Yes, sir.
Q From whom did you get that license? A Judge Lewis.
Q Of what county? A Sans Bois.
Q How much did you pay for it? A I don't know exactly.
Q Who performed the marriage ceremony? A Simon Lewis.
Q Were you ever married before your marriage to your Indian wife? A Yes, sir.
Q How many times before? A Once.
Q What was the name of your former wife? A Mary Fields.
Q Was she a white woman? A Yes, sir.
Q Was she dead at the time of your second marriage? A Yes, sir.
Q Was Emily Walls ever married before her 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.

Choctaw #4462.

Intermarried.

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.

--:--

Chas. Diffendaffer 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. Diffendaffer
Subscribed and sworn to before me this 8th day of January 1903.

Charles H Sawyer
Notary Public.

Wex

To any Judge of a Court of Record, or Minister of the
Gospel:

By the authority in me vested by the laws of the Choctaw
Nation, you are hereby authorized to solemnize the rites of matri-
mony between Emily Wall, a Choctaw woman, and James Scott, a citizen
of the United States, who has complied with all the requirements
of the law, and attach your certificate to this license.

Given this the 23rd day of March 1887.

S. E. LEWIS,
Circuit Judge 1st Judicial District,
Choctaw Nation.

This is to certify that I have this day united in marriage
Mr. James Scott to Miss Emily Wall according to the laws of the
Choctaw Nation.

This 23rd day of March 1887.

(L. S.) _____
S. E. LEWIS,
Circuit Judge 1st Judicial District
Choctaw Nation.

Recorded on record book page 919 this the 3rd October,
1887.

H. J. KAYSER,
Circuit Clerk 1st Jud. Dist., C. N.

Indian Territory,
Western District.

S. A. Apple, stenographer to the Commission to the Five
Civilized Tribes, certifies on oath that the foregoing is a true
and correct copy of the original marriage license and certificates
thereon now on file with the Commission in Choctaw case No. 7-4462.

S. A. Apple

Subscribed and sworn to before me this May 7, 1903.

Charles H. Sawyer
Notary Public.

7 - 4462

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

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

DECISION.

It appears from the record herein that James Scott, on March 23, 1887, was married in accordance with the laws, customs and usages of the Choctaw Nation to Emily E. Scott (nee Walls), a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as No. 12390 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 March 6, 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.

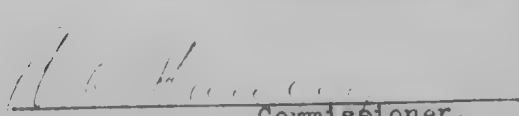
It is, therefore, the opinion of this Commission that James Scott should be enrolled as a citizen by intermarriage of the Choctaw Nation in accordance with the provisions of the acts of Congress approved June 25, 1898 (30 Stat., 495) and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,


Chairman.


Commissioner.


Commissioner.


Commissioner.

Muskogee, Indian Territory,

JUL 2 1903

COPY:

Choctaw-4462.

Muskogee, Indian Territory, July 28, 1903.

James Scott,

Enterprise, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission rendered July 28, 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,

Registered.

Enc. IBS. 15/28

E. B. Needles.
Commissioner in Charge.

Choctaw-4462.

Muskogee, Indian Territory, July 28, 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 28, 1903, granting the application of James Scott 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,

I. B. Needles,
Commissioner in Charge.

Registered.

Enc. IES 15/28

~~...~~

To any Judge of a
Court of Record or
Minister of the Gospel

of the Choctaw Nation
You are hereby author-
ized to solemnize the
rites of Matrimony
between Emily Hall
a Choctaw woman
and James Scott a

and with all the
requirements of the law
and attach our certi-
ficate to this license.

Given this the 23rd
day of March 1887.

D. G. Lewis
Circuit Judge,
1st Judicial District
of the State of Missouri

This is to certify
that I have this
~~day~~ solemnized in marri-
age Mr James Scott
to Miss Emily Hall
according to the laws
of the State of Missouri
this 23rd day of
March 1887

D. G. Lewis
Circuit Judge,
1st Judicial District
of the State of Missouri

Witness my hand and seal
at St. Louis, Mo.
this 23rd day of March 1887

MEMORANDA.

(Date) Sept 4 1899.

51 Name James Scott
 Choctaw? yes County Sans Bois Year 96 No. 15-018
 Chickasaw? County Year Page 399
 Citizen by blood? Mother's citizenship no
 Intermarried citizen? yes
 Married under what law? Choc
 License filed this day, yes

27 Wife's name, Emily E Scott
 Choctaw? yes County Sans Bois Year 96 No. 1112 2
 Chickasaw? County Year Page 286
 Citizen by blood? yes Mother's citizenship Choc
 Intermarried citizen?
 Married under what law?
 License filed this day

Names of children:

9 x	Viola M. Scott	County	<u>Sans Bois</u>	Year	<u>96</u>	Page	<u>286</u>	No.	<u>1112 3</u>
4	Claude	"	County	Year	<u>11</u>	Page	<u>"</u>	No.	<u>1112 4</u>
1	Elbert	"	County	Year		Page		No.	
			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 Emily W Scott
 x " " Viola May

[Handwritten signature/initials]

Ind Ter
General District

Personal appearance before
me a Notary Public of the
above said district
Census Elizabeth Scott a
citizen of the Choctaw nation
by blood who recuses
the following statement
upon oath after being
duly sworn by me
That she is a citizen of blood
of the Choctaw Nation by
by blood - that she has
has lawfully been united
to James Scott according
to the laws of the Choctaw Nation
relative to marriages
That she had a ^{male} child
born to her on the 3 day of
February 1898 That said child
is still alive and named
Elbert ^{son} ~~Census~~ Elizabeth Scott

P.O. ^{to name}



George to before me this
the 29th day of August 1899

J. J. Chubbless
Notary Public

11402

Ind. Ter -
Central District

Personally appeared
before me a Notary Public of the
aforesaid District & Territory -
Orrin Walls - who after being
duly sworn by me deposes
and says -

That she is the Wife
of Jess Walls - and a citizen
of the Choctaw Nation by marriage
that she is 23 years old, and
that she was present when
Elizabeth Scott gave birth
to a male child ^{on the 21st of July 1898} and
that they named the child
that said child is still alive

Orrin Walls

Witness
J. S. Powell

Subscribed and sworn to before me
a Notary Public this the 29th
of August 1899

J. J. Chambers
Notary Public

IN RE

Application for Enrollment of

INFANT CHILD

Willie Scott

as a citizen of

Choctaw Nation.

Approved **OCT 26 1901** 190

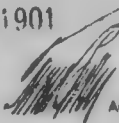


Commissioner.

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

FILED

OCT 23 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 Willie Scott, born on the 28 day of September, 1901
(Here insert name of child.)
Name of Father: JAMES SCOTT a citizen of the Choctaw Nation.
Name of Mother: EMILY E. SCOTT a citizen of the Choctaw Nation.
Post-office Enterprise Ind. Ter.

AFFIDAVIT OF MOTHER.

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

I, Emily E. Scott, 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 JAMES SCOTT, who is a citizen, by
Marriage, of the Choctaw Nation; that a Female child was
(male or female.)
born to me on 28 day of September 1901; that said child has been
named Willie Scott, and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses)

W. W. Shaw
A. J. Rothen
Emily E. Scott

Subscribed and sworn to before me this 23 day of October 1901.

W. D. Donaghe
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, D. S. Billington, a Physician, on oath state that I
attended on Mrs. Emily E. Scott, wife of JAMES SCOTT
on the 28 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 Willie Scott.

WITNESSES TO MARK:

(Must be Two Witnesses)

D. S. Billington M.D.

Subscribed and sworn to before me this 23 day of October 1901.

W. D. Donaghe
NOTARY PUBLIC

Muskogee, Indian Territory, October 26, 1901.

James Scott,

Enterprise, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Willie Scott, the infant daughter of James and Emily E. Scott, born September 28, 1901, and the same being in proper form has been accepted and filed with the records of this office and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

7-4462

Choc 4463

Charles J. Gill
Anna Merrill

4463

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 -

CHARLES J. GILL, - - - -7-4463

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Ardmore, Indian Territory, October 28, 1902.

In the matter of the application for enrollment of Charles J. Gill, as a citizen by intermarriage of the Choctaw Nation.

Said Charles J. Gill, being first duly sworn, testified as follows:

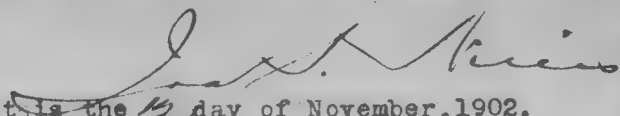
Examination by the Commission.

- Q. What is your name? A Charles J. Gill.
Q. How old are you? A Thirty-eight.
Q. What is your postoffice address? A Hewitt.
Q. Is that in the Chickasaw Nation? A Yes sir.
Q. How long have you resided in the Chickasaw Nation? A Three years and a half.
Q. Where did you live before that? A In the Choctaw.
Q. How long did you live in the Choctaw Nation? A Twelve years.
Q. You are a white man? A Yes sir.
Q. An applicant for enrollment as a citizen by intermarriage of the Choctaw Nation? A Yes sir.
Q. What is the name of your Choctaw wife? A Josephine Ward Gill.
Q. Ward was her maiden name? A Yes sir.
Q. Has your wife always been recognized as a citizen by blood of the Choctaw Nation? A Yes sir.
Q. Participated in all payments made to the Tribe? A Yes sir.
Q. Has she always resided in the Choctaw Nation? A She was born in Texas and lived there until she was eleven years old, I think.
Q. When were you married to her? A Three years ago last March, the seventh of March.
Q. Where were you living when you married her? A At Kiowa.
Q. In the Choctaw Nation? A Yes sir.
Q. How long prior to your marriage to this woman had you been living in the Choctaw Nation? A About twelve years.
Q. Had you ever been married prior to your marriage to this woman? A No sir.
Q. Had she ever been married prior to her marriage to you? A Yes sir.
Q. How many times? A Four times.
Q. Were all of her former husbands dead? A All that I knew of.
Q. Did she live with all of them until their death? A All except one.
Q. One she was divorced from? A Yes sir.
Q. You were married to this woman, were you, in 1899? A Yes sir.
Q. She was living in the Choctaw Nation? A Yes sir.
Q. And had no living husband from whom she had not been legally divorced? A No sir.
Q. Did you obtain a tribal license to marry her? A Yes sir.
Q. How much did you pay for that license? A One hundred dollars.

Charles J. Gill-2

- Q Have you since your marriage to this woman lived with her continuously? A Yes sir, until her death.
- Q When did she die? A The 28th of last March.
- Q Up to the time of her death you lived with her? A Yes sir.
- Q There was no separation, desertion or divorce? A No sir.
- Q Have you since the death of your Choctaw wife remarried? A No sir.
- Q Still unmarried? A Yes sir.
- Q You have maintained a continuous residence in the Chickasaw Choctaw country for the last fifteen years? A Yes sir, fifteen years and a half.
-

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 Ardmore, Indian Territory, October 28, 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 12 day of November, 1902.


Notary Public.

No.

VERSUS

COPY OF ORDER OF COURT.

....., Clerk,

By, Deputy.

7-345

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

FILED

MAY 26 1903

 CHAIRMAN.

United States of America,

INDIAN TERRITORY.

Central

DISTRICT.

887

I, E. J. Fannin, Clerk of the District Court of the United States for the Central District of the Indian Territory, do hereby certify the foregoing to be a true copy of an order made by said Court on the 19th day of January, 1903, as appears from the records of said Court now on file in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand, at my office in So. McAlester, in said District, this 19th day of January, A. D. 1903.

E. J. Fannin Clerk.

By W. C. Donnelly Deputy.

COPY OF ORDER OF COURT.

United States of America,

INDIAN TERRITORY.

Central

DISTRICT

vs.

IN THE UNITED STATES COURT in the Indian Territory, Central District, at a term thereof begun and held at South McAlester in the Indian Territory, on the 5th day of December 1908, A. D. 1908. Present, the Honorable Wm. H. H. Clayton, Judge of said Court.

The following order was made and entered of record, to wit:

29198

Josephine Bordre 0
W. H. Bordre 0
Decree.

This cause coming on to be heard this the 27th day of January 1909, upon the complaint the evidence, and the report of the attorney for the non-resident defendant, John W. Black, and the plaintiff appearing by her attorney, J. J. Silber, and it appearing that the defendant had been legally summoned and failed to appear and answer; and it appearing that the allegations in plaintiff's complaint are true and the court being fully advised in the premises; Its is therefore ordered, adjudged and decreed that the bonds of matrimony existing between the plaintiff Josephine Bordre and the defendant W. H. Bordre, be and the same are hereby set aside and void for naught; and that each party be restored to all property not disposed of at the commencement of this action, which either obtained prior or through the other during the marriage and in consideration thereof.

And the plaintiff be restored to her former name.
to-wit: Josephine Viark.

MARRIAGE LICENSE.



Choctaw Nation,
Jackson County. } ss.

To any person authorized by law to solemnize marriages—
Greeting:

You are hereby commanded to solemnize the Rite and publish the
Banns of Matrimony between Mr. *Charles J. Gill*, of
Kiowa, in the *Indian Territory*, aged *35* years, a citi-
zen of the *United States* and Mrs. *Josephine W. Vieux*,
of *Kiowa*, a citizen of the *Choctaw Nation* in the
Indian Territory, aged *43* 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 *4th* day
of *March*, A. D., *1897*
H. C. Johns
Clerk of the County Court.

By _____

Deputy.

CERTIFICATE OF MARRIAGE.

Choctaw Nation,
Atoka County. } ss.

W. B. Randolph, a
Christian Minister

Do hereby certify, that on the *4th* day of *March*, A. D., *1897*, 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 *4th* day of *March*, A. D., *1897*
W. B. Randolph
A Christian Minister

Certificate of Record of
Marriages.

Jackfork County, Choctaw Nation
Indian Territory
I, N. A. Johns Clerk of Jackfork
County and Nation aforesaid. Do hereby
certify that the License for and Certificate
of the Marriage of Mr. Charles Gill and
Mrs. Josephine W. Tivix, were filed in
my office in said Nation and County the
17th day of March, 1899, and duly
recorded in Book 1 of Marriage
Record, Page 278 + 279.

Witness my hand and seal this
17th day of March A.D. 1899.

N. A. Johns
Clerk.

J. B.

7 - 4463.

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


In the matter of the application for the enrollment of
Charles J. Gill as a citizen by intermarriage of the Choctaw Nation.

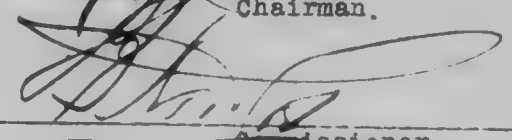
DECISION.

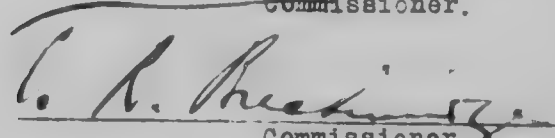
It appears from the record herein that Charles J. Gill, on March 7, 1899, was married in accordance with the laws, customs and usages of the Choctaw Nation to Josephine W. Gill, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as No. 12628 upon the 1896 Choctaw census-roll, Atoka County, (now deceased); that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation; that they lived together continuously in Indian Territory as husband and wife up to March 28, 1902, the time of the death of the said Josephine W. Gill; and that since her death the applicant herein has continued to reside in Indian Territory and has not re-married.

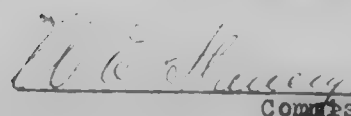
It is, therefore, the opinion of this Commission that Charles J. Gill should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898, (30 Stat., 495) and July 1, 1902, (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Chairman.


Commissioner.


Commissioner.


Commissioner.

Nuskogee, Indian Territory.

June 27 99

Choctaw 4463

COPY.

Muskogee, Indian Territory, July 25, 1903.

Charles J. Gill,
Hewitt, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 25, 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,

WENED

I. B. Neelise.
Commissioner in Charge.

Registered.

Enc MYC 9/25

Choctaw 4463

COPY.

Muskogee, Indian Territory, July 25, 1903.

Manfield, McMurray & Cernish,
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 25, 1903, granting the application of Charles J. Gill 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,

S. D. Woodles,
Commissioner in Charge.

Registered.

Enc MYC 10/25

CHOCTAW. 7-11263

IN RE
THE DEATH OF

Josephine W. Hill
a citizen of the
Choctaw Nation.

Approved NOV 1 1902 190

Samuel R. [unclear]
Commissioner.
SR

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

FILED
NOV 1 1902

[Signature]
ACTING CHAIRMAN

4463

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

In the matter of the death of Josephine W Gill
(Here insert name of deceased.)
a citizen of the Choctaw Nation, who formerly resided at or near
Hewitt, Ind. Ter., and died on the 28 day of
March, 1902.

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY, }
Southern District. } .e.

I, Charles J. Gill, on oath state that I am 38
years of age and a citizen, by intermarriage, of the Choctaw Nation;
that my post office address is Hewitt, Ind. Ter.; that I am
husband of Josephine W Gill,
(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 Josephine W Gill died on the 28 day of
March, 1902.

Charles J. Gill

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 28 day of October 1902.

C S Hamner
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

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

I, H C High, on oath state that I am 33
years of age, and a citizen, by United States Nation;
that my post office address is Hewitt, Ind. Ter.;
that I was personally acquainted with Josephine W Gill,
who was a citizen, by blood, of the Choctaw Nation;
and that said Josephine W Gill died on the 28 day of
March, 1902.

H C High

WITNESSES TO MARK

(Must be Two Witnesses.)

Subscribed and sworn to before me this 28 day of October 1902.

C S Hamner
Notary Public.

MEMORANDA.

(Date) 2/11/1899 1899.

Name Charles W. Hill

Choctaw? Yes County Alaska Year 1898 No. 2628

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship Yes

Intermarried citizen?

Married under what law?

License filed this day,

Wife's name, Josephine M. Hill

Choctaw? County Alaska Year 1898 No. 2628

Chickasaw? County Year Page 31

Citizen by blood? Mother's citizenship Yes

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

12 County Year Page 27 No. 2632

11 County Year Page No. 2630

7 County Year Page No. 2629

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

4463

Muskegee, Indian Territory, March 11, 1901.

Charles G. Carlisle,

Hewitt, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of recent date enclosing communication from John M. Simpson, Supervisor of Schools in the Chickasaw Nation, and requesting to be informed if Anna Merrill, Louis and Minerva Vieux and Ira and Aaron Ward are enrolled as Choctaws.

Replying to your letter you are informed that the records show, that Anna Merrill, Minerva Vieux and Louis Vieux, aged respectively 13 years, 10 years and 7 years, the step children of Charles J. Gill and the children of Josephine W. Gill, were on September 4th, 1899 listed for enrollment as citizens by blood of the Choctaw Nation.

The records also show that Aaron Ward, 10 years of age, and Ira Ward, 7 years of age the children of Charles and Mary E. Ward, were on August 30th, 1899 listed for enrollment as citizens by blood of the Choctaw nation.

The letter of Mr. Simpson is returned to you herewith.

Yours truly,

Acting Chairman .

7-4134
7- 4463
Enc m

Choctaw-4463

Muskogee, Indian Territory, May 9, 1903.

Charles A. Gill,

Hewitt, 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 Choctaw Nation by virtue of your marriage to Josephine W. Gill, and that prior to your marriage to her she had a living husband from whom she had been divorced, but there does not appear to be any evidence of said divorce filed with the Commission.

You are advised that it will be necessary that you furnish the Commission with the original decree or a certified copy of the divorce granted her from her former husband.

This matter should receive your prompt attention, as no further action can be taken in the matter of your enrollment until this evidence is received.

Respectfully,

Chairman.

Choctaw 4463.

Muskogee, Indian Territory, May 26, 1903.

Charles J. Gill,

Hewitt, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of a copy of the decree of divorce of Josephine Bowdre from R. L. Bowdre, and the same will be filed with the records of the Commission in your case.

Respectfully,

Commissioner in Charge.

7-4463

Muskogee, Indian Territory, May 28, 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. 4463:

"Copy of divorce proceedings between No. 2
and her former husband filed May 26, 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.

7-4463

Muskogee, Indian Territory, May 28, 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. 4463:

"Copy of divorce proceedings between No. 2
and her former husband filed May 26, 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.

choc 4464 Gertrude Thompson

4464

Choctaw 4464

Muskogee, Indian Territory, April 7, 1903.

Gertie Thompson,

Hewitt, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of your letter of April 1, inclosing petition for the transfer of yourself and your child, Eva, Thompson, from the Choctaw to the Chickasaw roll.

In reply to your letter you are advised that it appears from our records that Gertrude Thompson having been identified from the 1896 census roll of the Choctaw Nation, and it not appearing that her name is found on the tribal rolls of the Chickasaw Nation in the possession of the Commission, the said Gertrude Thompson and her minor child, Eva Thompson, have been enrolled by this Commission as citizens by blood of the Choctaw Nation and on March 6, 1903, their enrollment as such was approved by the Secretary of the Interior. It is, therefore, impossible to comply with your request to be transferred from the Choctaw to the Chickasaw roll.

Respectfully,

Commissioner in Charge.

Hewitt, Pickens County, Chickasaw Nation,

April the first 1903,

To The Hon. Dawes Commission,

Muskogee, I. T.

Sirs:-

Your petitioner Gertie Thompson, would most respectfully represent and shew, that she is a ~~Chickasaw~~ Choctaw citizen by blood and she is twenty five years of age, and that she resides at Hewitt, I. T. that she intermarried with John H. Thompson, a Chickasaw citizen by blood about eight years ago, and during their marriage, and in lawful wedlock, there has been born and is now living, a female child names Eva Thompson, aged four years, and who is now living with your petitioner.

Your petitioner further states, that she has been duly enrolled, by your Commission, as a Choctaw by blood, and that her said husband John H. Thompson, has been duly enrolled by your Commission, as a Chickasaw citizen by blood, and your petitioner and said John H. Thompson, infant child has also been enrolled by your Commission, as a Choctaw by blood.

Your petitioner further represents, that she and the said John H. Thompson, was both residing in the Choctaw Nation, at the time of their marriage, and in accordance with the Choctaw marriage laws,

Now your petitioner would most respectfully ask your Commission, to change her name from the Choctaw roll to the Chickasaw roll, for the purpose of enabling her to draw her proportional share of the Chickasaw annuities and other moneys belonging to the Chickasaw Nation, or tribe of Indians. And she further most respectfully ask's your Commission, to transfer the name of Eva Thompson, from the Choctaw Roll to the Chickasaw roll, so that your petitioner can draw the proportional share of the said annuities and other moneys, that is to be paid to the Chickasaw citizens.

And that the Chickasaw tribal authorities be notified by your Commission of such changes, and that they be ordered by you to pay over to your petitioner the moneys that your petitioner and said infant child are entitled to under existing law.

Your petitioner further most respectfully ask's should you decide

that your petitioner can not be legally transferred from the
Cheetaw to the Chickasaw roll, your petitioner ask' in any event you
transfer the name of Eva Thompson, from the Cheetaw citizenship roll
to the Chickasaw citizenship roll, to the end that the said Eva
Thompson, may take her status as a Chickasaw citizen, and share
in the annuities and moneys belonging to the Chickasaw or tribe of
Indians.

And your petitioner will forever pray and be in duty bound .

Gertie Thompson
Petitioner.

United States of America,
Southern District,
Indian Territory,

I Gertie Thompson, states that the statements
made in the foregoing petition are true as I verily believe, and
that ill health, and great distance and the want of means prevents
petitioner from appearing before the Hon. Daves Commission, in person,
and making this application and request.

Gertie Thompson

Subscribed and sworn to before me this the first day of April, 1903.

J. M. Sullivan
Notary Public,
Southern District
, Indian Territory,

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation, of ... born on the ... day of ... 1 ... Name of father: Henry Thompson, a citizen of the Chickasaw Nation. Name of mother: Gertie Thompson, a citizen of the Choctaw Nation. Post Office: Kivwa St.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Choctaw District.

I, Gertie Thompson, 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 Henry Thompson who is a citizen, by Blood, of the Chickasaw Nation; that a female child was born to me on the 1st day of February, 1899; that said child has been named Eva A Thompson, and is now living.

Gertie Thompson
Subscribed and sworn to before me this 2 day of Sept, 1899.
H B Rowley
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Choctaw District.

I, T J Bree, a midwife, on oath, state that I attended on Mrs Gertie Thompson, wife of Henry Thompson on the 1 day of February, 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 Eva A Thompson.

Wm J J Bell,
Subscribed and sworn to before me this 2 day of Sept, 1899.
H B Rowley
Notary Public.

MEMORANDA.

(Date) Sept 4 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, Gertrude Thompson

Choctaw ? no County Atoka Year 96 No. 12430

Chickasaw ? County Year Page 378

Citizen by blood ? no Mother's citizenship Chick

Intermarried citizen ?

Married under what law ?

License filed this day

Names of children :

6 mcs
Gertrude Thompson County Year Page No.
 County Year Page No.
 County Year Page No.
 County Year Page No.
 County Year Page No.
 County Year Page No.
 County Year Page No.
 County Year Page No.
 County Year Page No.
 County Year Page No.

44164

Choc 4465 caroline crowder

4465

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--

CAROLINE CROWDER. 7-4465.

Choctaw #4465.
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 Caroline Crowder
for enrollment as an intermarried citizen of the Choctaw Nation.

Caroline Crowder being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Caroline Crowder.
Q How old are you? A sixty.
Q What is your post office address? A Enterprise.
Q Is that in the Choctaw Nation? A Yes, sir.
Q How long have you been a resident of the Choctaw Nation? A
About 19 years, since I was married.
Q How long have you lived here in the territory? A About 27
or 28 years.
Q Have you lived here continuously for that length of time? A
Yes, sir.
Q Never made your home any where 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 Martin Crowder.
Q Was he a recognized and enrolled citizen of the Choctaw Nation?
A Yes, sir, he died before this enrollment.
Q Were his rights as such ever disputed? A No, sir, never.
Q When were you married to Martin Crowder? A We lived together
eleven years, he has been dead seven years.
Q Where was this marriage ceremony performed? A Down here close
to Enterprise.
Q At that time were both you and your husband bona fide residents
of the Choctaw Nation? A Yes, sir.
Q Who married you? A Judge Lewis.
Q Did you obtain a tribal livense? A I reckon so.
Q Did you obtain a license? A Just a certificate.
Q Were you ever married before your marriage to Martin Crowder?
No, sir.
Q Was he ever married before his marriage to you? A Yes, sir.
Q How many times before? A Just once.
Q What was the name of his former wife? A Durant.
Q Was she dead at the time of your marriage to him? A Yes, sir.
Q After your marriage to this man did you live together contin-
uously as husband and wife up to the time of his death? A
Yes, sir.
Q There was no separation of any kind? A No, sir.
Q Since his death have you remarried? A No, sir.

- Q Are you at present an actual and bona fide resident of the
Choctaw Nation? A I think I am.
Q Have you any children by this man? A No, sir.

--:--

Chas. Diffendaffer, 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 stenographic notes taken in said cause on said date.

Chas. Diffendaffer

Subscribed and sworn to before me this 6th day of January 1903.

Charles H. Sawyer

Notary Public.

W. L. S.

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

JUL 29 1903

CHAIRMAN

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

FILED

JUL 29 1903

CHAIRMAN

7-4465-

Western District }
Indian Territory }

Personally Appeared Caroline Crowder, well known to me and make oath that previous to her marriage to Martin Crowder a Choctaw Citizen by blood, she was also married to Saml E. Stafford (Deceased) and her maiden name was Caroline Wright and that she does not understand how the mistake occurred in the registering of her name for enrollment.

J. M. Kelley Caroline ^{the} Crowder
J. M. Randall Witness

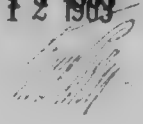
Subscribed and Sworn to before me this 11th of June 1903.

J. M. White,
Notary Public

Commission Expires Dec. 15-1906

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

FILED
DEC 14 1903



CHAIRMAN.

l
1
Affidavit.

Caroline Crowder
Personally appeared before
me a Notary Public
Caroline Crowder well
known to me and swears each
that she & Martin D Crowder
a Choctaw Indian were living
together as man & wife at
his death Oct 3rd 1896 & that
they were never separated during
that time ^{of marriage} and that Samuel
E. Stafford former husband
died February the 5th 1880
and was not living & had
been dead several years prior
to my marriage to Martin D.
Crowder and further swears
that Martin D Crowder drew
his private of the leased district
money at Sans Bois Choctaw
and that he was
73 years of age at his death

attest.

H. H. Moody

Subscribed & sworn to before
me this 10th day of December
1903

C. M. Raudall N.P.
my Com expires June 8th 1905

This is to certify that I
have this day united in marriage
according to the laws of the
Cherokee Nation Mr Martin
S. Crowder to Mrs Caroline
Stefford, this the 5 day of
April 1886.

S. G. Lewis
Circuit Judge 1st
Judicial District
Cherokee Nation

217.
W.C.D.

7- 435.

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

In the matter of the application for the enrollment of
Caroline Crowder 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 April 1, 1896
the applicant, Caroline Crowder (formerly Stafford), was lawfully
married to Martin S. Crowder, a recognized and enrolled citizen by
blood of the Choctaw nation, who is identified upon the 1895 Choctaw
Leased District Payment Roll, Sans Bois County, page 94, number
932, enrolled thereon as a citizen by blood of said nation; 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 until the death of the said Martin S. Crowder on
October 3, 1898, since which time the applicant has continued to
reside in the Choctaw nation and had not remarried up to and includ-
ing September 23, 1902.

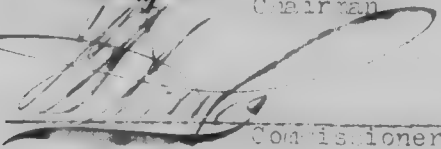
Upon an examination of the tribal rolls in the possession
of the Commission the applicant is identified upon the 1898 Choctaw
Census roll, Sans Bois County, number 14378, enrolled thereon as a
citizen by intermarriage of said nation.

It is, therefore, the opinion of this Commission that
Caroline Crowder should be enrolled as a citizen by intermarriage
of the Choctaw nation in accordance with the provisions of the acts
of Congress approved June 24, 1898 (30 Stat., 490) 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 7 1904

Choctaw-4465

Muskogee, Indian Territory, September 7, 1904.

Caroline Crowder,

Enterprise, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 7, 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,

Chairman.

Registered.

Incl. 7-4465

Choctaw -4455

Mustogee, Indian Territory, September 7, 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 7, 1904, granting the application for the enrollment of Caroline Crowder, 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, 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.

Incl. 7-4455

See 7-5429 for registry receipt for this letter.

Choctaw 4465.

Muskogee, Indian Territory, June 2, 1903.

Caroline Crowder,

Enterprise, 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, claiming your right thereto by virtue of your marriage with Martin Crowder, a citizen by blood of the Choctaw Nation.

In your testimony, taken at South McAlester, Indian Territory, December 22, 1902, you testified that you were not married previous to your marriage to the said Martin Crowder; your marriage license shows your name to have been "Mrs. Caroline Stafford," and the census card record shows your maiden name to have been Wyatt.

You are advised that it will be necessary for you to furnish the Commission with a sworn statement explaining the above discrepancy.

This matter should receive your immediate attention.

Respectfully,

Commissioner in Charge.

7-4465.

Muskogee, Indian Territory, July 18, 1903.

Caroline Crowder,

Enterprise, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your affidavit stating that previous to your marriage to Martin Crowder a citizen by blood of the Choctaw Nation you were married to Samuel R. Stafford, and that your maiden name was Caroline Wright, and the same is herewith returned to you for the reason that the rules of the Commission require where the signatures are made by mark to affidavits that the same must be witnessed by two or more disinterested persons who are able to write their own name.

It is therefore necessary that you should again appear before the notary public with the witnesses and cause their names to be affixed thereto as witnesses to your mark.

Upon return of the affidavit properly attested the matter will receive proper consideration.

Respectfully,

Commissioner in Charge,

Enc. JPF. 46.

7-4465

Muskogee, Indian Territory, July 29, 1903.

Commissioner in Charge,
Choctaw 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. 4465:

"Affidavit of No. 1 as to former marriage
and her correct maiden name, filed July 29,
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.

7-4465

Muskogee, Indian Territory, July 29, 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. 4465:

"Affidavit of No. 1 as to former marriage
and her correct maiden name, filed July 29,
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.

7-4465

Muskogee, Indian Territory, July 29, 1903.

Caroline Crowder,
Enterprise, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your affidavit relative to your marriage to Samuel E. Stafford, deceased, previous to your marriage with Martin Crowder, a citizen by blood of the Choctaw Nation; and also stating that your maiden name was Caroline Wright, and the same has 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.

Respectfully,

Commissioner in Charge.

Choctaw 4465.

Muskogee, Indian Territory, November 18, 1903.

Caroline Crowder,

Enterprise, Indian Territory.

Dear Madam:

There is on file with the papers in your case an affidavit stating that prior to your marriage to Martin Crowder, through whom you claim your intermarried rights in the Choctaw Nation, you were married to Sam'l E. Stafford, whom you characterize in said affidavit as "Deceased," not stating whether or not he died prior to your marriage to the said Martin Crowder.

You are informed that it will be necessary for you to furnish the Commission with your sworn statement stating in specific terms whether or not the said Sam'l E. Stafford was dead at the time of your marriage to the said Martin Crowder. As there are several Martin or Marten Crowders upon the tribal rolls in the possession of the Commission, you are requested to furnish the Commission with any evidence of which you may be possessed which will enable it to identify the Martin Crowder or Martin L. Crowder, through whom you claim, stating whether or not he drew any Loaned District payment money in 1893, and if so, in what county? Also please state the age of the said Martin Crowder at the time of his death.

C. C., 2.

This matter should receive your immediate attention, as until such evidence is furnished the Commission, your application for enrollment as a citizen by intermarriage of the Choctaw Nation can receive no further consideration at its hands.

Respectfully,

Chairman.

7-4465

Muskogee, Indian Territory, December 14, 1903.

Caroline Crowder,
Enterprise, Indian Territory.

Dear Madam:

~~Receipt is hereby acknowledged of your affidavit stating~~
that you and your Choctaw husband, Martin S. Crowder, were living
together as man and wife at the time of his death, October 3, 1896;
that your former husband, Samuel E. Stafford, died February 5, 1880,
and further that said Martin S. Crowder drew his pro rata share of
the Leased District money at Sans Bois, Choctaw Nation, and that he
was 73 years of age at the time of his death.

Your affidavit has 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.

Respectfully,

Chairman.

Choctaw 4465

Muskogee, Indian Territory, June 7, 1904.

Caroline Crowder,

Enterprise, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of your letter of May 27,
asking the status of your enrollment.

In reply you are advised 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 in this case you will be notified of the action taken therein.

Respectfully,

Chairman.

MEMORANDA.

St. Louis

(Date) *1891* 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,

56

Wife's name, *John*

Choctaw ? County *St. Louis* Year *91* No.

Chickasaw ? County Year Page *70*

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.

1/14/91

Choc 4466 Elsie Sirmans

4466

MEMORANDA.

Dr. Walter T.

(Date) *10/1/1899* 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,

22

Wife's name, *Elizabeth*

Choctaw ? County *Jefferson* Year *1898* No. *100*

Chickasaw ? County Year Page *272*

Citizen by blood ? *Yes* Mother's citizenship *Yes*

Intermarried citizen ?

Married under what law ?

License filed this day

Names of children :

3

Anna County Year *1898* Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

..... County Year Page No.

41116

Copy.

MARRIAGE LICENSE.

No. 441.

UNITED STATES OF AMERICA
THE INDIAN TERRITORY
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. Wm. Otus Sirmans

of Enterprise in the Indian Territory, aged 24 years,
and Mrs. Elsie Rogers

of Enterprise in the Indian Territory, aged 21 years,
according to law, and do you officially sign and return this License to the parties therein named.

Seal Witness My hand and official seal, this 9 day of Nov A.D.
1898

E. J. Fannin

Clerk of the U. S. Cour

Certificate of Marriage

United States of America
Indian Territory
Central District

I, I. P. Riddle
a minister of the Gospell

DO HEREBY CERTIFY That on the 13th day of November A. D. 1898,
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 13th day of November A. D. 1898.

My credentials are recorded in the office of the Clerk of the United
States Court in the Indian Territory, Central District Book A, page 198.

I.P. Riddle
a minister of the Gospell

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 liable in the amount of
One Hundred Dollars(\$100.00).

Ind Terr.
Central District

Personally appeared before
a Notary Public of the aforesaid
Ind Territory and District J. D.
Clarkson who after being
duly sworn by me deposes
and says —

I am a regular practicing
Physician that my Post Office
address is Russellville T.T.
that on this the 6th day of
September 1899 I waited on
Elsie Sirmans Wife of Ovis
Sirmans and she gave birth
to a female child this day
and that I delivered said child
and that said child is still
alive. and ~~and~~ is said
to have been named Linnie

J. D. Clarkson M.D.
Subscribed and sworn to before
me this the 6th day of Sept 1899

J. J. Chambers
Notary Public

Ind. Ter -
Central District

Personally appeared before me
a Notary Public of the aforesaid
Territory & District, duly authorized
to administer oaths - Elsie Sirmans
who after being duly sworn by
me deposes & says -

I am a citizen
of the Choctaw nation by blood
that I had gave birth to a female
child on this the 6th day of September
1899 and that said child has
been named Linnie
and is still alive

Elsie Sirmans
Subscribed & sworn to before me
this the 6th day of September 1899
J. J. Chambers
Notary Public

2251

CHOCTAW.

INDEXED

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man
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IN RE

Application for Enrollment of

INFANT CHILD

Gelia Serranus

as a citizen of

Choctaw

Nation.

AUG 23 1901

Approved,

190

[Signature]

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

AUG 23 1901

[Signature]

ACTING COMMISSIONER.

CHOCTAW.

4466

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

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation.
of *Elia Sirmans*, born on the *22* day of *March*, 1901
(Here insert name of child)
Name of Father: *William O Sirmans*, a citizen of the *United States* Nation.
Name of Mother: *Elsie Sirmans*, a citizen of the *Choctaw* Nation.
Post-office: *Brookers S. D.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, *Elsie Sirmans*, on oath state that I am *Twenty-four*
years of age and a citizen, by *Blood*, of the *Choctaw* Nation;
that I am the lawful wife of *William O Sirmans*, who is a citizen, ~~by~~
of the *United States* Nation, that a *Female* child was
(male or female)
born to me on the *22th* day of *March*, 1901; that said child has been
named *Elia Sirmans*, and is now living.

WITNESSES TO MARK
(Must be Two) } *Dewitt Knight*
Witnesses } *Maud White*

Elsie Sirmans
mark

Subscribed and sworn to before me this *22th* day of *July*, 1901.
J. M. White
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, *Samuel E. Mitchell*, a *Physician*, on oath state that I
attended on Mrs. *Elsie Sirmans*, wife of *William O Sirmans*,
on the *22th* day of *March*, 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 *Elia Sirmans*

WITNESSES TO MARK:
(Must be Two) }
Witnesses }

Samuel E. Mitchell M.D.

Subscribed and sworn to before me this *22* day of *July*, 1901.
J. M. White
NOTARY PUBLIC.

Muskogee, Indian Territory, October 10, 1900.

McKennon, Mansfield, McMurray & Cornish,

Attorneys at Law,

South McAlester, Indian Territory.

Gentlemen:

The Commission is in receipt of your letter of the 9th instant in which you request to be informed as to the status of Otis Symons and the members of his family.

You are advised that a careful search of the records of the Commission does not disclose the fact that any person by the name of Otis Symons has been listed for enrollment as a citizen of either the Choctaw or Chickasaw Nation. But the records of the Commission do show that Elsie Simans, 22 years of age, of Enterprise Indian Territory, the wife of Otis Simans and her infant daughter, Linnie Simans are listed for enrollment as citizens of the Choctaw Nation.

Yours truly,

Acting Chairman.

7-4466

Muskogee, Indian Territory, August 23, 1901.

Mr. William O. Sirmans,
Brooken, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of recent date, enclosing the application for enrollment as a citizen of the Choctaw Nation of Talia Sirmans, the infant daughter of William O. and Elsie Sirmans, born March 22, 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,

Commissioner in Charge.

7-4466

Muskogee, Indian Territory, August 14, 1901.

Mr. William O. Sirmans,
Brecken, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 10th instant, enclosing marriage license and certificate of the marriage between yourself and Elsie Rogers, and the same has been duly filed with the records of the Commission.

Receipt is also acknowledged of the application for enrollment as a citizen of the Cheetaw Nation of Telia Sirmans, the infant daughter of William O. and Elsie Sirmans, born March 22, 1901, and the same is returned to you herewith for the reason that the rules of the Commission require that where parties are unable to write and their signatures are by mark, such signatures must be attested by two disinterested parties, witnesses thereto. The name of the mother appears affixed to her affidavit by mark, witnessed by one person only.

Upon return of the application properly corrected, the matter will receive further consideration.

Yours truly,

7-4466
MOM

Commissioner in Charge.

Choc 4467 Nettie Thompson

4467

Muskogee, Indian Territory, October 26, 1901.

Robert Thompson,
Kiowa, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Richard Cobb Thompson, the infant son of Robert and Nettie Thompson, born November 3, 1900. The same is returned to you herewith for additional information as to the parents of the child for whom the application is made.

You are requested to state your age, the time and place that you appeared before this Commission as an applicant for enrollment, the names of other members of your family for whom application was made at the same time. Also please furnish the time and place that your wife made application for enrollment as a citizen of the Choctaw Nation, the names of her parents and such other information as will lead to her proper identification.

It would be advisable that you supply either the original or certified copy of your marriage license and certificate to your wife for filing with the records of the Commission.

Yours truly,

7-4467
9-667

Maplewood, Indian Territory, November 11, 1901.

Mrs Nettie Thompson,

Kiowa, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 7th instant, enclosing the application for enrollment as a citizen of the Choctaw Nation of Richard Cobb Thompson, the infant son of Robert and Nettie Thompson, born November 3, 1900, 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.

Yours truly,

Acting Chairman.

7-4467

MEMORANDA.

(Date) 11.11.19 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,

18 ✓ Wife's name, METHEE

Choctaw ? Y - County Tallock Year 1897 No. 1

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.

11.11.19

IN RE

Application for Enrollment of

INFANT CHILD

Richard Cobb Thompson

as a citizen of

Choctaw

Nation.

enc y 49

Approved, NOV 11 1901

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Commissioner.

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

FILED

NOV 11 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 Richard Cobb Thompson born on the 3 day of November, 1900
(Here insert name of child)
Name of Father: Robert Thompson, a citizen of the Chickasaw Nation.
Name of Mother: Nettie Thompson, a citizen of the Choctaw Nation.
Post-office, Keowa, Ft.

AFFIDAVIT OF MOTHER.

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

I, Nettie Thompson, 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 Robert Thompson, who is a citizen, by
Blood of the Chickasaw Nation, that a male child was
(male or female)
born to me on the 3 day of November, 1900; that said child has been
named Richard Cobb Thompson, and is now living.

WITNESSES TO MARK

(Must be Two)
Witnesses

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

H B Rowley
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, J P Fordren, a Physician, on oath state that I
attended on Mrs. Nettie Thompson, wife of Robert Thompson
on the 3 day of November, 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 Richard Cobb Thompson

WITNESSES TO MARK:

(Must be Two)
Witnesses

Subscribed and sworn to before me this 24 day of October, 1901.

J. P. Fordren, M.D.
H B Rowley
NOTARY PUBLIC.

7-4467 ✓ INDEXED

CHOCTAW

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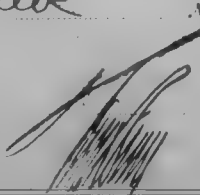
IN RE
THE DEATH OF

Richard C. Thompson

a citizen of the

Choctaw Nation.

Approved



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Commissioner.

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

 ACTING CHAIRMAN

CHOCTAW

4467

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Richard C. Thompson (Here insert name of deceased.) a citizen of the Choctaw Nation, who formerly resided at or near Coacgate, Ind. Ter., and died on the July day of 1902

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 who was a citizen, by of the Nation; and that said died on the day of

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this day of 1902 Notary Public.

AFFIDAVIT OF ACQUAINTANCE

UNITED STATES OF AMERICA, INDIAN TERRITORY, District.

I, A. T. Garner, on oath state that I am 30 years of age, and a citizen, by adoption of the Choctaw Nation; that my post office address is Hicooa Ind. Ter.; that I was personally acquainted with Richard C. Thompson who was a citizen, by blood of the Choctaw Nation; and that said Richard C. Thompson died on the July day of 1902

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 29 day of October 1902 A. T. Garner Notary Public.

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

In the matter of the death of Richard C Thompson
(Here insert name of deceased.)
a citizen of the Choctaw Nation, who formerly resided at or near
Coalmine, Ind. Ter., and died on the 17th day of
July, 1902
(Here insert name of post office.)

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
Central District.

I, John Bohrer, on oath state that I am 52
years of age and a citizen, by Marriage, of the Choctaw Nation;
that my post office address is Noway, Ind. Ter.; that I am
the grand father of Richard C Thompson,
(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 Richard C Thompson died on the 17th day of
July, 1902
(Here insert name of deceased.)

WITNESSES TO MARK:
(Must be Two Witnesses.)

John Bohrer

Subscribed and sworn to before me this 22nd day of December, 1902
J. C. Humphrey
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
Central District.

I, Beal Gaither, on oath state that I am 33
years of age, and a citizen, by Marriage, of the Choctaw Nation;
that my post office address is Noway, Ind. Ter.;
that I was personally acquainted with Richard C Thompson,
(Here insert name of deceased.)
who was a citizen, by blood, of the Choctaw Nation;
and that said Richard C Thompson died on the 17th day of
July, 1902
(Here insert name of deceased.)

WITNESSES TO MARK:
(Must be Two Witnesses.)

Beal Gaither

Subscribed and sworn to before me this 22nd day of December, 1902
J. C. Humphrey
Notary Public.

Choc 4468 Roy Henderson

Lula Henderson transferred from
Choctaw Jacket # D-808 OCT 31, 1904

4468

In the matter of the application for the enrollment
of Lula Henderson as a citizen by intermarriage of the
Choctaw Nation.

7-D-208.

Choctaw D. #808.

DEPARTMENT OF THE INTERIOR.
Commission to the Five Civilized Tribes.
Muskogee, I.T. September 25, 1902.

In the matter of the application of Lula Henderson for the enrollment of herself as an intermarried citizen of the Choctaw Nation.

Lula Henderson being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Lula Henderson.
Q How old are you? A Twenty-eight years old.
Q What is your post office address? A Purcell.
Q That is in the Chickasaw Nation? A Yes, sir.
Q How long have you lived in the Chickasaw Nation? A All my life.
Q What is the name of your father? G. F. Randolph.
Q Is he living? A Yes, sir.
Q What is the name of your mother? A Ollie Randolph.
Q Is she living? A Yes, sir.
Q Are both of your parents white persons? A Yes, sir.
Q Has either of your parents ever made claim for enrollment as a member of any Indian tribe? A No, sir.
Q Before the present time have you ever made claims as a member of any Indian tribe? A No, sir, never have.
Q Are you now applying for enrollment as a citizen of the Choctaw Nation by intermarriage? A Yes, sir.
Q What is the name of your husband? A Roy Henderson.
Q Is he a recognized and enrolled citizen of the Choctaw Nation? A Yes, sir.

The name of the applicant's husband, Roy Henderson, appears upon the records of the Commission on Choctaw Roll Card, Field number 4408, having been listed by the Commission to the Five Civilized Tribes for enrollment as a citizen by blood of the Choctaw Nation upon the identification of his name on the 1890 Choctaw Census Roll, Atoka County 1894.

- Q When were you married to Roy Henderson? A November 24, 1901.
Q Where did this marriage take place? A About ten miles south of Purcell.
Q Were you married under the Chickasaw law? A United States law.
Q Have you evidence of that marriage with you? A Yes, sir.

There is offered in evidence, marked Exhibit "A" and made a part of the record, marriage license issued by the Clerk of the United States Court for the Southern District, Indian Territory, to Roy Henderson and Miss Lula Randolph, and attached thereto is the certificate of J. V. Florence stating that on November 24, 1901 he united the above named parties in marriage: said license and certificate being on file in book "F", page 103, of the

Choctaw D. #808-2

Clerk of the United States Court.

- 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 As far as you know there was no legal obstacle in the way of said marriage? A No, sir.
- Q Have you been living together as husband and wife since that marriage? A Yes, sir.
- Q There has been no separation? A No, sir.
- Q At the time of your marriage was your husband a resident of the Chickasaw Nation? A Yes, sir.
- Q He was living at Purcell? A Yes, sir, where we live now.

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 25, 1902, and that the foregoing is a full, true and correct transcript of his stenographic notes taken on said date in said cause.

Chas. Diffendaffer

Subscribed and sworn to before me this 21 day of September, 1902.

[Signature]
Notary Public.

"Ex A."

Certificate of Record of Marriage.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
SOUTHERN DISTRICT.) *set.*

I, C. M. CAMPBELL, Clerk of the United States Court in the Territory and District aforesaid, do hereby certify that the License for, and Certificate of Marriage of,

MR. *Wm. Henderson*

M^{AND} *Lena Campbell*

were filed in my office in said Territory and District the *30* day of *Nov.* A. D. 190*1*, and duly recorded in Book *F₁* of Marriage Record, Page *103*


WITNESS my hand and Seal of said Court, at Ardmore, this *29* day of *Jan.* A. D. 190*2*

C. M. Campbell,
Clerk.

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

FILED

SEP 25 1902



ACTING CHAIRMAN.

* Return this License to the United States Clerk at Ardmore that it may be recorded, when it will be mailed to the proper address.

Ardmorette Steam Print

MARRIAGE LICENSE.



UNITED STATES OF AMERICA,
INDIAN TERRITORY,
SOUTHERN 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. Roy Anderson of Story in the Indian Territory, aged _____ years, and Miss Lula Paulolph of Bevecco in the Indian Territory, aged 27 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 21st day of November, A. D. 1901

C. M. Campbell
Clerk of the United States Court.

J. F. Foster, Deputy

Certificate of Marriage.

United States of America,
Indian Territory,
Southern District. } ss:

I, J. K. Florence
an Ordained Minister of the Gospel

do hereby certify, that on the 24 day of November, A. D. 1901, 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 26 day of November, A. D. 1901

My credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Southern District, at Ardmore, Book 9, Page 66

NOTE—The person officiating should fill in the spaces for book and page and sign here.

J. K. Florence
an Ordained Minister of the Gospel

NOTE (a)—This License and Certificate of Marriage must be returned to the office of the Clerk of the United States Court in the Indian Territory, at Ardmore, within sixty days from the date hereof, or the party to whom the License was issued will be liable in the amount of One Hundred Dollars (\$100)

NOTE (b)—No person is authorized to perform the Marriage Ceremony in the Southern District, unless the proper credentials have first been recorded in the Clerk's office.

(117)
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7-D-006.

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

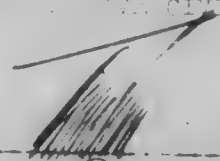
In the matter of the application for the enrollment of Lula Henderson as a citizen by intermarriage of the Choctaw Nation.


---: D E C I S I O N :---

It appears from the record her in that on November 24, 1901, the applicant, Lula Henderson (nee Randolph) was lawfully married to Roy Henderson, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 12405 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 March 6, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Chickasaw Nation, and have lived together as husband and wife continuously in said Nation from the date of their said marriage up to and including September 28, 1902.

It is, therefore, the opinion of this Commission that following the ruling of the Department in the case of Ella Jones (I. N. D. 2818-1904), Lula Henderson 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., 493) and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.



Chairman.


Commissioner.

Muskogee, Indian Territory,



Commissioner.

7-D-808.

Muskegee, Indian Territory, October 15, 1904.

COPY.

Lula Henderson,
Story, Indian Territory.

Dear Madam:

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,

Registered.

Chairman.

Encl. 7-D-808.

7-D-808.

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 Lula Henderson 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, 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,

Jame Dixby.

Registered. For registry receipt

Chairman

Encl. 7-D-808. see 7-D-15.

Choctaw 4468

Muskogee, Indian Territory, February 28, 1902.

Dorset Carter,
Attorney at Law,
Purcell, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 24th instant, in which you state that Roy Henderson, a member by blood of the Choctaw Nation, on November 24, 1901, married Lula Randolph, a United States citizen, in accordance with the Arkansas law, and you desire to be informed what has been the ruling of the Commission upon persons of this class who have made application for enrollment.

You are informed that the Commission can render no opinion upon hypothetical questions of enrollment but can only determine the rights of an individual upon personal appearance and examination.

The records of this office show that Roy Henderson, 23 years of age, of Wayne, Indian Territory, was on September 4, 1899 listed for enrollment as a citizen by blood of the Choctaw Nation. If he has since the time he was so listed, married a citizen of the United States and she 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

D C 2

Commission in Muskogee, Indian Territory. Until such personal appearance no record can be made of her application. If it is her intention to make an application for enrollment as a citizen of the Choctaw Nation by intermarriage, it is advisable that she do so as early as practicable.

Yours truly,

Commissioner in Charge.

Choctaw 4468

Muskegee, Indian Territory, March 31, 1902.

Dorset Carter,

Attorney at Law,

Purcell, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 26th instant referring to your letter of February 24, 1902, in which you asked the following question:

"I represent Roy Henderson, who is an Indian by blood, and has been listed for enrollment by you. He is a Choctaw, twenty-five years of age. In 1901 he married Lulu Randolph, who is not a member of any tribe of Indians. This marriage was made in accordance with the Arkansas law."

and you desire to be informed if the Commission has had any case similar to this and if so what was its action in such case.

As stated in our letter of the 28th ultimo, the Commission can only determine the rights of an individual to enrollment upon personal appearance and examination. It does not appear from our records that any person by the name of Lulu Randolph has ever appeared before the Commission as an applicant for enrollment as a citizen by intermarriage of the Choctaw Nation and until such personal application has been made no further consideration can be given or opinion rendered in this matter.

Yours truly,

7-4408.

Muskogee, Indian Territory, August 19, 1902.

Roy Henderson,

Purcell, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 11th instant, requesting information relative to the enrollment of your wife as an intermarried citizen of the Choctaw Nation.

In reply you are advised that the records of the Commission do not show that any application has ever been made for the enrollment of your said wife. If you desire to make application for such enrollment it will be necessary for your wife to appear before the Commission in person at its office in Muskogee, Indian Territory, and it is advisable that she do so as early as practicable.

Yours truly,

Acting Chairman.

Choctaw D 808

Muskogee, Indian Territory, November 11, 1902.

Roy Henderson,

Purcell , Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 4th instant, in which you desire to be advised if your wife is enrolled.

In reply to your letter you are advised that it appears from our records that on September 25, 1902, Lula Henderson, the wife of Roy Henderson, appeared before the Commission at Muskogee, Indian Territory, and made application for enrollment as a citizen by intermarriage of the Choctaw Nation. No decision has up to this time been rendered by the Commission in the matter of such application.

Respectfully,

Acting Chairman.

Choctaw D 808
Choctaw 4468

Muskogee, Indian Territory, January 23, 1903.

Ray Henderson,
Story, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of December 23, 1902, asking if you would be safe in holding an allotment for your wife; that you made application for her enrollment to this Commission on September 25, 1902.

In reply to your letter you are advised that it appears from our records that Lulu Henderson, wife of Ray Henderson, has been listed among the doubtful claimants to enrollment as an intermarried citizen of the Choctaw Nation and that her final right to enrollment has not yet been determined.

You are informed that until a decision is reached in her case the Commission could not render any opinion relative to her right to enrollment and to allotment of lands in the Choctaw-Chickasaw country.

Respectfully,

Acting Chairman.

7-D-808

Muskogee, Indian Territory, October 10, 1904.

Roy Henderson,

Story, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of September 26, 1904, requesting to be advised relative to the status of the application for enrollment of your wife as an intermarried citizen of the Choctaw Nation, and whether or not an infant child born after the close of the rolls will be allowed an allotment of land and state that you have enclosed a plat of certain lands requesting to be advised who has filed thereon.

You are informed that the Commission has not yet passed upon the application for enrollment of Lula Henderson, wife of Roy Henderson, as an intermarried citizen of the Choctaw Nation. As soon as a decision is reached in her case she will be duly notified of the action taken therein.

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 child born to a citizen of the Choctaw or Chickasaw Nation subsequent to the date of said ratification shall be entitled to enrollment or to participate in the distribution of the tribal property of the Choctaws and Chick-

R. H. #2

asaws.

You are further advised that no plat showing the numbers of land concerning which you desire information was received with your letter.

Respectfully,

Chairman.

COMMISSIONERS:
TAMM HENRY,
THOMAS B. HINDLES,
C. E. BRECKENRIDGE.

WM. O. BEALL,
Secretary.

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

10008
1

REFER IN REPLY TO THE FOLLOWING:

7-4468

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, November 26, 1904.

Lula Henderson,

Purcell, Indian Territory.

Dear Madam:-

You are hereby notified that your enrollment as an intermarried citizen of the Choctaw Nation was approved by the Secretary of the Interior November 16, 1904.

Respectfully,



Commissioner in Charge.

MEMORANDA.

(Date) Feb 1899 1899.

23

Name Ray Samuel

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

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

Citizen by blood? Y 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.

11463

Choc 4469 Lena Henson

4469

MEMORANDA.

(Date) Sept 1 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, Harrison

Choctaw ? County Year No. 8

Chickasaw ? County Year Page 1

Citizen by blood ? Mother's citizenship

Intermarried citizen ?

Married under what law ?

License filed this day

Names of children :

14 County Year Page No.

11 County Year Page No.

5 x County Year Page No.

County Year Page No.

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

4467

7-4469

Muskogee, Indian Territory, April 4, 1902.

William Hanson,

Enterprise, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Sarah Elzada Hanson, infant daughter of William and Lena Hanson, born January 29, 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.

Department of the Interior.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
 of Mary M., born on the 70 day of December, 1899
 Name of father: William Hinson, a citizen of the U.S. Nation.
 Name of mother: Lena Hinson, a citizen of the Choctaw Nation.
 Post Office: Enterprise, Ark.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.

Central District.

I, Lena Hinson, 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 William Hinson who is a citizen, by birth of the United States Nation; that a female child was born to me on the 70 day of December, 1899; that said child has been named Mary M. and is now living.

Subscribed and sworn to before me this

6 day of

April, 1899

J. H. McComb
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,

INDIAN TERRITORY.

Central District.

I, Heldreth Beard, a midwife, on oath, state that I attended on Mrs. Lena Hinson, wife of William Hinson on the 70 day of December, 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 M.

Witness to name
Subscribed and sworn to before me this

day of

April, 1899

Heldreth Beard
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 Sarah Elzada Henson, born on the 29 day of January, 1902
(Here insert name of child.)
Name of Father: William Henson a citizen of the Choctaw Nation.
Name of Mother: Lena Henson a citizen of the Choctaw Nation.
Post-office Enterprise

AFFIDAVIT OF MOTHER.

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

I, Lena Henson, on oath state that I am 41
years of age and a citizen, by Blood, of the Choctaw Nation;
that I am the lawful wife of William Henson, who is a citizen, by
Marriage, of the Choctaw Nation; that a Female child was
(male or female)
born to me on 29 day of January, 1902, that said child has been
named Sarah Elzada Henson, and is now living.

WITNESSES TO MARK:

(Must be Two
Witnesses.)

Luther White
Fannie Donaghe

Subscribed and sworn to before me this 1st day of April, 1902

NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, Elizabeth Quinton, a Midwife, on oath state that I
attended on Mrs. Lena Henson, wife of William Henson
on the 29 day of January, 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
(male or female)
named Sarah Elzada Henson.

WITNESSES TO MARK:

(Must be Two
Witnesses.)

Luther White
Fannie Donaghe

Subscribed and sworn to before me this 1st day of April, 1902

NOTARY PUBLIC

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
CHOCTAW LAND OFFICE.
Atoka, Indian Territory,
May 19, 1903.

Choct. Roll 12407.

-:-

Card 4469.

In the matter of the application of Jane Alexander, approved Choctaw schedule No. 12407 (Choctaw card field No. 4469), for an allotment of lands in the Choctaw Nation.

Jane Stuart being sworn testifies as follows:

EXAMINATION BY THE COMMISSION:

- Q What is your name ? A Jane Stuart.
Q That is your married name ? A Yes, sir.
Q What was your maiden name -- before you were married ? A Jane Alexander.
Q How old are you ? A Seventeen I think.
Q What is your post office address ? A Quinton, Indian Territory.
Q What was your post office address before it was Quinton ? A Enterprise.
Q What was your father's name ? A Lenon Alexander.
Q What is your mother's name ? A Lena Alexander, it is Lena Henson now.
Q What is your husband's name ? A Val Stuart.
Q How long have you been married ? A About two weeks.
Q Were you married under the United States law ? A Yes, sir.
Q What is your husband's citizenship ? A He is a white man.

WITNESS EXCUSED:

Lena Henson being called as a witness in above cause being sworn testifies as follows:

EXAMINATION BY THE COMMISSION:

- Q What is your name ? A Lena Henson.
Q You have just heard Mrs. Stuart testify relative to her marriage have you not ? A Yes, sir.
Q What relation are you to Mrs. Stuart ? A I am her mother.
Q Were you present when she was married ? A Yes, sir.
Q And this marriage took place about two weeks ago ? A Yes, sir, about two weeks ago.
Q She and her husband are living together at this time are they ? A Yes, sir.

Jane Alexander 2

This witness is identified as No. 12406 on the approved schedule of Choctaws by blood.

--

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 19, 1903; that the above and foregoing is a true, full and correct transcript of his stenographic notes as taken in said cause on said date.

Fred V. Kinkade

Subscribed and sworn to before me this 22nd day of May 1903.

David Kelly
Notary Public.

Choc 4470 Louisa Jones

4470

MEMORANDA.

(Date) Sept 4 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, Louisa Wolf

Choctaw ? yes County Atoka Year No.

Chickasaw ? County Year Page

Citizen by blood ? yes Mother's citizenship Choctaw

Intermarried citizen ?

Married under what law ?

License filed this day

Names of children:

11 x Benjamin F. Wolf County Year Page No.

7 # Fannie " County Year Page No.

18 yes Lillie M. " County Year Page No.

2 yes Ida " 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 p 119 # 1149 - '93 Atoka Co
x " " # 1150 " " "
" " # 1151 " " "

4470

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, August 2, 1900.

Mrs. Louisa Wolf,
Belton, Indian Territory,

Dear Madam:

The Commission is in receipt of your letter of July 28th, in which you desire to know if the enrollment of your children is all right. You also ask concerning the amount of land a citizen of the Choctaw Nation can hold, pending final allotment, and whether a citizen can select one hundred and sixty acres of land in the Chickasaw Nation, and the remainder to which he is entitled in the Choctaw Nation.

In reply to your letter, you are advised that the names of Louisa Wolf, Benjamin F. Wolf, Fannie Wolf, Lillie M. Wolf and Ida Wolf were listed for enrollment as Choctaws September 4th, 1899.

You are advised that the rolls of citizens of the Choctaw Nation are not yet completed, and it is not known just what amount of land each citizen of said Nation will be entitled to select in allotment. When a Land Office is opened in the Choctaw Nation each citizen will be entitled to make a preliminary selection of one hundred and sixty acres of land for himself and each citizen member of his family.

As to whether a citizen of the Choctaw Nation will be entitled to select one hundred and sixty acres in the Chickasaw

L.W. 2.

Nation, you are advised that no reason is seen why a citizen of the Choctaw Nation should not select a part of his allotments in the Choctaw and part in the Chickasaw Nation.

Yours truly,

Acting Chairman.

7-4470

Muskogee, Indian Territory, February 4, 1901.

R. T. Breedlove,

Owl, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of January 28th, in which you desire to be informed if Louisa Wolf is listed for enrollment as a citizen of the Choctaw Nation.

Replying to your letter you are informed that the records of this Commission show that Louisa Wolf, 50 years of age, of Owl, Indian Territory, and her ~~husband~~, Benjamin F., Fannie, Lillie M. and Ida Wolf, are listed for enrollment as citizens by blood of the Choctaw Nation.

Yours truly,

Acting Chairman.

7-4470

Choctaw 4470

Muskogee, Indian Territory, October 15, 1902.

Louisa Jones,

Owl, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of your letter of October 9, stating that you have married a man by the name of Jones, under United States law, and you ask if he will be entitled to share with you in the lands and money of the Choctaw and Chickasaw Nations. You also ask to be furnished a list of the prices of the different grades of land.

In reply to your letter you are advised that you do not give the name of your husband, and it is therefore impossible to tell whether application has been made by him to this Commission for enrollment as an intermarried citizen of the Choctaw Nation. If you will give his full name, you will be advised whether it appears that he has made an application for enrollment as an intermarried citizen of the Choctaw Nation, and what, if any, disposition has been made of such application.

The agreement recently entered into between the United States and the Choctaw and Chickasaw Nations, approved by an act of Congress of July 1, 1902, which was ratified September 25, 1902, provides:

L. J. 2

"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 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."

~~Replying to that part of your letter asking for the prices~~
of the different grades of land of the Choctaw and Chickasaw Nations, you are advised that the Commission is now preparing a schedule of the classification and value of the lands of the Choctaw-Chickasaw country and as soon as the same is prepared, the public notice will be given thereof through the newspapers.

Respectfully,

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,

South McAlester, Ind. Ter.

In the enrollment of Henry Wolfe as an intermarried Choctaw;
Louisa Wolfe being sworn and examined by Com'r McKennon states:

Q What is your name? A Louisa Wolfe.

Q How old are you? A Thirty-five.

Q Your husband's name was Henry Wolfe? A Yes sir.

Q Was he a white man? A Yes sir.

Q When were you married to him? A It has been about thirteen
years.

Q Is he still living with you? A No sir.

Q When did he separate from you? A We separated about three
or five years and he came back along in last June and staid a
while and left again this spring about corn planting time, and
he went back to Arkansas.

Q Is he in Arkansas now? A Yes sir. They said he was;
they said he went over there and had a woman over there; I ~~didn't~~
know anything about it until his daughter wrote to him to come back
and help his wife, and I fired him.

Q Did you see the letter his daughter wrote? A Yes sir.

Q To come back to his wife? A Yes sir.

I got my mail at Owl.

Q Choc. Com'r Lewis: Does he take care of you and your children?

A No sir, he don't take care of us at all; just a little while
while he staid, and now he don't support none of us.

Q Choc. Com'r Dukes: Have you been divorced from ~~your~~ ~~the~~ Wolfe?

A I guess he has got a divorce by this time; he said he was.

Q Com'r McKennon: Got a divorce in Arkansas? A I don't
know; I told him to go ahead, I wasn't going to fight it.

Department of the Interior,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of J. J., born on the 23 day of March, 1898.
Name of father: Henry Wolf, a citizen of the Choctaw Nation.
Name of mother: Louisa Wolf, a citizen of the Choctaw Nation.
Post Office: Orul J. D.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Louisa Wolf, on oath, state that I am 34 years of age and a
citizen, by Blood, of the Choctaw Nation; that I am the
lawful wife of Henry Wolf who is a citizen, by Marriage, of the
Choctaw Nation; that a girl child was born to me on the 23 day
of March, 1898; that said child has been named Lillie May Wolf
and is now living.

Subscribed and sworn to before me this 6 day of Sept, 1899.
One Self
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, D. W. James, on oath, state that I
attended on Mrs. Louisa Wolf, wife of Henry Wolf,
on the 23 day of March, 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 Lillie May Wolf.

Thomas W. James
Subscribed and sworn to before me this 6 day of Sept, 1899.
One Self
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 J.P. Ida. Woltz, born on the 11 day of July 1899, 1
 Name of father: Henry Woltz, a citizen of the Choctaw Nation.
 Name of mother: Louisa Woltz, a citizen of the Choctaw Nation.
 Post Office: Owl J.P.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Central District.

I, Louisa Woltz, on oath, state that I am 34 years of age and a
 citizen, by Blood, of the Choctaw Nation; that I am the
 lawful wife of Henry Woltz, who is a citizen, by Marriage, of the
Choctaw Nation; that a girl child was born to me on the 11 day
 of July, 1899; that said child has been named Ida Woltz
 and is now living.

Subscribed and sworn to before me this 6 day of Sept, 1899.

Louisa Woltz
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Central District.

I, Susan Underwood, a midwife, on oath, state that I
 attended on Mrs. Louisa Woltz, wife of Henry Woltz,
 on the 11 day of July, 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 Ida Woltz

Subscribed and sworn to before me this 6 day of Sept, 1899

Susan Underwood
Notary Public.

Choc 4471 Woodson Henry

4471

MEMORANDA.

J. H. ...

(Date) *Sept 11*, 1899.

25

Name *W. ...*

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? 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. *...*

4477

Choc 4472 Susan Colbert

Granted Nov. 14, 1905

4472

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 - - -

Susan Colbert.

7-4472.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
Muskogee, Indian Ter., October 18, 1905.

In the matter of the application for the enrollment of Susan Coley as a citizen by intermarriage of the Choctaw Nation.

McKennon & Dean of South McAlester, Indian Territory, appearing as attorneys for the applicant.

Susan Coley being first duly sworn testified as follows:
By the Commissioner:

- Q What is your name? A Susan Colbert.
Q What was your name on September 25, 1902? A My name was Colbert at that time.
Q How old are you? A I am 29 years old.
Q What is your postoffice address? A Bearden, Indian Territory.
Q You claim to be a citizen by intermarriage of the Choctaw Nation? A Yes sir.
Q Through whom do you derive your Indian rights? Were you ever married to a Choctaw Indian? A Yes sir.
Q What was his name? A Coley.
Q What was his first name? A Edmund Coley.
Q Was he a citizen by blood of the Choctaw Nation? A Yes sir.
Q When were you married to him? A In 1897.
Q What month and day? A November 7th, when we were married.
Q 1897? A Yes sir,--the 7th or 8th, I disremember.
Q Where were you living at the time of your marriage to Edmund Coley? A SansBois.
Q In the Choctaw Nation? A Yes sir.
Q How long had you lived there at that time? A I had been there three years, a little better.
Q Where was Edmund Coley living at the time you married him? A Right there at Sans Bois.
Q How long had he lived there? A All his life.
Q Had you ever been married before you married Coley? A No sir.
Q Had Coley ever been married before he married you? A No sir.
Q You were his first wife? A Yes sir.
Q And he was your first husband? A Yes sir.
Q How long did you live together? A A year and from November until March; until his death.
Q You lived with him a year and four months? A Yes sir.
Q Where did you live with him? A In the Choctaw Nation right where we was married at his old home farm; at his father's place
Q Then what happened; did he die or did you separate from him?
A No, I lived with him until his death in September, 1899.
Q Did you marry again after Coley's death? A Yes sir.
Q Who did you marry? A General D. Colbert.
Q Was he a white man or an Indian? A White man.
Q When were you married to Colbert? A In 1900.
Q What month? A December.
Q December, 1900? A Yes sir.
Q Where have you lived since your marriage to Edmund Coley?
A We lived right there until I married again, and when I married we came to the Creek nation and we have lived there ever since.
Q You lived in the Choctaw nation until you married Colbert?
A Yes sir.
Q Then where did you move to? A Creek nation..

2-Susan Coley.

- Q How long have you lived in the Creek Nation? A Ever since 1901, January.
- Q You have never lived outside of the Indian Territory?
- A No sir.
- Q You are a white woman? A Yes sir.
- Q What is your mother's name? A Ellender Bailey.
- Q She is a white woman, citizen of the United States?
- A Yes sir.
- Q What is your father's name? A Deese. That was my maiden name, Deese.
- Q What is his first name? A I believe he signed his name L. C. Deese.
- Q Is he a white man, citizen of the United States?
- A Yes sir.
- Q Who married you? A The judge of Sans Bois County.
- Q What is his name? A McGilberry.
- Q How old was your husband, Edmund Coley, at the time of your marriage to him? A I can tell you just how much--just two months over 21 years old.

Edmund Coley is identified upon the 1893 Choctaw Leased District Payment Roll, Sans Bois County, No. 155, and also upon the 1896 Choctaw Census Roll, No. 2065, Sans Bois County.

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 cause and that the foregoing is an accurate transcript of her stenographic notes thereof.

Frances R. Lane

Subscribed and sworn to before me this October 18, 1905.

Edward Murrice
Notary Public.

Sans Bois I.T.
Nov. 8th 1897

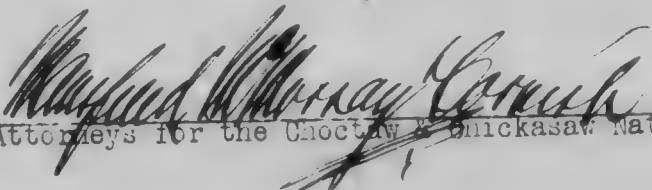
This is to certify that I have
this day united in the holy bonds
of matrimony between, Edmund J.
Lloyd a citizen of the ~~State of~~ ^{State of} ~~Illinois~~
and Susan Seese, a citizen of
the United States,
according to law and usages of the
State of Illinois.
Turner McGilchrist
of Sans Bois County.

BEFORE THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Susan Coley as a citizen by intermarriage of the Choctaw Nation, Choctaw Field No. 4472.

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 Preston Early, et al., vs. Choctaw and Chickasaw Nations, No. 64 on the South McAlester Docket, in which the said court will decide the question of the citizenship rights by intermarriage, if any, of those white persons who intermarried with citizens by blood of the Choctaw Nation not in accordance with the tribal laws, 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 23, 1904.

7-4472.

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

In the matter of the application for the enrollment of Susan Colbert 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 September 4, 1899, Susan Colbert appeared before the Commission to the Five Civilized Tribes at South McAlester, Indian Territory, and made application for enrollment as a citizen by intermarriage of the Choctaw Nation.

It appears from the record herein that on November 8, 1897, the applicant, Susan Colbert, was lawfully married to Edmund Coley, now deceased, a recognized and enrolled citizen by blood of the Choctaw Nation, who is identified upon the 1893 Choctaw Leased District Payment Roll, Sans Bois County, No. 155, and also, upon the 1896 Choctaw Census Roll, Sans Bois County, No. 2055; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation; that they lived together continuously as husband and wife in said Nation until the death of said Edmund Coley in 1899; that thereafter, in 1900, the applicant married General D. Colbert, a non-citizen white man, and that the applicant has resided continuously in the Indian Territory from the date of her marriage to said Edmund Coley up to and including September 25, 1902.

I am therefore of the opinion that, following the ruling of the Department in the case of Thornton D. Pearce (I.T.D.4060-1904), Susan Colbert 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,

SEP 11 1902

7-4472

COPY.

Muskogee, Indian Territory, November 14, 1905.

Susan Colbert,

Bearden, Indian Territory,

Dear Madam:

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 that 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,

W. H. Dancy
Commissioner.

Registered.

Incl. 7-4472

7-4472

COPY

Muskogee, Indian Territory, November 14, 1905.

McKennon & Dean,

Attorneys at Law,

South McAlester, Indian Territory,

Gentlemen:

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 Susan Colbert 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 Susan Colbert 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,

SIC 1111

James D. Dwyer

Registered.

Commissioner.

7-4472

COR

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 Susan Colbert 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 Susan Colbert 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.

Commissioner.

Incl. 7-4472.

See 7-3403 for registry receipt for this letter.

Muskogee, Indian Territory, February 28, 1903.

Susan Coley,

Sans Bois, 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.

COMMISSIONERS
HENRY L. DAVIS,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

W. S. H. AVESWORTH,
SECRETARY

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

PLEASE IN REPLY TO THE FOLLOWING

7-4472

Muskogee, Indian Territory, February 28, 1903.

Susan Coley,

Sans Bois, 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.

COMMISSIONERS

TAMM BIRBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE,
W. E. STANLEY.

REFER IN REPLY TO THE FOLLOWING

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

Choctaw 4472

ALLISON I. AYLESWORTH,
SECRETARY

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 13, 1904.

Susan Coley,

Sans Bois, 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 an intermarried citizen of the Choctaw Nation until the Commission is further instructed by the Secretary of the Interior.

Respectfully,

Commissioner in Charge.

Choctaw-4472.

Muskogee, Indian Territory, July 9, 1904.

Coleman Riddle,

Care of W. C. Braiden,

Winterton, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of July 2nd, asking if Susie Coley, sometimes called Sophia Coley, is on the roll of the Choctaws.

In reply to your letter, you are informed that the Commission has not yet passed upon the application of Susan Coley for enrollment as an intermarried citizen of the Choctaw Nation and before further consideration can be given the same it will be necessary that she appear before the Commission at its office in Muskogee, Indian Territory for the purpose of testifying relative to her intermarried status on September 25, 1902, the date of the final ratification of the act of Congress approved July 1, 1902. Such personal appearance should be made as early as practicable.

Respectfully,

Commissioner in Charge.

Choctaw-4472.

Muskogee, Indian Territory, August 12, 1904.

Coleman Riddle,
Care of W. S. Braiden,
Quinton, Indian Territory.

Dear Sir:

On July 2, 1904 you addressed a letter to the Commission asking if Susie Coley, sometimes called Sophia Coley, was on the roll of Choctaws. In reply to said letter, you were informed that before further consideration could be given the application of the said Susie Coley for enrollment as a citizen by intermarriage of the Choctaw Nation it would be necessary for her to appear before the Commission for the purpose of testifying relative to her intermarried status on September 25, 1902. No response to said letter has been received.

The Commission will hold a session at the Choctaw Land Office, Atoka, Indian Territory on September 6-7, 1904 and at the Chickasaw Land Office, Tishomingo, Indian Territory, September 8-9, 1904.

It is essential before the rights of the said Susie Coley as a citizen by intermarriage of the Choctaw Nation can be determined for her to give her personal testimony as to her intermarried status on September 25, 1902 and it would, therefore,

7-4472.

Muskogee, Indian Territory. November 9, 1904.

Susan Coley,

Sans Bois, Indian Territory.

Dear Madam:

In the matter of your application for enrollment as a citizen by intermarriage of the Choctaw Nation, you are advised that, before further consideration can be given your application, you will have to appear in person before the Commission, at its office in Muskogee, Indian Territory, and testify as to your intermarried status on September 25, 1902.

This matter should receive your prompt attention, for, until this testimony is received, no further action can be taken in the matter of your application.

Respectfully,

Chairman.

Dict. W. P. B.

C.R.--2.

be advisable for her to appear at one of the above named appointments for that purpose.

Respectfully,

Commissioner in Charge.

7-4472.

Muskogee, Indian Territory, February 4, 1906.

Green McCurtain,

Kinta, Indian Territory.

Dear Sir:

There is listed for enrollment as a citizen by inter-marriage of the Choctaw Nation one Susan Coley (nee Dees), about 28 years old, who claims the right to enrollment by virtue of her marriage with one Edmund J. Coley and who formerly resided at or near Sans Bois, Indian Territory. All letters addressed to her at that place have been returned unclaimed.

You are requested to inform the Commission, if you know, the present residence and post office address of the applicant. An envelope for your reply is enclosed herewith.

Respectfully,

Encl.
Env.

Chairman.

Executive Office, Choctaw Nation
Green McCurtain, Principal Chief

Kinta, I.T., Feb 9, 1905. 190

Honorable Tams Bixby, Chairman.
Muskogee, Ind. Ter.

Sir:--

In reply to your letter of the 4th instant, enquiring the whereabouts of Susan Coley (nee Dees), you are advised that his woman since the death of Edmond J. Coley, married General Colbert and moved up in the Creek Nation, somewhere near Checota, since which time I know nothing of her.

Yours truly,

(signed) Green McCurtain.

Pin. Cheif C.N.

7-4472

Muskogee, Indian Territory, February 14, 1905.

Honorable Green McCurtain,
Principal Chief Choctaw Nation,
Kinta, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of February 9, 1905, stating that you are informed that Susan Coley (nee Dees) after the death of Edmund J. Coley married General Colbert, and moved up in the Creek Nation somewhere near Checotah since which time you know nothing of their whereabouts.

You have the thanks of this Commission for this information.

Respectfully,

Chairman.

7-4472

Muskogee, Indian Territory, January 2, 1906.

McKennon & Dean,

Attorneys at Law,

South McAlester, Indian Territory,

Gentlemen:

Receipt is heroby acknowledged of your letter of December 28, 1905, advising that the post office address of Mrs. Susan Colbert has been changed from Bearden, Indian Territory, to Guertie, Indian Territory, and this information has been made a matter of record.

Respectfully,

Commissioner.

MEMORANDA.

W. H. ...

(Date) *April 1* 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.

W. H. ...

Choc 4473 Catherine McIntosh

4473

MEMORANDA.

(No 215 960 7)

(Date) Sept 1 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, Martha M. ...

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:

21 ... County Year Page No.

19 ... County Year Page No.

1 ... County Year Page No. 2 12

1 ... County Year Page No.

7 ... County Year Page No. 7 12

2 ... County Year Page No.

3 ... County Year Page No.

1 ... County Year Page No.

... County Year Page No.

... County Year Page No.

Handwritten signature and date: W. L. ... 19

7-4473

Muskogee, Indian Territory, February 13, 1906.

Catharine McIntosh,
Enterprise, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of your letter of February 8, 1906, stating your son Edward McIntosh was enrolled as a citizen by blood of the Choctaw Nation in August 1900, and died the following October. You state he left no heirs and you wish to be informed if you can file on land for him.

In reply to your letter you are advised that it appears from the records of this office that your son, Edward McIntosh died October 14, 1900, and under the provisions of the act of Congress approved July 1, 1902, no person who died prior to September 25, 1902, is entitled to enrollment and allotment in the Choctaw and Chickasaw Nations.

Respectfully,

Acting Commissioner.

Commission to the Five Civilized Tribes,
South McAlester, Ind. Ter.

In the enrollment of Catherine McIntosh as a Choctaw by blood;
S.E. Lewis being sworn and examined by Com'r McKennon states:

- Q What is your name? A S.E. Lewis.
Q How old are you? A Fifty-eight.
Q Did you know John McKinney? A Yes sir.
Q He was a Choctaw citizen? A Yes sir.
Q You knew his wife Sarah? A Yes sir.
Q She was a white woman? A Yes sir.
Q Do you know that they lived together as husband and wife?
A Yes sir. I know they lived together a good many years
and had several children.
Q They are the father and mother of Catherine McIntosh? A Yes sir

Department of the Interior,
Commission to the Five Civilized Tribes.
I hereby certify under my official seal as
stenographer to the Commission, that this
transcript is a true and correct translation of
my stenographic notes.

M. McKennon

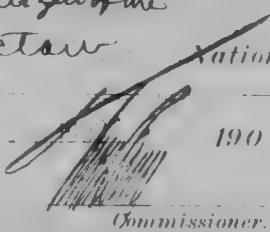
7 4473

IN RE
THE DEATH OF

Edward M. Surtak

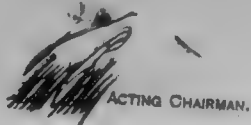
a citizen of the ~~Frachman~~
Citizen of the
Choctaw Nation.

Approved _____ 190



Commissioner.

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



ACTING CHAIRMAN.

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

In the matter of the death of Edward M. McIntosh
(Here insert name of deceased.)

a citizen of the Choctaw Nation, who formerly resided at or near
Enterprise, Ind. Ter., and died on the 14 day of
October, 1900
(Here insert name of postoffice.)

AFFIDAVIT OF RELATIVE.

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

I, Joe M. McIntosh, 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 Enterprise, Ind. Ter.; that I am
father of Edward M. McIntosh,
(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 Edward M. McIntosh died on the 14 day of
October, 1900
(Here insert name of deceased.)

WITNESSES TO MARK:
(Must be Two Witnesses.)
Wm. Williams
Jud. Okinaka

Subscribed and sworn to before me this 22 day of Dec., 1900
J. C. Humphrey
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

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

I, M. A. Harris, on oath state that I am 38
years of age, and a citizen, by birth, of the Choctaw Nation;
that my post office address is Loma, Ind. Ter.;
that I was personally acquainted with Edward M. McIntosh,
(Here insert name of deceased.)
who was a citizen, by blood, of the Choctaw Nation;
and that said Edward M. McIntosh died on the 14 day of
October, 1900
(Here insert name of deceased.)

WITNESSES TO MARK:
(Must be Two Witnesses.)
[Signature]

Subscribed and sworn to before me this 22 day of Dec., 1900
J. C. Humphrey
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 Edward M^cIntosh born on the 10 day of Sept, 1898.
Name of father: Jon M^cIntosh, a citizen of the Choctaw Nation.
Name of mother: Katherine M^cIntosh, a citizen of the Choctaw Nation.
Post Office: Enterprise

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Katherine M^cIntosh, on oath, state that I am _____ years of age and a
citizen, by birth of the Choctaw Nation; that I am the
lawful wife of Jon M^cIntosh who is a citizen, by marriage of the
Choctaw Nation; that a boy child was born to me on the 10 day
of April, 1898, that said child has been named

George
and is now living.
Witness to
name Katherine M^cIntosh

Subscribed and sworn to before me this 16 day of Oct, 1899

J. P. McCallister
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, F. J. Burns, a _____, on oath, state that I
was present
attended on Mrs. Katherine M^cIntosh wife of Jon M^cIntosh
on the 10 day of April, 1898; that there was born to her on said date a male child:

Witness to name
George that said child is now living and is said to have been named Edward

Subscribed and sworn to before me this 16 day of October, 1899

J. P. Chambers
Notary Public.

INDEXED

CHOCTAW.

20

IN RE

Application for Enrollment of

INFANT CHILD

Elias Thomas M^c Intosh

as a citizen of

Choctaw

Nation.

Approved,

JUL 30 1901

190

[Signature]

Commissioner.

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

FILED

JUL 30 1901

[Signature]

ACTING CHAIRMAN

CHOCTAW.

7-4473

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

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Elias Thomas McIntosh, born on the 18 day of August, 1900
(Here insert name of child)
Name of Father: Joseph McIntosh, a citizen of the Creek Nation.
Name of Mother: Catharine McIntosh, a citizen of the Choctaw Nation.
Post-office, Enterprise, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Catharine McIntosh, 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 Joseph McIntosh, who is a citizen, by
Blood, of the Creek Nation, that a Male child was
born to me on the 18 day of August, 1900 that said child has been
named Elias Thomas McIntosh, and is now living.

WITNESSES TO MARK

(Must be Two Witnesses) { D. J. Billington
W. S. McIntosh

Catharine McIntosh

Subscribed and sworn to before me this 26 day of July, 1901.

G. W. Donaghy, NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Susana Lovelace, a Midwife, on oath state that I
attended on Mrs. Catharine McIntosh, wife of Joseph McIntosh,
on the 18 day of August, 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 Elias Thomas McIntosh.

WITNESSES TO MARK:

(Must be Two Witnesses) { D. J. Billington
W. S. McIntosh

Susana Lovelace

Subscribed and sworn to before me this 26 day of July, 1901.

G. W. Donaghy, NOTARY PUBLIC.

Muskogee, Indian Territory, July 30, 1901.

Mr. Joseph McIntosh,
Enterprise, Ind., Ar.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Elias Thomas McIntosh, the infant son of Joseph and Catherine McIntosh, born August 18, 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 of the Choctaw Nation.

Yours truly,

7-4473

Acting Chairman.

Muskogee, Indian Territory, September 5, 1901.

Martin Harris,

Sansbois, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of August 28th, enclosing marriage certificate of M. S. Harris and Adaline McIntosh, and also enclosing the application for enrollment as a citizen of the Choctaw Nation of Willey Harris, the infant son of Martin and Blanche Adaline Harris, born February 6, 1900, and the [redacted] are returned to you herewith for the reason that the mother of this child cannot be identified as having been listed for enrollment as a citizen of the Choctaw Nation.

You state that the maiden name of the mother of this child was Blanche Adaline McIntosh, the daughter of Joe and Catherine McIntosh. The records of this office do not show that any party by this name has ever been listed for enrollment as a citizen or freedman of either the Choctaw or Chickasaw Nation. The records do show however that Catherine McIntosh and her nine children are listed for enrollment as citizens of the Choctaw Nation but the name of Blanche Adaline is not included therein.

You are therefore requested to state whether your wife ever went by any other name than Blanche Adaline McIntosh and whether or not she appeared in person before the Commission as an applicant for enrollment.

N H 2

Upon receipt of this information and the return of the evidence of marriage and the application, the matter will be given proper attention.

Yours truly,

Commissioner in Charge.

7-4473

17-256

Enc 0

Choc 4474 Edward Pigott

4474

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 -

EDWARD PIGOTT, - - - 7-4474

✓

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, I.T. Nov. 18, 1902.

7-4474

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

Edward Pigott being duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Edward Pigott.
Q What is your age? A Fifty six.
Q What is your post office address? A Kiowa.
Q Is that in the Choctaw Nation? A About - yes sir.
Q How long have you been a resident of the Choctaw Nation? A About twenty five years.
Q Have you lived there continuously for the past 25 years? A We lived continuously for about 20 years; we was off for a few ywars; that was about nineteen years ago.
Q Do you claim inter-married rights in the Choctaw Nation? A Yes sir.
Q What is the name of your Indian wife through whom you claim those rights? A Annie Norris.
Q When were you married to Annie Norris? A In '71.
Q Where was this marriage ceremony performed? A Pickens County, Chickasaw Nation.
Q Was she a recognized and enrolled citizen of the Choctaw nation? A Yes sir.
Q Were you living in the Chickasaw nation at that time? A Yes sir.
Q Since your marriage to Annie Norris 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 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 inter-married citizen? A Yes sir.
Q What action was taken on your case at that time? A The reason we applied was because not that I had any doubt but the reason was tht they paid to my wife and daughter instead of me.
Q What action was taken on that-- granted or refused? A Granted; it was on account of that money.
Q You are at present living together as bona fide residents of the Choctaw Nation? 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 proceedings in the above case on November 18, 1902, 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 15 day of December, 1902.

P. C. Dargatz
Notary Public.

7 - 4474

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

In the matter of the application for the enrollment of Edward Pigott as a citizen by intermarriage of the Choctaw Nation.

DECISION.


It appears from the record herein that Edward Pigott appeared before the Commission and made personal application for enrollment as a citizen by intermarriage of the Choctaw Nation, claiming his right thereto by reason of his marriage with Annie Pigott (nee Norris), a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as No. 14428 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 April 11, 1903.

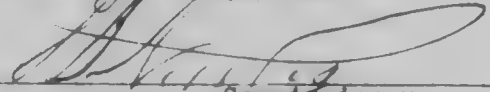
It further appears from the records of the Commission that on September 7, 1896, in the case entitled "Edward Pigott, et al., vs. Choctaw Nation", (1896 Choctaw Citizenship Docket, case No. 587), the applicant herein made original application to this Commission under the provisions of the act of Congress approved June 10, 1896 (29 Stat., 321) for admission to citizenship in the Choctaw Nation by virtue of his marriage to the said Annie Pigott (nee Norris), and on December 2, 1896, the said Edward Pigott 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.

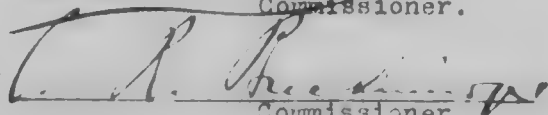
It further appears from the evidence in this case that the applicant herein was a resident in good faith of Indian Territory on June 28, 1898, and that his status as an intermarried citizen has remained unchanged from the date of his said admission in 1896 up to and including September 25, 1902.

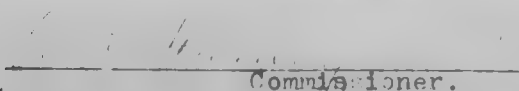
It is, therefore, the opinion of this Commission that Edward Pigott should be enrolled as a citizen by intermarriage of the Choctaw Nation in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495) and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



Chairman.


Commissioner.


Commissioner.


Commissioner.

Muskogee, Indian Territory,

JUL 28 1903

Chectaw-4474

COPY.

Muskogee, Indian Territory, July 28, 1903.

Edward Pigott,

Kiowa, Indian Territory.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission, rendered July 28, 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 Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

F. D. Woodlee.

Commissioner in Charge.

Registered.

Enc. HG. 3/28

Chectaw-4474

COPY.

Muskogee, Indian Territory, July 28, 1903.


Mansfield, Mc Murray & Cernish,
Attorneys for the Chectaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission, rendered July 28, 1903, granting the application of Edward Pigott, for enrollment as a citizen by intermarriage of the Chectaw 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 Chectaw 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 Chectaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,


Commissioner in Charge.

Registered.

Enc.HG.4/28

Choctaw 4474

Muskogee, Indian Territory, April 22, 1903.

J. C. Ralls,

Attorney at Law,

Atoka, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of April 16, asking relative to the enrollment of Edward A. Pigott, his wife, Annie Pigott, and their child, May Pigott, as citizens of the Choctaw Nation.

In reply to your letter you are advised that it appears from our records that Edward Pigott 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. It further appears that Annie Pigott and Mary A. Pigott, wife and child of Edward Pigott have been enrolled by this Commission as citizens by blood of the Choctaw nation, and on April 11, 1903, their enrollment was approved by the Secretary of the Interior.

Respectfully,

Chairman.

MEMORANDA.

Chickasaw

(Date)

Sept 21 1899.

53 ✓

Name *Edward Pigott*

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,

47 ✓

Wife's name, *Winnie Pigott*

Choctaw? *yes* County *Atoka* Year *96* No. *10546*

Chickasaw? County Year Page *169*

Citizen by blood? *yes* Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

11 ✓ *George A Pigott* County *Atoka* Year *96* Page *269* No. *11517*

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

- ✓ *Winnie Pigott*
- # 30s *Winnie Pigott*
- # 30s *Winnie Pigott*
- # 2 " " " " " "

4474
4474

Choc 4475 Jesse walls

4475

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--

FIVE VALLS.

7-4475.

Commission to the Five Civilized Tribes,

South McAlester, Ind. Ter.

In the enrollment of pink Walls as an intermarried Choctaw; Jesse Walls being sworn and examined by Com'r McKennon states:

- Q What is your name? A Jesse Walls.
Q How old are you? A Twenty-six.
Q You are the husband of pink Walls? A Yes sir.
Q Where were you married to her? A At South Canadian.
Q By whom? A John Bristoe.
Q Was he a Minister of the Gospel? A I reckon so.
Q Was he an officer? A No sir.
He was a preacher I reckon.

- Q When was that? A It has been about six years ago.
Q She is still living with you? A Yes sir.

Tom Walls being sworn and examined states:

- Q What is your name? A Tom Walls.
Q How old are you? A Nineteen.
Q You are a brother to Jesse Walls? A Yes sir, half-brother.
Q Were you present at his marriage? A Yes sir.
Q Saw them married? A Yes sir.
Q At South Canadian in the Choctaw Nation? 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.

M. D. Green

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
SOUTH McALESTER, I.T. Dec. 23, 1902.

7-4475

In the matter of the application of Pink Walls for enrollment as an inter married citizen of the Choctaw Nation.

Pink Walls being sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Pink Walls.
Q What is your age? A Twenty four.
Q What is your post office address? A Enterprise, Indian Territory.
Q Is that in the Choctaw Nation? A Yes sir.
Q How long have you lived in the Choctaw Nation continuously?
A Ten years.
Q Are you an applicant for inter married rights in the Choctaw Nation? A Yes sir.
Q What is the name of your Choctaw husband? A Jesse Walls.
Q When and where were you married to Jesse Walls? A Near South Canadian about three miles.
Q When? A October; I don't know the year.
Q How many years have you been married? A Nine years.
Q That was about 1894 then? A I can't count.
Q Were you ever married before you married your present husband?
A No sir.
Q Was he ever married before he married you? A Not that I know of.
Q Are you living with your Choctaw husband now? A Yes sir.
Q Have always lived with him since your marriage? A Yes sir.
Q There has been no separation or divorce? A No sir.
Q Were you married according to the Choctaw laws? A Yes sir.
Q Where did you get that license? A In McAlester I reckon.
Q How much did you pay for that? A I don't know.
Q Who married you? A John Bristow.
Q A minister of the gospel? A Yes sir.
Q You are sure he had a Choctaw license when he married you? A Yes sir.
Q Did you ever see that license? A Yes sir.
Q Do you know what became of it; have you got your marriage license and certificate? A No sir; I think we haven't got it.
Q You have seen such a paper though? A Yes sir.
Q You have lived with your husband continuously in the Choctaw Nation since you married him? A Yes sir.
Q You are a white woman? A Yes sir.
Q You claim your rights entirely as an inter married citizen by virtue of your marriage to Jesse Walls? 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 23, 1902, and that this is a full, true and correct transcript of his stenographic notes in same.

Subscribed and sworn to before me this 8 day of January, 1903.

Henry G. Hains

Charles H. Sawyer
Notary Public.

Personay appeared before me
a Notary Public for the Central
District Jess Wall & Fink Wall
nee Davenport. Well known to ~~be~~ me
as ^{the} persons named & being sworn
state on their oath that they were
incited in the bonds of Matrimony
in the year 1894 - November the 14th
Ceremony was performed by John Bristow
a minister of the Gospel at or near
South Canadian Ind. Ter. Choctaw Nation
at the home of her father John Davenport
and that they are now living together
and ^{have} lived continuously together since
the consummation of their marriage
and there is no Enterprise Choctaw
Nation Ind. Ter. Jess Wall

W. H. Wall

Subscribed & sworn to before me
this 4th day of January 1904

W. H.

DEPARTMENT OF COMMERCE
COMMISSION TO INVESTIGATE THE
MONEY MARKET

REPORT

JAN - 8 1904



CHAIRMAN

I J. E. White, notary public certify that
the lak additions, were added before
signing, *White N.P.*

United States of America, #
Southern District ##3
Indian Territory # # #
#

Personally appeared before ^{me.} the following persons, Walter Jones, and
A.A. Jones, to me well known as the persons, whose name are attached
hereto. First being sworn, states on oath, that they were present at
the marriage of Jess Walls, to Miss Pink Devnport, and that they were
married near South Canadian, Indian Territory, at the house of her
father John Devnport, ^{on or about ten years ago.} Parson Bristol, officiating.

Walter Jones
R. A. Jones

Given under my hands and seal this the 20th day of December 1906.

J. E. White N.P.
for
Southern District of Indian Territory,.

*My commission
expires 26th day March 1907.*

279
17-4130.

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

In the matter of the application for the enrollment of
Pink Walls as a citizen by intermarriage of the Choctaw nation.

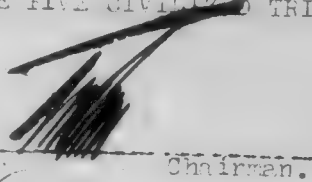
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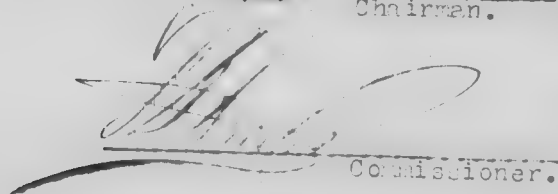
It appears from the record herein that on November 14,
1894 the applicant, Pink Walls, (n e Davemora) was lawfully married
to Jesse Walls, a recognized and enrolled citizen by blood of the
Choctaw nation, whose name appears as number 12427 upon the lists
prepared by this Commission under the act of Congress approved July
1, 1902 (32 Stat., 511) of persons entitled to enrollment as citi-
zens by blood of the Choctaw Nation and approved by the Secretary of
the Interior on March 8, 1903; that said parties were married in
the Choctaw Nation and that they lived together continuously as
husband and wife in said nation from the date of said marriage up
to and including September 21, 1903.

Upon an examination of the tribal rolls in the possession
of the Commission the applicant is identified upon the 1896 Choctaw
Census Roll, Sans Bois County, number 10142, enrolled thereon as a
citizen by intermarriage of said nation.

It is, therefore, the opinion of this Commission that
Pink Walls 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, 1897 (30 Stat., 420) and July 1, 1902
(32 Stat., 541), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Chairman.


Commissioner.


Commissioner.

Muskogee, Indian Territory.

SEP 20 1904

A

Choctaw 4475
COPY.

Muskogee, Indian Territory, September 20, 1904.

Pink Walls,

Enterprise, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 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)

Tame Bibbe.

Chairman.

Registered.

Incl. 7-4475.

Choctaw 4475

COPY.

Muskogee, Indian Territory, September 20, 1904.

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 this Commission, rendered September 20, 1904, granting the application for the enrollment of Pink Walls 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 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)

Tams Bixby

Chairman.

Registered.

Incl. 7- 4475.

MEMORANDA.

(Date) Sept 11 1899.

204 Name
 Choctaw? County De Kalb Year 96 No. 12638
 Chickasaw? County Year Page 332
 Citizen by blood? Mother's citizenship
 Intermarried citizen?
 Married under what law?

227 License filed this day,
 Wife's name, Pink
 Choctaw? County De Kalb Year 96 No. 12638
 Chickasaw? County Year Page 441
 Citizen by blood? Mother's citizenship

Intermarried citizen?
 Married under what law?
 License filed this day

Names of children:

<u>5 ✓</u>	<u>.....</u>	County <u>.....</u>	Year <u>.....</u>	Page <u>22</u>	No. <u>12639</u>
<u>2 x</u>	<u>Elizabeth</u>	County <u>.....</u>	Year <u>.....</u>	Page <u>.....</u>	No. <u>12640</u>
<u>.....</u>	<u>.....</u>	County <u>.....</u>	Year <u>.....</u>	Page <u>.....</u>	No. <u>.....</u>
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1177
 Note to
 #19

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
 of Centerville, born on the 7th day of Oct. 1899
 Name of father: Jess Walls, a citizen of the Choctaw Nation.
 Name of mother: Pink Walls, a citizen of the Choctaw Nation.
 Post Office: Centerville Ia.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Central District.

I, Pink Walls, 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 Jess Walls who is a citizen, by Blood, of the
Choctaw Nation; that a Male child was born to me on the 7th day
 of Oct. 1899; that said child has been named Edward
 and is now living.

Subscribed and sworn to before me this 5th day of January 1900
C. M. Naudger
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Central District.

I, J. H. Fleming M.D., a _____, on oath, state that I
 attended on Mrs. Pink Walls, wife of Jess Walls
 on the 7th day of October 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 Edward

Subscribed and sworn to before me this 7th day of January 1900
J. M. Randall
 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 Sela (Here insert name of child.) , born on the 12 day of February , 1902.
Name of Father: Jess. Wall a citizen of the Choctaw Nation.
Name of Mother: Bessie Wall a citizen of the Inter-Mingled Nation.
Post-office Enterprise

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Wister District.

I, Bessie Wall , on oath state that I am 21
years of age and a citizen, by Marriage , of the Choctaw Nation;
that I am the lawful wife of Jess. Wall , who is a citizen, by
Birth , of the Choctaw Nation; that a female child was
(male or female)
born to me on 12 day of February 1902; that said child has been
named Sela Wall , and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses.)

J. M. Edwards
H. Gilson

Subscribed and sworn to before me this 1 day of Feb 1902.

A. J. Hedden NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District,

I, D. S. Billington , on oath state that I
attended on Mrs. Bessie Wall , wife of Jess. Wall
on the 12 day of Feb , 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
(male or female)
named Sela Wall

WITNESSES TO MARK:

(Must be Two Witnesses.)

D. S. Billington

Subscribed and sworn to before me this 1 day of Feb 1902.

A. J. Hedden NOTARY PUBLIC

Wister pit
7-11
7-12
Wister H. at

COMMISSIONERS

HENRY L. DAVIS,
TAMM BIZBY,
ARCHIBALD S. MCKENNON,
THOMAS B. NORDEN.

ALLISON L. ATLESWORTH, Secretary.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES

JAN 2 1900

Muskogee, I.T., December 30, 1899.

Mr. Jesse Walls,
Enterprise, Indian Territory.

Dear sir:

The inclosed affidavit in the matter of the application for the enrollment of your child, Edward, as a citizen of the Choctaw nation, is returned because same is insufficient and irregular. Inclosed herewith you will find one of our regular forms of birth certificates. You will observe that two affidavits must be executed, one by the mother, and the other by the attending physician, or nurse. Both affidavits must bear the impress of the notary's seal before whom they are taken. All signatures by mark, if any, must be attested by two witnesses as required by law, and all names written plainly.

When the regular form inclosed herewith has been properly filled out return same to this office and the matter will receive proper attention.

Yours truly,

Acting Chairman.

Inclosure #48.
B.A.

COMMISSIONERS.

HARRY L. DAWES,
JAMES HERT,
ALEXANDER S. MCKENNON,
THOMAS E. NEEDLES.

ALLISON I. STEVENSON, SECRETARY.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, January 18, 1900.

Jess Walls, Esquire,
Enterprise, Indian Territory,

Dear Sir:

There is returned to you herewith a birth certificate which has been received by this Commission in the matter of the application for enrollment of your child Edward. You will observe that the Notary has failed to attach his seal to the affidavits of the mother and the attending physician. The mother should sign where indicated with a lead pencil. When this correction is made, the affidavit may be returned to this office where it will receive proper attention.

Yours truly,

Acting Chairman.

Inclosure-1a.

7-4475.

Muskogee, Indian Territory, November 7, 1908.

Jesse Walls,

Enterprise, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Lila Walls, infant daughter of Jesse and Pink Walls, born February 15, 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.

Muskogee, Indian Territory, May 7, 1903.

Pink Walls,

Enterprise, Indian Territory.

Dear Madam:

In the matter of your application for enrollment as a citizen by intermarriage of the Choctaw Nation, you are advised that there is not sufficient evidence before the Commission relative to your marriage to Jesse Walls by virtue of which you claim your right to enrollment; nor does it appear that there is any evidence as to the residence of the said Jesse Walls at the time of said marriage.

It will be necessary for you to furnish the Commission the original marriage license or a certified copy thereof, or, in case this cannot be done, file the affidavits of at least two disinterested witnesses to your marriage to the said Jesse Walls. You should also furnish the sworn statements of yourself and your husband, setting forth his place of residence at the time of your marriage to him.

This matter should receive your prompt attention, as no further action can be taken relative to your enrollment until this evidence is received.

Respectfully,

Chairman.

Choctaw 4475.

Muskogee, Indian Territory, November 18, 1903.

Pink Walls,

Enterprise, Indian Territory.

Dear Madam:

In the matter of your application for enrollment as a citizen by intermarriage of the Choctaw Nation, you were advised by the Commission on May 7, 1903, that it would be necessary for you to furnish said Commission with either the original or a certified copy of your marriage license, or, in case this could not be done, it would be necessary for you to furnish the Commission with the sworn statements of at least two disinterested witnesses to your marriage to your husband, Jesse Walls, through whom you claim your intermarried rights in the Choctaw Nation. You were also advised that it would be necessary for you to furnish the Commission with the sworn statements of yourself and your husband setting forth his place of residence at the time of your marriage to him.

You are again advised that until the Commission receive this desired evidence, no further consideration can be given your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

P. W., 2.

This matter should receive your immediate attention.

Respectfully,

Chairman.

7-4475

McSogga, Indian Territory, January 8, 1904.

Pink Wall,

Enterprise, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 1st inst., enclosing the joint affidavit of Jesse and Pink Wall; also the joint affidavit of Walter and R. A. Jones relative to the marriage between yourself and Jesse Wall; 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.

Respectfully,

Commissioner in Charge.

Choctaw 4478

Muskogee, Indian Territory, July 19, 1904.

Jess Walls,

Enterprise, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of July 14, asking the status of the application of your wife for enrollment as an intermarried citizen of the Choctaw Nation.

In reply to your letter you are advised that the Commission is now considering the application for the enrollment of Pink Walls, wife of Jesse Walls, for enrollment as an intermarried citizen of the Choctaw Nation and when a decision is reached in this case she will be notified of the action taken therein.

Respectfully,

Commissioner in Charge.

7-4175.

Muskogee, Indian Territory, September 6, 1904.

Jessie Allen,

Surprise, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of the 3rd inst. requesting information relative to the enrollment of your wife Pink Wallis.

You are informed that the application for the enrollment of Pink Wallis as an intermarried citizen of the Choctaw Nation is not under consideration by the Commission and it is probable that a copy of the decision reached therein will be forwarded to her at her present post-office address in a very near future.

Respectfully,

Chairman.

Choc 4476 Charles L. Houghton

Feb 6, 1904 PROTEST of ATTY filed Feb 12, 1904
Record forwarded to DEPT

July 23, 1904 Decision of Com. affirmed by DEPT.
Aug 1, 1904 applicant and ATTYS notified

4476

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
SOUTH McALESTER, I.T. Dec. 24, 1902.

7-4476

In the matter of the application of Charles L. Houghton for enrollment as an inter married citizen of the Choctaw Nation? A

Charles L. Houghton being sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Charles L. Houghton.
Q How old are you? A I am forty six I believe; born in '56.
Q What is your post office address? A Kiowa.
Q Choctaw Nation? A Yes sir.
Q You are claiming inter married rights in the Choctaw Nation, are you? A Yes sir.
Q What is the name of your Choctaw wife? A Leona Douglas.
Q Is she living? A No sir.
Q When did she die? A In 1899, July 18.
Q Was she during her life time a recognized and enrolled citizen of the Choctaw Nation? A She was enrolled by the Commission, and after that time duly recognized as a citizen.
Q When and where were you married to her? A 1881 close to Broken on the Canadian River.
Q Were you married under Choctaw laws? A No sir; she wasn't recognized as a citizen when we was married.
Q Married under United States law, then? A Yes sir.
Q By a minister of the gospel? A Yes sir.
Q Did you continuously live with your wife from the date of your marriage to the time of her death? A Yes sir.
Q There was no separation or divorce? A No sir.
Q You are at the present time residing in the Choctaw Nation, Indian Territory, are you? A Yes sir.
Q You are a bona fide resident of the Choctaw Nation, Indian Territory, and have been? A Yes, been recognized as such since she was enrolled.
Q Have you always resided in the Choctaw Nation since your marriage? A I was out of it six months two times.
Q Did you consider the Choctaw Nation your home? A Yes sir.
Q You made application to the Dawes Commission in 1896 did you, for yourself and wife and children? A My wife made application for it.
Q Your family was admitted by the Dawes Commission at that time? A Yes sir.
Q No appeal was taken? A No sir; the Choctaws took an appeal on me but it was too late and it reverted back to the Dawes Commission; I have a certificate from the Dawes Commission at home showing that we were on the roll.
Q Were you ever married before you married your wife? A No sir.
Q Was she ever married before you married her? A No 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 B. Hains

Subscribed and sworn to before me this 8 day of January, 1903.

Charles H. Sawyer

Notary Public.

W
1007

Copy of Order of Court.

UNITED STATES OF AMERICA,)
Indian Territory,) ss.
Central District JUDICIAL DIVISION)

IN THE UNITED STATES COURT in the Indian Territory,
Central Judicial Division, at a term thereof begun and held at
South McAlester, in the Indian Territory, on the 13th day of July,
A. D. 1897.; Present, the Honorable Wm. H. H. Clayton, Judge of
said Court.

The following order was made and entered of record, to-wit:

Leona Houghton,
vs 217. Dismissal.
Choctaw Nation.

On this 13 day of July, 1897, this cause came on to be
heard in open court, it being one of the days of the April, 1897,
term of court, and on motion filed by plaintiff to dismiss said
cause for the reason defendant failed to appeal the cause within
sixty days as provided by the act in such cases, and after the
court having heard the argument of counsel and being fully advised
in the premises the motion is sustained and the appeal dismissed
it not having been brought within proper time.

(Undersement)

THIS WITHIN IS A TRUE COPY from the Record of an Order made
by said Court on the 13th day of July, A. D. 1897.

(signed) E. J. FANNIN,
Clerk.
Deputy.

No. 193.
No. 217.

Leona Houghton
versus
Choctaw Nation

COPY OF ORDER OF COURT.

INDIAN TERRITORY,
Western District.

I, Julius Y. Miller, stenographer to the Commission to the Five Civilized Tribes, do hereby certify upon oath that the above and foregoing Copy of Order of Court, together with the Endorsement thereon, is a full, true and correct transcript of the original of same, on file with the records of the aforesaid Commission in case No. 7-4476.

subscribed and sworn to before me
this the 21st day of November,
1903.

Julius Y. Miller

Charles H. Sawyer
Notary Public.

(Copy)

Department of the Interior,
Commission to the Five Civilized Tribes.

In the matter of the death of Leona Houghton, a citizen of the Choctaw Nation, who formerly resided at or near Kiowa, Ind. Ter. and died on the 16th day of July, 1899.

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

I, C. L. T. Houghton on oath state that I am 46 years of age and a citizen by marriage of the Choctaw Nation, and the husband of said Leona Houghton, deceased, that my Post Office address is Kiowa, Indian Territory, that I am the lawful husband of Leona Houghton who was a citizen by blood of the Choctaw Nation, and that said Leona Houghton did on the 16th day of July, 1899.

(signed) J. L. T. HOUGHTON
Subscribed and sworn to before me this the 8th of December, 1902.
(SEAL) (signed) H. B. MILNER,
Notary Public.

United States of America,
Indian Territory,
Central District.

I, J. T. Orrell on oath states that I am 34 years of age and a citizen of the United States, that my Post Office address is Kiowa, Ind. Ter.; that I was personally acquainted with Leona Houghton, deceased, who was a citizen by blood of the Choctaw Nation, and that said Leona Houghton, deceased, died on or about the 16th day of July, 1899.

(signed) J. T. ORRELL.
Subscribed and sworn to before me this the 8th day of December, 1902.
(SEAL) (signed) H. B. MILNER,
Notary Public.

(Endorsements)

In Re The Death of Leona Houghton, a citizen of the Choctaw Nation. Approved DEC 11, 1902. Tams Bixby, Commissioner.

Department of the Interior, Commission to the Five Civilized Tribes.
FILED DEC 11, 1902. Tams Bixby, Acting Chairman. Choctaw 4476.

(Copy)

J. L. T. HOUGHTON,
vs.
CHOCTAW and CHICKASAW NATIONS.

AFFIDAVIT.

INDIAN TERRITORY,
Central District.

Personally appeared before me, the undersigned authority, J. L. T. Houghton, who made oath in due form of law that he

has lived in the Choctaw Nation of the Indian Territory continuously for a period of about twenty five years and still lives and resides in said Nation of said Territory and affiant further states that about sixteen years ago he was out of said Nation and Territory for a period of about six months and that his absence from said Nation and Territory was only temporary and was caused by the illness of his wife whom he took to the State of Ark. for the benefit of her health. That he took his said wife to the Boston Mountains in said State and for the reason above stated and as soon as she had made some improvement returned to said Nation and Territory and has lived and resided in the same continuously as above stated since.

Affiant further states that the improvements on his said land consists of about sixty five acres in cultivation and two dwelling houses, two stables, two cribs and other out buildings necessary to the occupation by persons engaged in farming of said dwelling houses and in the tract of land occupied by affiant and upon which the above improvements are located there are about two hundred and eighty acres.

Affiant states that his said wife died on the 16th day of July 1899 and that he has not remarried.

(signed) J. L. T. HOUGHTON.

Sworn to and subscribed before me this the 10th day of October, 1903.

(signed) H. B. MILLER,
Notary Public.

(SEAL)

(Endorsements)

By _____

J. L. T. Houghton

vs.

Choctaw and Chickasaw Nations.

Affidavit.

Department of the Interior,
Commission to the Five Civilized Tribes.

FILED

OCT 16, 1903

Edna Fixby, Chairman.

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

In the matter of the application for the enrollment of Leona Houghton and Luther Houghton as citizens by blood and for the enrollment of Charles L. Houghton as a citizen by intermarriage of the Choctaw Nation.

DECISION.

It appears from the census-card record in this case that on September 4, 1899, Charles L. Houghton appeared before the Commission at its session at South McAlester, Indian Territory, and made personal application for the enrollment of his wife, Leona Houghton (nee Douglas) and their minor child, Luther Houghton, as citizens by blood and for the enrollment of himself as a citizen by intermarriage of the Choctaw Nation. Further proceedings were had in this matter before the Commission at South McAlester, Indian Territory, on December 24, 1902.

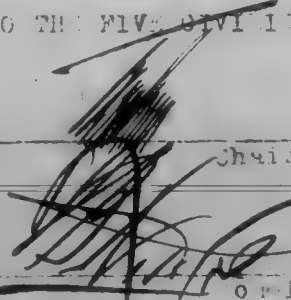
It further appears from the records of the Commission that on September 8, 1896, in the case entitled "Leona D. Houghton, et al. vs. Choctaw Nation," (1896 Choctaw Citizenship Docket, case No. 193), the applicant herein, Charles L. Houghton, made original application to this Commission, under the provisions of the act of Congress approved June 10, 1896, (29 Stat., 321), for the admission of his said wife, Leona Houghton (nee Douglas), and their said child, Luther Houghton, as citizens by blood and for the admission of himself as a citizen by intermarriage of the Choctaw Nation, claiming his right thereto by virtue of his marriage with the said Leona Houghton (nee Douglas), a recognized citizen by blood of the Choctaw Nation, now deceased, and on December 2, 1896, the said Leona Houghton (as Leona D. Houghton) and Luther Houghton were by this Commission admitted to citizenship in the Choctaw Nation as citizens by blood, and the said Charles L. Houghton (as C. L. T. Houghton) was by this Commission admitted to citizenship in said Nation as a citizen by intermarriage, from which decision of the Commission an appeal was taken to the United States Court for the Central District of Indian Territory, at South McAlester, (which appeal on July 13, 1897, was dismissed upon motion of plaintiff.

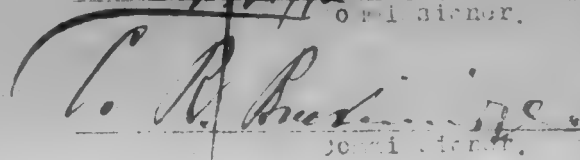
It further appears from the evidence in this case that all the applicants herein were residents in good faith of Indian Territory on June 28, 1898, all applicants listed upon census-cards in the years 1898 and 1899 having been first examined as to such fact, although their testimony was not reduced to writing, and that the status of the applicant herein, Charles L. Houghton as a citizen by intermarriage of the Choctaw Nation remained unchanged from the date of his said admission in 1896 up to and including September 25, 1902.


It further appears from the record herein that the said Leona Houghton died prior to September 25, 1902.

It is, therefore, the opinion of this Commission that Luther Houghton should be enrolled as a citizen by blood and Charles L. Houghton 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 that the application for the enrollment of Leona Houghton should be dismissed, in accordance with the provisions of the act of Congress approved July 1, 1902, (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.



 Chairman.


 Commissioner.


 Secretary.

Muskogee, Indian Territory.

JAN 4 1904

Choctaw 4476.

Muskogee, Indian Territory, January 4, 1904.

Charles L. Houghton,
Kiowa, Indian Territory.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered January 4, 1904, granting your application for the enrollment of yourself as a citizen by intermarriage and your minor son Luther Houghton 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 hereof within which to file protest against the action of the Commission in enrolling you and your minor son as citizens of the Choctaw Nation. If at the expiration of said 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,

Chairman.

Registered.

Enc: 7-4476.

Choctaw 4476.

Muskogee, Indian Territory, January 4, 1904.

W. N. Redwine,
Attorney-at-Law,
South McAlester, Indian Territory.

Dear Sir:

You are hereby notified that the Commission to the Five Civilized Tribes, rendered a decision under date of January 4, 1904, granting the application of Charles L. Houghton for the enrollment of himself as a citizen by intermarriage and his minor son Luther Houghton 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 hereof within which to file protest against the action of the Commission in enrolling said Charles L. Houghton and Luther Houghton 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,

Chairman.

Registered.

Choctaw 4476

Muskogee, Indian Territory, January 4, 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 4, 1904, granting the application for enrollment of Charles L. Houghton as a citizen by intermarriage and his minor son Luther Houghton as a citizen by blood 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 Charles L. Houghton and his minor son 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,

Registered.

Chairman.

Enc. 7-4476.

See Choctaw 2954 for registry receipt for this letter

Muskogee, Indian Territory, February 12, 1904.

The Honorable,

The Secretary of the Interior,

Sir:

I have the honor to transmit herewith, for Departmental consideration, the record in the matter of the application of Charles L. Houghton for the enrollment of his son, Luther Houghton, as a citizen by blood of the Choctaw Nation and for the enrollment of himself as an intermarried citizen of said nation, together with the decision of the Commission of January 4, granting said application, and the protest of the attorneys for the Choctaw and Chickasaw Nations, dated January 23, 1904, which was filed with the Commission February 6, 1904 in which they request, under authority granted by Departmental communication of November 18, 1903, (I.T.D. 7122-1903) that final decision in this case be postponed until the action of the Choctaw and Chickasaw Citizenship Court in the case of Julia London, et al. versus the Choctaw and Chickasaw Nations.

Respectfully,

AB 7-12

Commissioner in Charge.

Through the Commissioner
of Indian Affairs.

Choctaw 4476

Muskogee, Indian Territory, February 12, 1904.

Charles L. Houghton,
Kiowa, Indian Territory,

Dear Sir:

You are hereby notified that on February 6, 1904, the attorneys for the Choctaw and Chickasaw Nations, under authority granted by a communication of the Secretary of the Interior to the Commission, of November 18, 1903, filed a protest in which they request that final decision in the matter of your application for the enrollment of yourself and your son, Luther Houghton, as citizens of the Choctaw Nation, be postponed until the action of the Choctaw and Chickasaw Citizenship Court in the case of Julia London, et al. versus the Choctaw and Chickasaw Nations, and the record in your case together with the decision of the Commission granting your application, and the protest of the attorneys for the Nations, above referred to, has this day been forwarded to the Secretary of the Interior.

Respectfully,

Commissioner in Charge.

Y.P.
FHM

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

DC. 26019-1904
I.T.D. 5774-1904.

July 20, 1904.

L.R.S.

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

Gentlemen:

February 12, 1904, you submitted the papers in the matter of the application of Charles L. Houghton for the enrollment of his wife, Leona Houghton, and his son, Luther Houghton, as citizens by blood of the Choctaw Nation, and for the enrollment of himself as a citizen of said nation by intermarriage.

It appears that these applicants were "admitted" to citizenship in said nation by your Commission under the provisions of the act of June 10, 1896 (29 Stat., 321), Charles L. Houghton being recognized as a citizen by intermarriage. From the decision of your Commission an appeal was taken to the United States Court, but the appeal was dismissed upon motion of the plaintiff, as it was not taken within the time allowed.

You stated in your decision of January 4, 1904, that the status of Charles L. Houghton as a citizen by intermarriage of the Choctaw Nation remained unchanged from the date of his "admission" in 1896 up to and including September 25, 1902.

Charles L. Houghton and Leona Houghton, formerly Douglas, were married in 1861. At that time Leona Douglas was not recognized as a citizen of the Choctaw Nation. The marriage was

performed in accordance with the laws of the United States. It is shown that Leona Houghton died prior to September 25, 1902. You decided that Luther Houghton should be enrolled as a citizen by blood and Charles L. Houghton as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of June 28, 1898(30 Stat., 495), and July 1, 1902(32 Stat., 641), and that the application for the enrollment of Leona Houghton should be dismissed, in accordance with the provisions of the act of July 1, 1902.

Since under the laws of the Choctaw Nation, white men marrying citizens of that nation were required to obtain a Choctaw license, and have the marriage performed in accordance with the laws of the Nation, in order to acquire the intermarried citizenship, and as it appears now that Charles L. Houghton did not marry in accordance with the laws of the Nation, the Acting Commissioner holds that he is not entitled to enrollment. He states that the Indian Office is informally advised by Chairman Bixby of your Commission, that in 1896 applicants for admission to citizenship were not required to appear in person before the Commission, and that it was not customary to take testimony relative to such applications; that if it were not for the Commission's decision of 1896 the applicants would not be entitled to enrollment, but as he was "admitted" in 1896, and as there does not seem to be any officer clothed with authority to reverse the Commission's action, unless

the Department is empowered to do so by the provisions of the act of June 28, 1898, he may be entitled to enrollment; that, however, he considers such act imposes upon the Department the duty of seeing that proper and correct rolls are made, eliminating from the tribal rolls such names as have been placed thereon by fraud and enrolling "such intermarried white citizens as may be entitled to Choctaw and Chickasaw citizenship under the provisions of the law of said tribes." It is not thought probable, he states, that your Commission would have "admitted" this applicant in 1896 if the facts as now shown had been presented. He concludes that under the ruling of the Department of May 21, 1903, in an approved opinion of the Assistant Attorney General, relative to the application for enrollment of Wylie Adams, that Houghten is not entitled to enrollment by virtue of your decision of 1896.

In the Adams case it was held that your Commission did not have jurisdiction in the matter of the application made by him in 1896. Adams, a white man, had been denied citizenship in the Choctaw Nation by your Commission in 1896. It was shown that Adams, by act of the National Council of said nation, approved November 6, 1884, was admitted to citizenship in the Choctaw Nation. The Department held that the act of June 10, 1896, supra, did not confer upon your Commission power to strike from the rolls the names of persons borne thereon "by the act and full consent of the tribe," and that therefore Adams was entitled to enrollment in said nation, notwithstanding your decision of 1896.

While it was held in the opinion of the Assistant Attorney General of March 17, 1899, from which quotation is made by the Acting Commissioner, that the authority of the Department under the act of June 28, 1898, "does not include or authorize a reexamination of the decision of the Commission from which an appeal to the court was provided for, and which therefore became final in the absence of such an appeal," the Acting Commissioner contends that the right of this applicant to enrollment as an intermarried Choctaw hinges upon the meaning of this language. This quotation, he states, "undoubtedly means persons who were properly admitted to citizenship by the Commission upon proper evidence and a proper showing made before them, and that it does not mean that the Department has no authority to re-examine a decision of the Commission in a case of this character." It is believed, he states, that under the provisions of the act of June 28, 1898, the Department has power, and "that it is the duty of the Department to prevent the enrollment of any person as a citizen of the Choctaw Nation, by intermarriage or otherwise, not shown to be justly and equitably entitled to such enrollment even though admitted by the Commission in 1896, and that the Department therefore has authority to direct that the principal applicant herein be not enrolled." He therefore recommends that your decision, so far as it relates to Charles J. Houghton, be not concurred in.

The Department considers the question settled by the opinion of the Assistant Attorney General of March 17, 1899, to which the Acting Commissioner refers. There is a wide difference between the Adams case and the one under consideration. The Commission had no jurisdiction under the act of 1896 in the Adams case. Adams was a citizen by admission, by the National Council of the Nation. His right to citizenship had not "been denied or not acted upon" by the Nation's authorities, relative to which class of cases your Commission had jurisdiction under the act of 1896. Houghton's right had not been acted upon, or if so apparently his claim had been rejected. He therefore had a right to apply to your Commission in 1896, under the act of 1896, and your Commission having jurisdiction in his case, your decision, based upon evidence which is not before the Department, not appealed from, became final.

Finding no reason to disturb your decision, it is hereby affirmed.

A copy of the Acting Commissioner's letter is inclosed.

Respectfully,

Thos Ryan,

Acting Secretary.

1 inclosure.

COPY

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

WASHINGTON, July 15, 1904.

Refer in
reply to the
following:
Land.
18678-1904.

The Honorable,

The Secretary of the Interior.

Sir:

January 4, 1904, the Commission to the Five Civilized Tribes transmitted the record relative to the application of Charles L. Houghton, for the enrollment of his wife, Leona Houghton, nee Douglas, and their minor child, Luther Houghton, as citizens by blood of the Choctaw Nation, and for the enrollment of himself as an intermarried citizen.

January 4, last, the Commission held that Luther Houghton was entitled to enrollment as a citizen by blood; that Charles L. Houghton was entitled to enrollment as an intermarried citizen, and dismissed the application for the enrollment of Leona Houghton, it being shown by the record that she died prior to September 25, 1902.

February 12, 1904, the Commission transmitted the request of the attorneys for the Choctaw and Chickasaw Nations, that final action be not taken in this case until such time as the Choctaw and Chickasaw Citizenship Court had passed upon the application of Julia Londen, et al., as

(2)

citizens of the Choctaw Nation. The papers in the case were transmitted to the Department with report of March 14, 1904, and were returned with Department letter of March 18, 1904, (I.T.D. 2256). As the Choctaw and Chickasaw Citizenship Court has heretofore passed upon the Julia London case, there seems to be no reason why the record in this case should not be transmitted for final decision.

It is shown by the record in the case that in 1896 all of the parties to this case applied to the Commission for admission to citizenship in the Choctaw Nation, in accordance with the act of June 10, 1896; that on December 2, 1896, Charles L. Houghton, as C. L. T. Houghton, was admitted to citizenship as an intermarried citizen, and that the other applicants were admitted as citizens by blood; that an appeal was taken from the decision of the Commission, and the United States court for the central district of the Indian Territory, dismissed the appeal upon motion of the plaintiff on July 13, 1897. The motion was dismissed by the court, because it was not taken within the time prescribed by law.

In the Commission's decision it is stated that "it further appears from the evidence in this case that all of the applicants herein were residents in good faith of the Indian Territory on June 28, 1896, all applicants listed upon census cards in the years 1898 and 1899 having been

(3)

first examined as to such fact, although their testimony was not reduced to writing, and that the status of the applicant herein, Charles L. Houghton, as a citizen by intermarriage of the Choctaw Nation, remained unchanged from the date of his said application in 1896, up to and including September 25, 1902."

Charles L. Houghton and Leona Houghton, nee Douglas, were married in 1881. At the time of their marriage the wife of the applicant was not recognized as a citizen of the Choctaw Nation, and the marriage was performed in accordance with the laws of the United States. The principal applicant and his wife lived together as husband and wife until her death on July 16, 1899.

Under the laws of the Choctaw Nation white men marrying Indian women, citizens of that Nation, were required to obtain a Choctaw license, and have the marriage performed in accordance with the laws of the Nation, in order to acquire intermarriage citizenship. This applicant did not marry in accordance with the laws of the Nation, and it is shown by the testimony, which is not contradicted, there being no other testimony in the case on this point, that his wife was not a recognized citizen of the Choctaw Nation at the time of their marriage.

It seems to this office, therefore, that the right of the principal applicant in this case to intermarriage

citizenship hinges upon the action of the Commission in 1896. This office is informally advised by Chairman Bixby, that in 1896 applicants for admission to citizenship were not required to appear in person before the Commission, and that it was not customary to take testimony relative to such applications. If it were not for the Commission's decision of 1896, the applicant would probably not be entitled to enrollment, but as he was admitted in 1896, and as there does not seem to be any officer clothed with authority to reverse the Commission's action, unless the Department is empowered to do so by the provisions of the Curtis Act, he may be entitled to enrollment. However, the Curtis Act imposes upon the Department the duty of seeing that proper and correct rolls are made, eliminating from the tribal rolls such names as have been placed thereon by fraud and enrolling "such intermarried white citizens as may be entitled to Choctaw and Chickasaw citizenship under the provisions of the law of said tribes."

The record does not show that the principal applicant made any effort whatever to procure a tribal license, and it seems to the office that he is not under the showing made, although admitted by the Commission in 1896, entitled to enrollment as an intermarried citizen of the Choctaw Nation, as it is plainly shown that he did not comply

(5)

with the tribal intermarriage laws, or make any effort to do so, and it is believed that the duty of seeing that proper rolls of the citizens of said Nation are made is incumbent upon the Department, and that the Department has power and authority to declare that the principal applicant in this case shall not be enrolled as an intermarried citizen of the Choctaw Nation because of not having complied with the tribal laws relating to intermarriage, or having made an attempt to do so.

It is not probable that the Commission would have admitted this applicant in 1896, if the facts as now shown had been presented, and with reference to the Commission's decision of 1896 being final, your attention is respectfully invited to Department letter of May 21, 1903 (I.T.D. 4398), relative to the enrollment of Wiley Adams as a citizen of the Choctaw Nation. Wiley Adams, a white man, appeared before the Commission in 1896 as an applicant, and was denied. It was subsequently shown that about 1877 he married a Creek, the widow of a Chickasaw citizen, and that by the act of the National Council, approved November 6, 1884, he was admitted to citizenship in the Choctaw Nation. The Department in letter referred to said: "The act of June 10, 1896, supra, conferred upon the Commission no power to strike from the rolls persons born thereon by the act and with full consent of the tribe," and approved the final action of the Commission

holding that Wiley Adams was entitled to citizenship in the Choctaw Nation. Under the Department's holding in the Wiley Adams case, the Commission did not have jurisdiction of his case in 1896, and it had no power to determine the citizenship of a person whose name appeared upon the tribal rolls. The only power or authority vested in the Commission by the act mentioned was to admit applicants to citizenship. Under the Curtis Act additional powers were conferred upon the Commission, in that they were authorized to remove names from the tribal rolls which had been improperly placed thereon, and by the provisions of this act, as above stated, the Department is charged with the duty of seeing that correct rolls of the citizens of the different tribes are made, and that no person not entitled to enrollment is enrolled.

March 17, 1899, the then Assistant Attorney General, in an opinion said among other things:

"The rolls so made by the commission are to be final when approved by the Secretary of the Interior." This approval being required to give the quality of finality to the rolls, it follows necessarily that the Secretary of the Interior is clothed with some legal discretion and authority in granting or withholding his approval, and that he has a power of supervision and review over the action of the commission in preparing the rolls. This power of supervision and review extends to everything done by the commission in the way of placing names upon or withholding names from the rolls which depends for its final sanction and effect upon the approval of the rolls by the Secretary of the Interior, but it does not include or authorize a re-examination of a decision of the commission from which an appeal to the court was provided for, and which therefore became

final in the absence of such an appeal, nor does it include or authorize a re-examination of a decision of the court upon such an appeal. It does, however, enable the Secretary to see that any individual entitled to enrollment under any such final decision is placed upon the roll, and that any name placed thereon in disregard of any such final decision is stricken therefrom.*

It will be observed that the Assistant Attorney General said that the authority of the Department "does not include or authorize a re-examination of a decision of the Commission from which an appeal to the court was provided for." It seems to the office therefore that the right of this applicant to enrollment as an intermarried Choctaw hinges upon the meaning of the words last quoted. This quotation undoubtedly means persons who were properly admitted to citizenship by the Commission upon proper evidence and a proper showing made before them, and that it does not mean that the Department has no authority to re-examine a decision of the Commission in a case of this character.

The Commission did not have jurisdiction of the Wiley Adams case in 1896, as he was a citizen of the Choctaw Nation, and it is not at all probable that they would have taken jurisdiction of this case in 1896 had the facts been presented as they now appear, as it is clearly shown that the principal applicant did not comply with the intermarriage laws of the Nation. It is believed by this office that under the provisions of the Curtis Act, the Department has power, and that it is the duty of the Department to prevent

(8)

the enrollment of any person as a citizen of the Choctaw Nation, by intermarriage or otherwise, not shown to be justly and equitably entitled to such enrollment even though admitted by the Commission in 1896, and that the Department therefore has authority to direct that the principal applicant herein be not enrolled.

I therefore have the honor to recommend that the Commission's decision dismissing the application for the enrollment of Leona Houghton, and holding that Luther Houghton is entitled to enrollment as a citizen by blood of the Choctaw Nation be approved, so far as those two applicants are concerned; that the part of the Commission's decision declaring Charles L. Houghton entitled to citizenship by intermarriage be reversed, and that the Commission be directed not to enroll him as an intermarried citizen of said Nation.

Very respectfully,

A. C. Tenner,

Acting Commissioner.

CAT-D

Choctaw 4476.

Muskogee, Indian Territory, August 1, 1904.

Charles H. Wrighter,

Kiowa, Indian Territory.

Dear Sir:

You are hereby advised that, on July 26, 1904, the Secretary of the Interior approved the decisions of the Commission of January 4, 1904, granting your application for enrollment as an inter-married citizen of the Choctaw Nation, and for the enrollment of your son, Luther Robertson, as a citizen by blood of the Choctaw Nation.

Your names will accordingly be placed upon the next schedule of citizens of the Choctaw Nation prepared for forwarding to the Secretary of the Interior.

Respectfully,

Coris Iouar in Charge.

Choctaw 4476

Muskogee, Indian Territory, August 1, 1904.

W. N. Redwine,

Attorney at Law,

South McAlester, Indian Territory,

Dear Sir:

You are hereby advised that on July 20, 1904, the Secretary of the Interior affirmed the decision of the Commission of January 4, 1904, granting the application for the enrollment of Charles L. Houghton as an intermarried citizen of the Choctaw Nation and Luther Houghton as a citizen by blood of the Choctaw Nation. Their names will accordingly be placed upon the next schedules of citizens of the Choctaw Nation prepared for forwarding to the Secretary of the Interior.

Respectfully,

Commissioner in Charge.

Choctaw 4476.

Muskogee, Indian Territory, August 1, 1904.

Mansfield, McKurray & Cornish,

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

Gentlemen:

You are hereby advised that on July 20, 1904, the Secretary of the Interior advised the decision of the Commission of January 4, 1904, granting the application of Charles I. Johnston for enrollment as an intermarried citizen of the Choctaw Nation and for the enrollment of his minor son, Luther Johnston, as a citizen by blood of the Choctaw Nation.

Their names will accordingly be placed upon the next schedules of citizens of the Choctaw Nation prepared for forwarding to the Secretary of the Interior.

For your information, there is enclosed herewith copy of Departmental letter (I.T.B. 5774-1904).

Respectfully,

EA 4-1.

Commissioner in Charge.

Choctaw 4476

Muskogee, Indian Territory, September 19, 1902

Luther Houghton,

Berwyn, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of September 6, asking for a certificate that you are enrolled, and stating that you were enrolled September 17, 1898, at South McAlester.

In reply to your letter you are advised that it appears from our records that on September 4, 1899, at South McAlester, Indian Territory, Luther Houghton, then sixteen years of age, son of Charles L. Houghton and Leona Houghton, was listed for enrollment as a citizen of the Choctaw Nation, having been admitted to such citizenship by the Commission to the Five Civilized Tribes in 1896, in Dawes Commission case Number 193. Until the rolls of the citizens of the Choctaw Nation have been approved by the Secretary of the Interior, the Commission can issue no certificates of enrollment to the citizens of the said nation.

Yours truly,

Acting Chairman.

COMMISSIONERS
HENRY L. DAVIS
TAMM DEXTER
LUCAS B. NEEDLES
C. R. DODD

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

PLEASE IN REPLY TO THE FOLLOWING

7-4476.

Muskogee, Indian Territory, November 13, 1902.

Luther Houghton,

Berwyn, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your affidavit relative to the death of your mother, Leona Houghton, a citizen by blood of the Choctaw Nation, which it is stated occurred January 16, 1898.

You are advised that it appears from our records that Charles L. Houghton, 43 years of age, and a citizen by inter-marriage of the Choctaw Nation, was listed for enrollment by this Commission September 4, 1899. At the same time his wife, Leona, 33 years of age, and his minor son, Luther Houghton, 16 years of age, were listed for enrollment as citizens by blood of the Choctaw Nation, it being evident that your mother was living on that date.

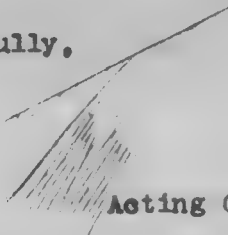
The affidavit is therefore returned to you herewith, as it is believed that an error has been made by you as to the year in which the death of your mother occurred.

You are kindly requested to investigate the matter, correcting the error if one has been made, and return the affidavit at your earliest convenience in the enclosed envelope.

L H 2

You are also requested to procure the affidavit of an acquaintance as to the death of your mother and have same properly executed.

Respectfully,

A handwritten signature in dark ink, appearing to be a stylized name with a long, sweeping underline that extends to the right.

Acting Chairman.

Env.

Enc. B I 142.

7-4476.

Muskogee, Indian Territory, November 29, 1902.

Charles L. Houghton,

Kiowa, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the affidavit of Luther Houghton relative to the death of his mother, Leona Houghton, a citizen by blood of the Choctaw Nation, which occurred July 16, 1898.

You are advised that it appears from our records that on September 4, 1899, you, your wife Leona Houghton, and your minor son, Luther Houghton, were listed for enrollment as citizens of the Choctaw Nation. It is evident that at that time Leona Houghton was living.

The affidavit is therefore returned to you herewith, as it is believed that a mistake has been made as to the year in which the death of your wife, Leona Houghton, occurred. You are requested to correct the error, if one has been made, and return the affidavit at your earliest convenience in the enclosed envelope.

CLH 2

You are also requested to procure the affidavit of an acquaintance relative to the death of your wife, and have the same properly executed.

Respectfully,

Acting Chairman.

Enc B I 138.

57-4476.

Muskogee, Indian Territory, December 12, 1902.

C.L.T. Houghton,

Kiowa, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 8th inst., enclosing your affidavit and that of J.T. Orrell relative to the death of your wife, Leona Houghton, a citizen by blood of the Choctaw Nation, which occurred July 16, 1899; 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.

It is stated in your letter that you are an intermarried citizen of the Choctaw Nation, and have been duly enrolled by the Commission as such and have not married again since the death of your wife, and you ask if it will be necessary for you to appear again before the Commission for enrollment.

In reply to your letter, you are advised that under a provision of the act of Congress approved July 1, 1902, and ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902, the Commission is preparing rolls of the

C L T H 2

citizens of the Choctaw and Chickasaw Nations for submission to the Secretary of the Interior, and it is necessary to secure evidence as to the status of intermarried citizens of said nations on September 25, 1902, the date of the final ratification of the act of Congress above referred to.

Respectfully,

Acting Chairman.

7-6476

Muskogee, Indian Territory, October 18, 1908.

W. N. Redwine,
Attorney at Law,
South McAlester, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 10th inst., enclosing the affidavit of C. L. T. Houghton relative to his continuous residence in the Choctaw Nation for 25 years; and the same has been duly filed with the records of the Commission in the matter of the application for enrollment of Charles L. Houghton as an intermarried citizen of the Choctaw Nation.

You request to be advised if any further evidence is necessary in support of the application of Mr. Houghton; you are informed that should further evidence be necessary you will be duly notified.

Respectfully,

Commissioner in Charge.

Choctaw 4476

Muskogee, Indian Territory, April 7, 1904.

Charles L. Houghton,
Kiowa, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of March 19, stating that you do not see why your case should be held pending the decision in the case of Julia London.

In reply to your letter you are advised that on February 6, 1904, the attorneys for the Choctaw and Chickasaw Nations filed a protest in your case, and on February 12, 1904, the record in the case, together with the decision of the Commission admitting you as an intermarried citizen of the Choctaw Nation and your son, Luther Houghton, as a citizen by blood of said nation, and the protest of the attorneys for the nations, were forwarded the Secretary of the Interior but the Commission has not yet been advised of Departmental action in your case. As soon as the Commission is informed of any action by the Secretary of the Interior in your case you will be duly notified.

Respectfully,

Commissioner in Charge.

Muskogee, Indian Territory, April 13, 1904.

Thomas Norman,
Attorney at Law,
Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of April 13, asking for a certificate showing the enrollment of the children of Leona Houghton.

In reply to your letter you are advised that, on January 4, 1904, the Commission rendered its decision enrolling Charles L. Houghton, formerly husband of Leona Houghton, as an intermarried citizen of the Choctaw Nation, and his son, Luther Houghton, as a citizen by blood of the Choctaw Nation, but on February 6, 1904, the attorneys for the Choctaw and Chickasaw Nations filed a protest against the action of the Commission in enrolling these applicants, and, on February 12, 1904, the record in this case and the decision of the Commission, together with the protest of the attorneys for the Choctaw and Chickasaw Nations were forwarded to the Secretary of the Interior. The Commission has not yet been informed of the Departmental action thereon and the names of Charles L. Houghton and Luther Houghton have not, therefore, been placed upon schedules of

T H 2

citizens of the Choctaw Nation and the Commission can not comply with your request for a certificate showing the enrollment of Luther Houghton.

Respectfully,

Chairman.

Choctaw 4476

Muskogee, Indian Territory, June 25, 1904.

Thomas Norman,

Attorney at Law,

Ardmore, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of June 18, asking for a certificate of the action of the Commission in 1896, in the matter of the application of Leona D. Houghton, et al. for citizenship in the Choctaw nation.

In compliance with your request there is inclosed you herewith a certified copy of the docket entry of the action of the Commission in 1896 in the case of Leona D. Houghton, et al. above referred to.

Respectfully,

Chairman.

AB 3-2

7-4476

Ft. Smith, Ark., December 2, 1896.

193

Leona D. Houghton, et al.	•	Filed Sept. 5, 1896. Answer filed.
v.	•	Application of Leona D. Houghton as a
Choctaw Nation.	•	citizen by blood, C. L. T. Houghton a
	•	citizen by marriage and Luther Houghton
	•	their child a citizen by blood granted.
	•	Cole and Redwine South McAlistar, I.T

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

I, Tams Bixby, Chairman of the Commission to the Five Civilized Tribes, do hereby certify that the above and foregoing is a true and correct copy of Choctaw Docket of 1896 cases, "C", page 232, Commission to the Five Civilized Tribes, insofar as the same refers to the application of Leona D. Houghton, et al. for citizenship in the Choctaw Nation under the provisions of the act of Congress of June 10, 1896.

In Testimony Whereof I have hereunto set my hand at Muskogee, Indian Territory, this June 25, 1904.

Chairman.

MEMORANDA.

(Date) *Sept 1899* 1899.

12

Name *Thomas L. ...*

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, *...*

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

... County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.



Choc 4477 Newton Tiner

4477

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 -

DORA TINER, - - - - - Choctaw-4477

Commission to the Five Civilized Tribes,
South McAlester, Ind. Terr.

In the enrollment of Dora Tiner as an intermarried Choctaw;
Newton Tiner being sworn and examined by Com'r McKennon states:

- Q What is your name? A Newton Tiner.
Q How old are you? A Twenty-nine.
Q You are a Choctaw citizen? A Yes sir.
Q Your wife is a white woman? A Yes sir.
Were you married to her? A Yes sir.
Q Where? A In Gaines county, Choctaw Nation.

- Q By whom? A Parson Lyons.
Q A Minister of the Gospel? A Yes sir.
Q Is your wife still living with you? A Yes sir.

John Heron being sworn and examined states:

- Q What is your name? A John Heron.
Q How old are you? A Thirty.
Q Do you know Newton Tiner? A Yes sir.
Q Do you know his wife Dora? A Yes sir.
Q He is a Choctaw citizen? A Yes sir.
Q She is a white woman? A Yes sir.
Q Were you present at their marriage? A Yes sir, they married at my house in Gaines county, Choctaw Nation.
Q By whom? A Parson Lyons.

Department of the Interior,
Commissioner of the Bureau of Indian Affairs,
Washington, D. C.
I hereby certify that this
stenograph report is a true and correct translation of
transcript of the proceedings of the
my stenographic notes.

M. D. Green

Choctaw #4477.
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 Dora Tiner for enrollment as an intermarried citizen of the Choctaw Nation.

Dora Tiner being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Dora Tiner.
Q How old are you? A Twenty-two.
Q What is your post office address? A Pine.
Q Is that in the Choctaw Nation? A Yes, sir.
Q How long have you been a resident of the Choctaw Nation? A About 14 years.
Q Have you lived here continuously for the past 14 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 husband through whom you claim these rights? A Newton Tiner.
Q Is he a recognized and enrolled citizen of the Choctaw Nation? A Yes, sir.
Q Have his rights as such ever been disputed? A No, sir.
Q When were you married to him? A 1896.
Q Where was this marriage ceremony performed? A Canadian, in the Choctaw Nation.
Q At that time were both you and your husband residents of the Choctaw Nation? A Yes, sir.
Q Who performed the marriage ceremony? A Lyons.
Q Minister of the gospel? A Yes, sir.
Q Were you married under a license? A No, sir.
Q Were you ever married before your marriage to Newton Tiner? A No, sir.
Q Was he ever married before his marriage to you? A No, sir.
Q Since that time 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.

Chas. Diffendaffer, 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 stenographic notes taken in said cause on said date.

Subscribed and sworn to before me this 6th day of January 1903.

Chas. Diffendaffer
Notary Public.

Doc
J.R.B.
7 - 4477

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

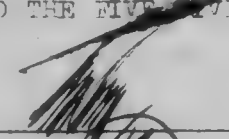
In the matter of the application for the enrollment of
Dora Tiner as a citizen by intermarriage of the Choctaw Nation.

D E C I S I O N .


It appears from the record herein that Dora Tiner, in 1896, was lawfully married to Newton Tiner, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as No. 12432 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 March 6, 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 Dora Tiner 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.

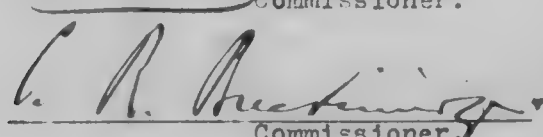
COMMISSION TO THE FIVE CIVILIZED TRIBES,



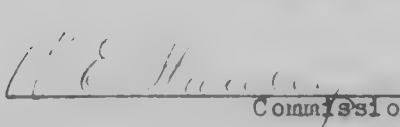
Chairman.



Commissioner.



Commissioner.



Commissioner.

Muskogee, Indian Territory,

JUL 28 1903

Choctaw 4477

COPY.

Muskogee, Indian Territory, July 28, 1903.

Dora Tiner,
Pine, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 28, 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,

Registered.

Enc MYC 5/28

F. D. Hodges
Commissioner in Charge.

Choctaw 4477

Muskogee, Indian Territory, July 28, 1903.

Mansfield, McHurray & 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 Dora Tiner 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. Medico.
Commissioner in Charge.

Registered.

Enc NYC 6/28

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the **Choctaw** Nation,
 of **Thomas Linn**, born on the **20** day of **Feb**, **1900**
 (Here insert name of child)
 Name of Father: **Newton Linn**, a citizen of the **Choctaw** Nation.
 Name of Mother: **Dora Linn**, a citizen of the **Choctaw** Nation.
 Postoffice: **Bower, T.**

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,)

INDIAN TERRITORY.

Central District.)

I, **Dora Linn**, on oath state that I am **21**
 years of age and a citizen, by **Marrage**, of the **Choctaw** Nation;
 that I am the lawful wife of **Newton Linn**, 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 **Feb**, **1900**; that said child has been
 named **Thomas Linn**, and is now living.

WITNESSES TO MARK:

Dora Linn

(Must be Two Witnesses)

Subscribed and sworn to before me this **2** day of **March**, **1900**

J. D. Kelley
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,)

INDIAN TERRITORY.

Central District.)

I, **Mary Pitcher**, a **Midwife**, on oath state that I
 attended on Mrs. **Dora Linn**, wife of **Newton Linn**,
 on the **20** day of **Feb**, **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 **Louise Linn**.

WITNESSES TO MARK:

Martha Pitcher

(Must be Two Witnesses)

Subscribed and sworn to before me this **2** day of **March**, **1900**

J. D. Kelley
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 John Smith, born on the 22 day of March, 1892.
 Name of father: John Smith, a citizen of the Cherokee Nation.
 Name of mother: John Smith, a citizen of the Cherokee Nation.
 Post Office: ...

AFFIDAVIT OF MOTHER.

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

I, John Smith, on oath, state that I am 22 years of age and a
 citizen, by ..., of the Cherokee Nation; that I am the
 lawful wife of John Smith who is a citizen, by ..., of the
Cherokee Nation; that a ... child was born to me on the ... day
 of ..., 1892; that said child has been named ...
 and is now living.

Subscribed and sworn to before me this ... day of ..., 1892.

John Smith
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, John Smith, a ..., on oath, state that I
 attended on Mrs. John Smith, wife of John Smith
 on the ... day of ..., 1892; 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 ..., 1892.

John Smith
 Notary Public.

MEMORANDA.

(Date) 1899.

29

Name

Choctaw? County Gaines Year No.

Chickasaw? County Year Page 31

Citizen by blood? Mother's citizenship US

Intermarried citizen?

Married under what law?

License filed this day,

30

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

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.

County Year Page No.

Handwritten notes at bottom left.

Handwritten notes at bottom right.

Choc 4478 Josephus Hayes

4478
86hh

7-4473.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Kiowa, Indian Territory, February 9, 1905.

--oOo--

In the matter of the application for the enrollment of
Addie F. Hayes as a citizen by blood of the Choctaw Nation.

--oOo--

Edith Taney Wood, being duly sworn, testified as follows:

EXAMINATION BY THE COMMISSION.

- Q What is your name? A Edith Taney Wood.
Q How old are you? A Sixty.
Q What is your post office address? A Kiowa, Indian Territory.
Q Do you know Josephus Hayes? A Yes, he always went by the name
of Cephus Hayes. He lived right by us.
Q What was his wife's name? A Rhoda.
Q Was his wife a white woman? A Yes.
Q Did Josephus Hayes have any children? A Had two.
Q What were the children named? A Addie and Elmer.
Q How near did you live to Josephus Hayes and his family? A About
two hundred yards.
Q You were well acquainted with him? A Yes, we lived all summer
right by him.
Q Is his wife living? A No, she is dead; died when Elmer was
about five weeks old.
Q Where does Josephus Hayes live now? A In the Chickasaw Nation
right this side of Ardmore.
Q How long ago was it that he removed from Kiowa? A About
fourteen months ago.
Q Was Addie Hayes living at that time? A Yes, sir.
Q About how old was she? A They said she was four years old
but I think she was older. I think she was about five.
Q So now she would be between six and seven years old? A Yes.
Q You were not present at the birth of Addie Hayes? A No, sir;
I never saw her until she was a big girl.
Q But from your acquaintance with the mother of the child and
with the family you are positive are you that Addie F. Hayes is
a child of Josephus Hayes and his wife Rhoda? A Yes, sir.
Q And so far as you know the child is living at the present time?
A Yes, she was living then.

Witness excused.

John Wood, being duly sworn, testified as follows:

EXAMINATION BY THE COMMISSION.

Addie F. Hayes 2.

- Q What is your name? A John Wood
- Q How old are you? A Sixty-two--will be next May.
- Q What is your post office address? A Kiowa, Indian Territory.
- Q Do you know Josephus Hayes? A Yes, I was pretty well acquainted with him.
- Q What was his wife's name? A Rhoda.
- Q Was his wife a white woman? A Yes, she claimed to be.
- Q Did they have any children? A Yes, they had two.
- Q What were the children's names? A The little girl was Addie. I never knew the other's name.
- Q At the time Josephus Hayes left Kiowa about fourteen months ago was Addie F. Hayes living? A Yes, sir.
- Q From your acquaintance with the family, with Josephus and Rhoda Hayes, are you positive that Addie F. Hayes was their child? A Yes, sir.
- Q How old would it be at the present time? A About six years. old judging from the size of it.
- Q What relation are you to the witness who has just testified?
A Husband.
- Q How far from Josephus Hayes did you live? A About two hundred yards where we lived one summer.
- Q You were well acquainted with the family? A Yes, I was acquainted with them for six months before I removed there.

Witness excused.

Robert E. Brunert, stenographer to the Commission to the Five Civilized Tribes, on oath states that he reported all the proceedings has in the above entitled case on the 9th day of February, 1905, and that the foregoing is a full, true and correct transcript of his stenographic notes in said case.

Robert E. Brunert

Subscribed and sworn to before me this 13th day of February, 1905.

Wirt Franklin
Notary Public.

MEMORANDA.

(Date)

1899.

260

Name *J. M. ...*

Choctaw? *Yes* County *W. A. ...* Year *91* No. *2037*

Chickasaw? County Year Page *147*

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

34x

Wife's name *A. M. ...*

Choctaw? County Year No. *1411*

Chickasaw? County Year Page *370*

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

Name	County	Year	Page	No.
<i>J. M. ...</i>	County	Year	Page	No.
<i>...</i>	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.

1418

Commission to the Five Civilized Tribes,
South McAlester, Ind. Terr.

In the enrollment of Rhoda N. Hayes as an intermarried Choctaw Josephus Hayes being sworn and examined by Com'r McKennon states:

- Q What is your name? A Josephus Hayes.
Q How old are you? A Twenty-six.
Q What ~~was your father's name~~ is your wife's name? A Rhoda N.
Q She is a white woman? A Yes sir.
Q Were you married to her? A Yes sir.
Q Where? A Down in Blue county.
Q Do you remember the name of the man who married you?
A No sir.
Q Was he a preacher? A Yes sir, a Choctaw preacher.
Q She is living with you yet? A Yes sir.

Charles L. T. Houghton being sworn and examined states:

- Q What is your name? A Charles L. T. Houghton.
Q How old are you? A Forty-three.
Q Do you know Josephus Hayes? A Yes sir.
Q Do you know his wife Rhoda N.? A Yes sir.
Q He is a Choctaw citizen? A Yes sir.
Q His wife is a white woman? A Yes sir.
Q Do you know that they are living together as husband and wife?
A Yes sir, they have been for two years that I know of.
Q They are recognized in the community where they live as husband and wife? A Yes sir.

Department of the Interior

Commissioner of the Bureau of Indian Affairs
I hereby certify that the foregoing is a true and correct translation of my stenographic notes.
transcribed and translated by the named Commission of this
and correct translation of
my stenographic notes.

M. D. McKeen

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

In the matter of the death of Thomas Hayes
(Here insert name of deceased.)
a citizen of the Cherokee Nation, who formerly resided at or near
Kiowa, Ind. Ter., and died on the 15th day of
December, 1900
(Here insert name of postoffice.)

AFFIDAVIT OF RELATIVE.

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

I, Josephus Hayes, on oath state that I am 28
years of age and a citizen, by blood, of the Cherokee Nation;
that my post office address is Kiowa, Ind. Ter.; that I am
the father of Thomas Hayes
(State relationship: 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 Thomas Hayes died on the 15 day of
December, 1900

WITNESSES TO MAKE: }
Josephus Hayes }
Mark }
(Must be Two Witnesses.)

Subscribed and sworn to before me this 22 day of December, 1900
J. 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 MAKE: }
_____ }
(Must be Two Witnesses.)

Subscribed and sworn to before me this _____ day of _____, 190____

Notary Public.

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

In the matter of the death of Rhoda Hayes
(Here insert name of deceased.)
a citizen of the Choctaw Nation, who formerly resided at or near
Kiowa, Ind. Ter., and died on the 18th day of
October, 1901.
(Here insert name of postoffice.)

AFFIDAVIT OF RELATIVE.

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

I, Josephus Hayes, on oath state that I am 28
years of age and a citizen, by W. W. Hodges, of the Choctaw Nation;
that my post office address is Kiowa, Ind. Ter.; that I am
the husband of Rhoda Hayes,
(State relationship as the father, an uncle, a cousin, etc.) (Here insert name of deceased.)

who was a citizen, by W. W. Hodges of the Choctaw Nation;
and that said Rhoda Hayes died on the 18th day of
October, 1901.

WITNESSES TO MARK: Josephus Hayes
mark
(Must be Two) } Frank Kinkade
Witnesses. }

Subscribed and sworn to before me this 22nd day of December 1901
J. C. Humphrey
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

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

I, H. Hodges, on oath state that I am 54
years of age, and a citizen, by W. W. Hodges, of the Chickasaw Nation;
that my post office address is Kiowa, Ind. Ter.;
that I was personally acquainted with Rhoda Hayes,
(Here insert name of deceased.)
who was a citizen, by W. W. Hodges, of the Choctaw Nation;
and that said Rhoda Hayes died on the 18th day of
October, 1901.

WITNESSES TO MARK: H. Hodges
mark
(Must be Two) } Frank Kinkade
Witnesses. }

Subscribed and sworn to before me this 22 day of December 1901
J. C. Humphrey
Notary Public.

Mr Douglas Hargis being sworn
makes the following statement.
My name is Douglas Hayes
I live about 15 miles East
of Keoia I.T. My age is 24
I was at the house of
Joseph Cephus Hayes when his
wife Rhoda Narcissa Hayes
gave birth to a male child
August 15th 1901. The child
is now living and is said
to have been named James Edwin
Hayes

Douglas Hargis
Subscribed and sworn to this
23rd day of June 1904 before me
a Notary Public for the Central
Districts Indian Territory.
H. B. Rowley
Notary Public

Mrs. Sallie J. Hargis being sworn
makes the following statement.
My name is Sallie J. Hargis
I live about 15 miles east of
Kenna I.T. My age is 29
I was at the house of
Joseph Ephraim Hayes when
his wife Rhoda Narcissa Hayes
gave birth to a male child
August 15th 1901. The child
is now living and is said
to have been named James
Elihu Hayes

Sallie J. Hargis
Subscribed and sworn to this
23rd day of June 1902 before me
a Notary Public for the Central
District Indian Territory
A. B. Rowley
Notary Public

CHOCTAW.

INDEXED

20

IN RE

Application for Enrollment of

INFANT CHILD

James Elmer Hayes
as a citizen of

Choctaw Nation.

Approved

190

Commissioner.

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

FILED
JUN 25 1902

[Signature]
ACTING CHAIRMAN.

CHOCTAW. 4275

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

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of James Elmer Hayes, born on the 15 day of August, 1901
(Here insert name of child.)
Name of Father: Joseph Ephos Hayes a citizen of the Choctaw Nation.
Name of Mother: Rhoda Marcine Hayes a citizen of the Choctaw Nation.
Post-office: Kiowa T.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Cuba 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 _____ child was
(male or female.)
born to me on _____ day of _____ 1901; 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 _____ 1901

NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Cuba District.

I, Catherine Wilson, a midwife, on oath state that I
attended on Mrs. Rhoda Marcine Hayes, wife of Joseph Ephos Hayes
on the 15 day of August, 1901; that there was born to her on
said date a _____ child; that said child is now living and is said to have been
named James Elmer Hayes
(male or female.)

WITNESSES TO MARK:

(Must be Two Witnesses.)
E. F. Crasly
E. E. Darrin

Subscribed and sworn to before me this 6 day of June 1901

NOTARY PUBLIC

Muskogee, Indian Territory, June 9, 1902.

Josephus Hayes,

c/o H. B. Rowley,

Kiowa, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of James Elmer Hayes, infant son of Josephus and Rhoda Narcissa Hayes, born August 15, 1901, and the same is returned to you herewith.

You are advised that the mother of the child named in the application being dead, the affidavits of two disinterested parties who know of the birth of the child and the fact that it is still living should be furnished the Commission in lieu of the affidavit of the mother.

If the parties signing such affidavits are unable to write and their signatures are by mark, such signatures must be witnessed by two disinterested parties. The Notary Public before whom the same are acknowledged must affix his notarial jurat and seal to each separate affidavit.

Upon return of the application for enrollment of your child, accompanied by the affidavits, as stated herein, the matter

J.H.-----2.

will receive further consideration.

For the purpose of making the death of your wife a matter of record a blank for proof of death is also enclosed, and you are kindly requested to have the same properly executed and return at your earliest convenience 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 parties 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.

Yours truly,

Acting Chairman.

Env.
Enc. RBE 1.

Choctaw 4478

Muskogee, Indian Territory, June 26, 1902.

Joseph Cephas Hayes,

Kiowa, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of James Elmer Hayes, the infant son of Joseph Cephas and Rhoda Marcissa Hayes, born August 15, 1901, and the same has been accepted and 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.

7-4478

Muskogee, Indian Territory, December 10, 1902.

Josephus Hayes,

Kiowa, Indian Territory.

Dear Sir:

In the matter of the enrollment of your children, Addie F. and Thomas Hayes, as citizens of the Choctaw Nation, it does not appear that any affidavits as to the birth of these children have ever been filed with the Commission, and it is necessary that this be done before these children can be listed for enrollment as citizens of the Choctaw Nation.

As the mother of these children is dead the affidavits of two disinterested parties who know of the birth of these children and that they are still living should be furnished in place of the affidavits of the mother.

There are enclosed you herewith two blank affidavits which you should immediately fill out and return to the Commission.

For the purpose of making the death of your wife a matter of record a blank for proof of death is also enclosed and you should have the same properly executed and return it at the same time with the enclosed birth affidavits.

In having the above affidavits executed be careful to see that all blanks are properly filled, all names written in full, and

J.H. 2.

that the notary public before whom they are sworn to attaches his name and seal to each separate affidavit. In case any signatures are by mark such signatures must be attested by two disinterested parties, witnesses thereto.

This matter should receive your immediate attention as until these affidavits are returned your children will not be enrolled as citizens of the Choctaw Nation.

Respectfully,

Acting Chairman.

2 B.C.
1 D.C.
Env.

Muskogee, Indian Territory, March 30, 1904.

Josephus Hayes,

Kiowa, Indian Territory.

Dear Sir:-

In the matter of the application for the enrollment of your daughter, Addie F. Hayes, as a citizen by blood of the Choctaw Nation, the Commission has several times requested proof of birth of said child. To said requests no response has been received. You are therefore again requested to furnish proof of birth of said child and a blank for that purpose is enclosed you herewith.

In having the same executed be careful to see that all blank spaces are properly filled, all names written in full, 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 proof of birth of your daughter, Addie F. Hayes, is received, no further consideration can be given the matter of her enrollment.

Respectfully,

B-C
Env.

Commissioner in Charge.

7-4478.

Muskogee, Indian Territory November 14, 1904.

Josephus Hayes,
Kiowa, Indian Territory.

Dear Sir:

In the matter of the application for the enrollment of your daughter Addie F. Hayes, as a citizen by blood of the Choctaw Nation, the Commission has twice requested proof of birth of said child. To said requests no reply has been received. You are, therefore, again requested to furnish such proof of birth and a blank for that purpose is inclosed herewith.

In having the same executed be careful to see that all blank spaces are properly filled, all names written in full 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 should furnish this proof of birth as early as possible as until the same is received the Commission can not determine the right of Addie F. Hayes to enrollment as a citizen by blood of the Choctaw Nation.

Respectfully,

B C
Env.

Chairman.

Choc 4479 Pink W. Bell

PROTEST of attorneys for nations filed July 29, 1903
Record and PROTEST forwarded DEPT Aug 7, 1903

4479
66hh

MEMORANDA

J. McAllister

(Date) *Sept 11* 1899.

36 ✓

Name *Pink M. Bell*

Choctaw? *yes* County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship *is*

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:

14 ✓ *Less H. Bell* County *May* Year *1898* Page *24* No. *34*

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

✓ Adm. Clerk
See below
2 on 9-11-1899

21/11/99

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

In the matter of the death of Dell F Bell
(Here insert name of deceased.)
a citizen of the Choctaw Nation, who formerly resided at or near
Kiowa, Ind. Ter., and died on the 14 day of
(Here insert name of postoffice.)
September, 1900.

AFFIDAVIT OF RELATIVE.

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

I, Pinx W Bell, on oath state that I am 41
years of age and a citizen, by intermarriage, of the Choctaw Nation;
that my post office address is Kiowa, Ind. Ter.; that I am
(Here insert name of post office.)
Father of Dell F Bell,
(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 Dell F Bell died on the 14 day of
(Here insert name of deceased.)
September, 1900. Pinx Bell

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 22 day of December 1900

J. C. Humphrey
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

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

I, King G Bell, on oath state that I am 35
years of age, and a citizen, by intermarriage of the Choctaw Nation;
that my post office address is Kiowa, Ind. Ter.;
(Here insert name of post office.)
that I was personally acquainted with Dell F Bell
(Here insert name of deceased.)
who was a citizen, by blood, of the Choctaw Nation;
and that said Dell F Bell died on the 14 day of
(Here insert name of deceased.)
September, 1900. King G. Bell

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 22 day of December 1900

J. C. Humphrey
Notary Public.

Choctaw 4479.
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 P. W. Bell for enrollment as an intermarried citizen of the Choctaw Nation.

P. W. Bell being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A P. W. Bell.
Q How old are you? A Forty-one.
Q What is your post office address? A Kiowa.
Q How long have you been a resident of the Choctaw Nation? A About 25 years.
Q Have you lived here continuously for the past twenty-five years? A Yes, sir.
Q Never made your home any where 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 these rights? A Hattie Ward.
Q Was she recognized and enrolled as a citizen by blood of the Choctaw Nation? A Yes, sir, she was enrolled February 1896.
Q Were her rights as a Choctaw citizen ever disputed? A No, sir.
Q When were you married to Hattie Ward? A In June 1884.
Q Where was this marriage ceremony performed? A Kiowa.
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 From whom did you get that license? A Judge Silas James.
Q Judge of what county? A Atoka County.
Q How much did you pay for the license? A \$25.
Q Who performed the marriage ceremony? A F. W. Bryce.
Q Minister of the gospel? A Yes, sir.
Q Were you ever married before your marriage to Hattie Ward? A No, sir.
Q Was she ever married before her marriage to you? A No, sir.
Q Did you live together continuously as husband and wife up to the time of her death? A Yes, sir.
Q There was no separation of any kind? A No, sir.
Q Since her death have you remarried? A Yes, sir.
Q What is the name of your second wife? A Maggie Thompson.
Q Is she a white woman? A Yes, sir.
Q When did you marry her? A July 1888.
Q Are you still living with her? A Yes, sir.
Q Were you an applicant before this Commission in 1896 for admission to citizenship in the Choctaw Nation? A Yes, sir.

Choctaw # 4479.

- Q At that time did you apply as an intermarried citizen? A
Yes, sir.
- Q What action was taken upon your application by the Commission
at that time? A It was granted.
- Q Was your case ever appealed to the United States Court? A
No, sir.

Chas. Diffendaffer, 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 case and that
the foregoing is a full, true and correct transcript of his sten-
ographic notes taken in said cause on said date.

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

Chas. Diffendaffer

Charles H. Sawyer

Notary Public.

West

Commission to the Five Civilized Tribes,
South McAlester, Ind. Terr.

In the enrollment of Pink W. Bell as a non intermarried Choctaw;
being sworn and examined by Com'r McKennon ~~and~~ she states:

- Q What is your name? A Pink W. Bell.
Q How old are you? A Thirty-six.
Q When were you married to a Choctaw? A In 1884.
Q What is her name? A Mattie Wolf.
Q Is she dead, A Yes sir.
Q When did she die? A In 1885.
Q You have married again? A Yes sir.
Q A white woman? A Yes sir.
Q And a non citizen? A Yes sir.
Q When? A In 1888.
Q Are you still living with her? A Yes sir.

Examined by Choc Com'r Lewis:

- Q Didn't I have you arrested once in Tobucksy County for viola-
tion of the permit law? A No sir.
Q Ain't your name Pink? A Yes sir.
Q For violation of our pasture law I mean? A Yes sir.
Q I had you arrested for that? A Yes sir.
Q In order to get out of that didn't you swear that you wasn't
a citizen of the Choctaw Nation and didn't claim to be?
A I swore I didn't know whether I was or not; you fellows said
I wasn't.

Department of the Interior,
Commission to the Five Civilized Tribes

I hereby certify on my official oath as
stenographer to the named Commission, that this
transcript is a true, full and correct translation of
my stenographic notes.

M. D. Green

J.R.B.

7 - 4479.

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

In the matter of the application for the enrollment of Pink W. Bell as a citizen by intermarriage of the Choctaw Nation.

DECISION.

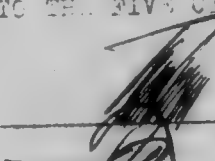
It appears from the record herein that Pink W. Bell appeared before the Commission and made personal application for enrollment as a citizen by intermarriage of the Choctaw Nation, claiming his right thereto by virtue of his marriage with Hattie Bell (nee Ward), a recognized citizen by blood of the Choctaw Nation, who died in 1868.

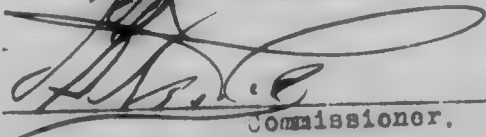
It further appears from the records of the Commission that on September 4, 1896, in the case entitled "P. W. Bell, et al., vs. Choctaw Nation," 1896 Choctaw Citizenship Pocket, case No. 923, the applicant herein made original application to this Commission under the provisions of the act of Congress 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 Hattie Bell (nee Ward), and on December 4, 1896, the said Pink W. Bell 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 at all times in good faith of Indian Territory on June 26, 1898, and that his status as an intermarried citizen had remained unchanged from the date of his said admission in 1896 up to and including September 25, 1911.

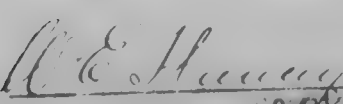
It is, therefore, the opinion of this Commission that Pink W. Bell should be enrolled as a citizen by intermarriage of the Choctaw Nation, under the provisions of the acts of Congress approved June 10, 1896, (29 Stat., 498) and July 1, 1902, (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Chairman.


Commissioner.


Commissioner.


Commissioner.

uskogee, Indian Territory.

JUL 25 1911

Choctaw-4470.

COPY.

Muskogee, Indian Territory, July 25, 1903.

Pink W. Bell,

Kiowa, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 25, 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. D. Noddles

Commissioner in Charge.

Registered.

Enc. IBS. 29/25

Choctaw-4479.

COPY.

Muskogee, Indian Territory, July 25, 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 25, 1903, granting the application of Pink W. Bell 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)

F. B. Woodlee.
Commissioner in Charge.

Registered.

Enc. IBS. 30/25

7-4419

Muskogee, Indian Territory, August 7, 1903.

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

Gentlemen:

Receipt is hereby acknowledged of your letter of July 29,
inclosing protest to the action of the Commission in enrolling Pink
W. Bell as an intermarried citizen of the Choctaw Nation.

You are hereby advised that the original record in this
case, together with your protest and the decision of the Commission
enrolling said applicant, has been this day transmitted to the Sec-
retary of the Interior.

Respectfully,

Commissioner in Charge.

COPY.

Muskogee, Indian Territory, August 7, 1903.

The Honorable,

The Secretary of the Interior,

Sir:

There is inclosed herewith original record in the matter of the application of Pink W. Bell for enrollment as an intermarried citizen of the Choctaw Nation, together with the decision of the Commission enrolling said applicant, and the protest of the attorneys for the Choctaw and Chickasaw Nations to the action of the Commission therein.

Respectfully,

T. B. Needles.

Commissioner in Charge.

Choctaw 4479

Through the Commissioner
of Indian Affairs.

7-4479

Muskogee, Indian Territory, August 8, 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. 4479:

~~"Protest of attorneys for Nations to enrollment
of No. 1 filed July 29, 1903. Original record
and decision together with protest forwarded
Department August 7, 1903."~~

You are therefore, requested to make like notation upon
the duplicate card in your possession in accordance with the above
information, which notation should be made with red ink.

Respectfully,

Commissioner in Charge.

CC-21469-1904.

J.W.H. FHE

(COPY)

ITD.4288-1904.
L.R.S.

DEPARTMENT OF THE INTERIOR,
WASHINGTON, June 21, 1904.

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory,

Gentlemen:

August 7, 1903, you transmitted the record in the matter of the application of Pink W. Bell for enrollment as an intermarried citizen of the Choctaw Nation, including your decision of July 25, 1903, granting said application.

Reporting in the matter May 24, 1904, the Acting Commissioner of Indian Affairs recommends that your decision be approved. A copy of his letter is inclosed.

The Department concurs in said recommendation; your decision is accordingly affirmed.

Respectfully,

E. A. Hitchcock,
Secretary.

1 inclosure.

Land.
51686-56709-1903.
58763-65309-1903.
66138-1903.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, May 24, 1904.

(COPY).

The Honorable,

The Secretary of the Interior.

Sir:

Enclosed herewith is a report from the Commission to the Five Civilized Tribes, dated August 7, 1903, transmitting the record relative to the application of Pink W. Bell for enrollment as an intermarried citizen of the Choctaw Nation.

July 25, 1903, the Commission rendered a decision holding that the applicant was entitled to enrollment as an intermarried citizen of the Choctaw Nation. The attorneys for the Choctaw and Chickasaw and Chickasaw Nations protested against the action of the Commission and in support of said protest stated that

"Said applicant is not lawfully entitled to enrollment as a citizen by inter marriage of the Choctaw Nation."

August 31, 1903, said attorneys transmitted a brief in the case. The records show that in 1884 Pink W. Bell was married to Hattie Wolff or Hattie Ward (name given both ways in the record), a citizen of the Choctaw Nation; that Hattie Bell, nee Wolff, died in 1885 and that thereafter, to-wit. in 1888, the applicant married a white woman. The attorneys for the Choctaw and Chickasaw Nations take the position that under the laws of the Choctaw Nation this applicant forfeited whatever right he acquired by virtue of his marriage to a citizen of the nation when he married a non-citizen after the death of his citizen wife. September 11, 1903, said attorneys filed a reply brief in behalf of the nations. Co-

tober 8, 1904, Horton & Brewer, attorneys for the applicant forwarded to the office brief in behalf of the applicant also attorney's oath properly executed by P. D. Brewer. October 13, 1903, (I.T.D.8307-1903), the Department referred to the office a communication from Mansfield, McMurray & Cornish, dated September 17, 1903, requesting that no action be taken on this case pending action by the Citizenship Court on cases involving parallel and identical questions. The record in this case also shows that in 1896, Pink W. Bell duly applied to the Commission to the Five Civilized Tribes for admission to citizenship in the Choctaw Nation; that Pink W. Bell claimed his right thereto by virtue of his marriage to Mattie Bell, a citizen of the nation; that he was admitted as an intermarried citizen by the Commission and that no appeal was taken from their decision.

From the record in the case it appears that he was a resident of the Indian Territory on June 28, 1898, and that he resided therein at the date of his application, to-wit: September 25, 1902. It also appears that the applicant is entitled to enrollment and attention is respectfully invited to the decision of the Choctaw and Chickasaw Citizenship Court in the case of Thomas Brinnan et al. The facts in the Brinnan case are similar to those in this case.

The approval of the Commission's decision is recommended.

Very respectfully,

A. C. Tonner,

Acting Commissioner.

Chectaw 4479

COPY.

Muskogee, Indian Territory, June 30, 1904.

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

Gentlemen:

You are hereby notified that the Secretary of the Interior, on June 21, 1904, affirmed the decision of this Commission, rendered July 25, 1903, granting the application of Pink W. Bell for enrollment as a citizen by intermarriage of the Chectaw Nation.

Respectfully,

(SIGNED)

T. B. Needles.

Commissioner in Charge.

COPY. Choctaw 4479

Muskogee, Indian Territory, June 30, 1904.

Pink W. Bell,

Kiowa, Indian Territory,

Dear Sir:

You are hereby notified that the Secretary of the Interior, on June 21, 1904, affirmed the decision of this Commission, rendered July 25, 1903, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

(SIGNED)

T. B. Needles.

Commissioner in Charge.

7-4479

Muskogee, Indian Territory, August 8, 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. 4479:

"Protest of attorneys for Nations to enrollment of No. 1 filed July 29, 1903. Original record and decision together with protest forwarded Department August 7, 1903."

You are requested to make like notation upon the duplicate card in your possession in accordance with the above information, which notation should be made with red ink.

Respectfully,

Commissioner in Charge.

DC-21469-1904.

J.W.H. FHE

(COPY)

ITD.4288-1904.
L.R.S.

DEPARTMENT OF THE INTERIOR,
WASHINGTON, June 21, 1904.

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory,

Gentlemen:

August 7, 1903, you transmitted the record in the matter of the application of Pink W. Bell for enrollment as an intermarried citizen of the Choctaw Nation, including your decision of July 25, 1903, granting said application.

Reporting in the matter May 24, 1904, the Acting Commissioner of Indian Affairs recommends that your decision be approved. A copy of his letter is inclosed.

The Department concurs in said recommendation; your decision is accordingly affirmed.

Respectfully,

E. A. Hitchcock,

Secretary.

1 inclosure.

Land.
51626-56709-1903.
50762-45209-1903.
66138-1903.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, May 24, 1904.

(COPY).

The Honorable,

The Secretary of the Interior.

Sir:

Enclosed herewith is a report from the Commission to the Five Civilized Tribes, dated August 7, 1903, transmitting the record relative to the application of Pink W. Bell for enrollment as an intermarried citizen of the Choctaw Nation.

July 25, 1903, the Commission rendered a decision holding that the applicant was entitled to enrollment as an intermarried citizen of the Choctaw Nation. The attorneys for the Choctaw and Chickasaw and Chickasaw Nations protested against the action of the Commission and in support of said protest stated that

"Said applicant is not lawfully entitled to enrollment as a citizen by inter marriage of the Choctaw Nation."

August 31, 1903, said attorneys transmitted a brief in the case. The records show that in 1884 Pink W. Bell was married to Hattie Wolff or Hattie Ward (name given both ways in the record), a citizen of the Choctaw Nation; that Hattie Bell, nee Wolff, died in 1885 and that thereafter, to-wit. in 1888, the applicant married a white woman. The attorneys for the Choctaw and Chickasaw Nations take the position that under the laws of the Choctaw Nation this applicant forfeited whatever right he acquired by virtue of his marriage to a citizen of the nation when he married a non-citizen after the death of his citizen wife. September 11, 1903, said attorneys filed a reply brief in behalf of the nations. On

tober 8, 1904, Horton & Brewer, attorneys for the applicant forwarded to the office brief in behalf of the applicant also attorney's oath properly executed by P. D. Brewer. October 13, 1903, (I.T.D. 8307-1903), the Department referred to the office a communication from Mansfield, McNurray & Cornish, dated September 17, 1903, requesting that no action be taken on this case pending action by the Citizenship Court on cases involving parallel and identical questions. The record in this case also shows that in 1896, Pink W. Bell duly applied to the Commission to the Five Civilized Tribes for admission to citizenship in the Choctaw Nation; that Pink W. Bell claimed his right thereto by virtue of his marriage to Mattie Bell, a citizen of the nation; that he was admitted as an intermarried citizen by the Commission and that no appeal was taken from their decision.

From the record in the case it appears that he was a resident of the Indian Territory on June 28, 1898, and that he resided therein at the date of his application, to-wit: September 25, 1902. It also appears that the applicant is entitled to enrollment and attention is respectfully invited to the decision of the Choctaw and Chickasaw Citizenship Court in the case of Thomas Brinnan et al. The facts in the Brinnan case are similar to those in this case.

The approval of the Commission's decision is recommended.

Very respectfully,

A. C. Tonner,

Acting Commissioner.

Choc 4480 Solomon Okchaya

4480
08hh

7-4480

Muskogee, Indian Territory, August 12, 1903.

Commissioner in Charge,
Chickasaw Land Office,
Tishomingo, Indian Territory.

Dear Sir:

Enclosed you will find a copy of additional information relative to No. 1 on original Choctaw enrollment card, No. 4480; also notation which has this day been placed on said card.

You are therefore, requested to correct the duplicate card in your possession in accordance with the enclosed information.

Respectfully,

Commissioner in Charge.

Enc. MT. 124-A

7-4480

Muskogee, Indian Territory, August 12, 1903.

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

Dear Sir:

Enclosed you will find a copy of additional information relative to No. 1 on original Choctaw enrollment card, No. 4480; also notation which has this day been placed on said card.

You are therefore, requested to correct the duplicate card in your possession in accordance with the enclosed information.

Respectfully,

Commissioner in Charge.

Enc. MT. 124

7-4480

Muskogee, Indian Territory, August 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. 4480:

"No. 1 is the husband of Sibby Jones on
Choctaw card No. 3932."

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.

7-4480

Muskogee, Indian Territory, August 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. 4480:

"No. 1 is the husband of Sibby Jones on
Choctaw card No. 3932."

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.

Choctaw 4480

Muskogee, Indian Territory, September 3, 1903.

Solomon Okchaya,
Caddo, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of August 31,
asking why your enrollment has not been approved.

In reply to your letter you are informed that your name
is now being placed upon a schedule of citizens by blood of the
Choctaw Nation which will be forwarded to the Secretary of the In-
terior for approval.

Respectfully,

Chairman.

MEMORANDA.

Settlement

(Date) *Sept 1899* 1899.

W
✓ Name *William Okage*

Choctaw ? *Yes* County _____ 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 :

County _____ Year _____ Page _____ No. _____

County _____ Year _____ Page _____ No. _____

County _____ Year _____ Page _____ No. _____

County _____ Year _____ Page _____ No. _____

County _____ Year _____ Page _____ No. _____

County _____ Year _____ Page _____ No. _____

County _____ Year _____ Page _____ No. _____

County _____ Year _____ Page _____ No. _____

County _____ Year _____ Page _____ No. _____

County _____ Year _____ Page _____ No. _____

✓ Copy for #3311 1311

Handwritten signature and scribbles

193

Department of the Interior
Commission to the Five Civilized Tribes
Chickasaw Land Office
Tishomingo, I.T.
August 4, 1903.

In the matter of the application for the enrollment of
Solomon Okchaya a citizen by blood of the Choctaw Nation.

Choctaw field card 4480.

Solomon Okchaya being first duly sworn testified as follows:
Through a duly sworn interpreter:
Examination by the Commission:

- Q What is your name? A Solomon Okchaya.
- Q How old are you? A About twenty eight years of age.
- Q What is your post office address? A Jackson, Choctaw Nation.
- Q Are you full blood Choctaw Indian? A Yes sir.
- Q What is the name of your father? A Wilson Okchaya.
- Q Is he living or dead? A Dead.
- Q How long has he been dead? A When I was a boy; I dont remember.
- Q What was the name of your mother? A Wisey Okchaya.
- Q How long ago did she die? A Along about fifteen years ago.
- Q Where have you lived all your life? A In the Choctaw Nation
- Q Have you always been recognized by the tribal authorities of
the Choctaw Nation as a Choctaw Indian? A Yes.
- Q Have you always drawn annuity with the Choctaw tribe? A Yes.
- Q When was the last time you drew any money? A He says he dont
remember just how long it's been since the last time he drew;
he drew \$103.
- Q Where were you living at that time? A Jackson County. At the
same post office, Jackson.
- Q Who were you living with at that time? A My grandfather by
the name of Stephen Hubbard.
- Q Have you ever appeared before the Dawes Commission and made
application to be enrolled? A Yes sir. I didn't myself under-
stand at the time how I would have to go about it to get my
name put on the rolls so I got Dr. Wright to have me enroll-
ed.
- Q Where were you in 1899 when the Commission was enrolling
Choctaw Indians? A I was living there at that place, the
same town where I'm living now.
- Q Do you remember where you were in September 1899? A It
might have been possible about that time I was in prison in
the Atoka jail.
- Q Have you ever appeared before the Commission since that
time? A No. I never did appear before the Commission at all
after I employed Dr Wright to put my name on the rolls.
- Q Are you married? A Yes sir.
- Q What is the name of your wife? A Sibbie Okchaya
- Q What name was she enrolled under? A Sibbie Jones. I have
done selected part of her allotment in the Choctaw Nation
already but what I'm after is a ticket to file on her surplus
land. She appeared for herself over at Atoka.
- Q Have you got any children? A No.
- Q When were you married to Sibbie? A Four years ago.

---0---

Clara Mitchell wood bei ng first duly sworn upon her oath

states that as stenographer for the Commission to the Five
Civilized Tribes she reported the foregoing proceedings on the
4th day of August 1903 and that this is a true and correct
transcript of her stenographic notes of said proceedings on
said date.

W. Mitchell Wood

Subscribed and sworn to before me this 6th day of August 1903.

J. H. Rodgers

Notary Public.

Choc 4481 Benjamin McFarland

4481
18hh

MEMORANDA.

Domestic.

20

(Date) *11/21/1901* 1899.

Name *Benny* *W. H. H. H. H.*

Choctaw? *yes* County *W. H. H. H.* Year *1901* No. *1230*

Chickasaw? County Year Page *531*

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.
.....
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.....
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.....
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4481

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
WISTER, I.T. Dec.16, 1902.

7-4481

In the matter of the application of Ben McFarland for enrollment as a citizen by blood of the Choctaw Nation.

Ben McFarland being sworn testified as follows through N.J. Holson, interpreter:

Examination by the Commission:

- Q What is your name? A Ben McFarland.
Q How old are you? A Twenty four.
Q What is your post office address? A Bokoshe.
Q How long have you lived in the Choctaw Nation? A Nine years.
Q Where did you live before that? A Boktuklo in this Nation; that's where he was born at.
Q Has he lived in the Choctaw Nation all his life? A Yes sir.
Q What 's the name of your father? A Thomas McFarland.
Q Is he living or dead? A Dead.
Q Was he a full blood Choctaw Indian? A Yes sir.
Q What's the name of his mother? A Bessie ~~Kryank~~ McFarland.
Q Is she living or dead? A She's living.
Q Was she full blood Choctaw Indian? A Yes sir.
Q Where were you living in 1893 when the Leased District Payment was made to the Choctaw Indians? A Wolf County.
Q Were you known by the name of Benjamin McFarland at that time?
A Yes sir.
Q Did you draw your share of that money? A Yes sir.
Q Where were you living in 1896 when the census roll was made of the Choctaw Indians? A Red River County.
Q Did you ever live in Wade County? A Lived there two years.
Q Where were you at the time the Commission was receiving applications for enrollment of Choctaw Indians? A I was in the penitentiary.
Q Are you married? A No sir, single.

Henry G. Hains being sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above case on December 16, 1902, 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 6 day of January, 1903.

Charles W. Sawyer

Notary Public.

Hain

Choc 4482

John Dawson

Lela E. Dawson

4482

Muskogee, Indian Territory, May 23, 1902.

Lela E. Dawson,
Savannah, I. T.

Dear Madam:

Information has been received by the Commission that your husband John Dawson has died since the time he was listed for enrollment as a citizen of the Choctaw Nation.

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 kindly requested to have properly executed and return at your earliest convenience 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,

Acting Chairman.

Muskogee, Indian Territory, May 31, 1902.

T. J. Ryan,

Savanna, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 28th instant, stating that your mother had recently received a letter from the Commission requesting her to make proof of death of her husband, John Dawson, but that no blank for that purpose was enclosed.

Enclosed you will find blank for proof of death; also an envelope which requires no postage for the return of the proof of death when properly executed.

Yours truly,

Commissioner in Charge.

Env.
D.C.

7-4482.

Muskogee, Indian Territory, October 8, 1902.

Leila H. Dawson,

Savanna, Indian Territory.

Dear Madam:

Information has been received at this office that your husband, John Dawson, has died since the time 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 is enclosed you herewith a blank for proof of death, which you are requested to have correctly executed, and return to this office at your earliest convenience in the enclosed envelope.

You will note there is an affidavit for 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 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,

Env.
D.C.

Acting Chairman.

MEMORANDA.

(Date) Sept 1 1899.

78

Name John Dawson

Choctaw? County Tallapoosa Year 96 No. 3301

Chickasaw? County Year Page 111

Citizen by blood? Mother's citizenship Choctaw

Intermarried citizen?

Married under what law?

License filed this day,

47

Wife's name, Lela E. Dawson

Choctaw? County Tallapoosa Year 96 No. 3302

Chickasaw? County Year Page 79

Citizen by blood? Mother's citizenship Choctaw

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

- 15 ⁷ Eddie Dawson County Tallapoosa Year 96 Page 79 No. 3303
- 10 ⁷ Annalena County Tallapoosa Year 96 Page 79 No. 3304
- County Year Page No.
- County Year Page No.
- 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 text]

4482

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

In the matter of the death of John Dawson
(Here insert name of deceased.)
a citizen of the Choctaw Nation, who formerly resided at or near
Savannah, Ind. Ter., and died on the 3rd day of
(Here insert name of postoffice.)
May, 1902

AFFIDAVIT OF RELATIVE.

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

I, Theron J. Ryan, 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 Savannah, Ind. Ter.; that I am
(Here insert name of post office.)
a stepson of John Dawson,
(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 John Dawson died on the 3rd day of
(Here insert name of deceased.)
May, 1902 Theron J. Ryan

WITNESSES TO MARK:
(Must be Two Witnesses.)

Subscribed and sworn to before me this 22nd day of December 1902.
J. L. Humphrey
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

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

I, Solomon H. Markey, on oath state that I am 49
years of age, and a citizen, by blood, of the Choctaw Nation;
that my post office address is Savannah, Ind. Ter.;
(Here insert name of post office.)
that I was personally acquainted with John Dawson,
(Here insert name of deceased.)
who was a citizen, by blood, of the Choctaw Nation;
and that said John Dawson died on the 3rd day of
(Here insert name of deceased.)
May, 1902 Solomon H. Markey

WITNESSES TO MARK:
(Must be Two Witnesses.)

Subscribed and sworn to before me this 22nd day of December 1902.
J. L. Humphrey
Notary Public.

Choc 4483 Elmira Blosser

4483

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

-----:-----

Record in the matter of the application for the enrollment as citizens by blood of the Choctaw Nation of---

ELMIRA MITCHELL, et al., 7-4483.

-----:-----

DEPARTMENT OF THE INTERIOR,
 COMMISSION TO THE FIVE CIVILIZED TRIBES.
 Muskogee, Indian Territory, March 5, 1903.

In the matter of the application for the enrollment of Elmira Mitchell and her minor child, Pansy Blosser, as citizens by blood of the Choctaw Nation.

Said Elmira Mitchell, being first duly sworn, upon her oath testified as follows:

Examination by the Commission.

- Q What is your name? A Elmira Mitchell.
 Q How old are you? A I'm twenty-seven.
 Q What is your postoffice address? A South McAlester.
 Q Is that in the Choctaw Nation? A Yes sir.
 Q How long have you been a resident of the Choctaw Nation? A I was born and raised there.
 Q You have never made your home anywhere else except in the Choctaw Nation? A When I was married the first time I made my home in the Cherokee Nation and lived at Vinita a little while.
 Q About how long were you up there at Vinita? A We went there in June and came back in February.
 Q In what year? A I was married in 1894 and we moved back the last part of 1895--been there ever since.
 Q Do you claim right to enrollment as a citizen by blood of the Choctaw Nation? A Yes sir.
 Q Have you been recognized and enrolled by the tribal authorities of the Choctaw Nation as a citizen by blood of that nation? A Yes sir.
 Q What was your maiden name? A Pusley.
 Q What is the name of your father Osborn Pusley.
 Q What is the name of your mother? A Sarah Pusley.

The name of the applicant, as Elemyra Pusley, is identified on the 1893 Choctaw leased district payment roll, Tobucksy County, No. 651.

- Q Are you the identical person who in 1899 made application to this Commission under the name of Elmira Blosser for enrollment as a citizen by blood of the Choctaw Nation? A Yes sir.
 Q Have you any children? A One.
 Q What is the name of that child? A Pansy.
 Q Have you ever been recognized and enrolled by the tribal authorities of the Cherokee Nation as a citizen of that tribe? A No sir, I didn't know I was on the roll at all.
 Q You don't know whether your name was ever placed on the tribal rolls by the authorities of the Cherokee Nation? A No sir, I didn't know it at all.
 Q Did you ever appear before the Commission and make application for enrollment as a Cherokee? A No sir.

Elmira Mitchell, et al.-2

Q Do you know whether your former husband ever appeared for you?
A No sir, I don't know it at all.

The Act of Congress approved June 28, 1898, in a portion of Section 21 provides as follows:

"The several tribes may, by agreement, determine the right of persons 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."

Q Provided it appears that you have the right to enrollment in both the Choctaw and Cherokee Nations, with which nation do you now elect to be finally enrolled? A Choctaw Nation.
Q You make that election for yourself and your minor child? A Yes sir.
Q Provided you are finally enrolled with the Choctaw Nation and given your allotment of lands and distribution of moneys with that tribe, do you relinquish all right, title and interest to the lands and moneys of the Cherokee Nation? A Yes sir.
Q When did you separate from your former husband, J. B. Blosser?
A Well, Pansy was going on three years old when we separated--we was married in 1894--we separated the latter part of the year 1896.
Q Were you divorced from him? A Yes sir.
Q Where was this divorce obtained? A At Red Oak.
Q In the Choctaw Nation? A Yes sir.
Q Who was awarded custody of your minor child Pansy by the Court?
A The court gave her to me.
Q You were awarded the care of that child by the court? A Yes sir.
Q What is the name of your present husband? A G. W. Mitchell.
Q Is he a white man? A They claim to be citizens of the Choctaw Nation. They're court citizens at present.

The applicant offers in evidence, which is marked "Exhibit "A" and made a part of the record in this case, marriage license and certificate issued by the Clerk of the U.S. Court for the Central District of Indian Territory to G.W. Mitchell and Elmyra Pusley.

By the applicant: You see I got my maiden name when I was divorced.

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 in had in the above entitled cause, heard at Muskogee, Indian Territory, March 5, 1903, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken

Elmira Mitchell, et al.-3

in said proceedings on said date.



Subscribed and sworn to before me this the 5th day of March, 1903.



Notary Public.

"Ex A."

No. 1778

Certificate of Record of Marriages.

UNITED STATES OF AMERICA,
THE INDIAN TERRITORY,
District. } SCT:

[Signature] 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. *[Signature]* and
Mrs. *[Signature]* was
filed in my office in said Territory and District the
7 day of *[Signature]* A. D. 1901
and duly recorded in Book *[Signature]* of Marriage
Record, Page *[Signature]*

WITNESS my hand and seal of said Court
at *[Signature]* this 7
day of *[Signature]* A. D. 1901
[Signature]
Clerk.

By _____ Deputy.

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

FILED
MAR 5 1903

[Signature]
ACTING CHAIRMAN.

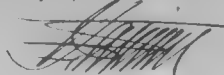
MARRIAGE LICENSE.

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

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. G. W. Mitchell* of *McAlester* in the Indian Territory, aged *23* years, and *Mrs. Elmira Pusley* of *McAlester* in the Indian Territory, aged *23* 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 *31* day of *Dec*, A. D. 1900



Clerk of the United States Court.

Deputy.

CERTIFICATE OF MARRIAGE.

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

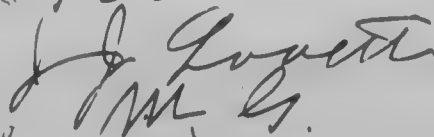
I, *J. J. Lovett*

Minister of the Gospel

do hereby CERTIFY, that on the *31* day of *December*, A. D. 1900, 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 *31* day of *December*, A. D. 1900

My credentials are recorded in the office of the Clerk of the United States Court in the Indian Territory, *1st* District, Book *A*, Page *126*



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)

7-4483.

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

-----:c:o:-----

In the matter of the application for the enrollment of Elmira Mitchell and her minor child, Pansy Blosser, as citizens by blood of the Choctaw Nation.

-:o: D E C I S I O N :o:-

It appears from the census card and other records in this case that Elmira Mitchell, under the name of Elmira Blosser, appeared before the Commission at South McAlester, Indian Territory, September 4, 1899, and made personal application for the enrollment of herself and her minor child, Pansy Blosser, as citizens by blood of the Choctaw Nation.

It further appears from the records of the Commission that the applicant, Elmira Mitchell, is a recognized and enrolled citizen by blood of the Choctaw Nation, and was formerly the wife of Joseph D. Blosser, a recognized and enrolled citizen by blood of the Cherokee Nation, and that the applicant, Pansy Blosser, is the offspring of said union.

On an examination of the tribal rolls in the possession of the Commission it is found that the name of Elmira Mitchell (as Elmyra Blosser) appears upon the 1896 Cherokee Census roll, enrolled as an intermarried white person, and the name of the applicant, Pansy Blosser, is found upon said roll, enrolled as a citizen by blood. The name of the applicant, Elmira Mitchell (as Elmyra Pusley), is also found upon the 1893 Choctaw Leased District Payment roll, Tobucksy County, number 651, enrolled as a citizen by blood of said Nation. The applicant, Pansy Blosser, was born subsequent to the preparation of said Choctaw roll as shown by proper proof of her birth, made a part of the record in this case.

It further appears from the evidence in this case that the applicants herein were residents in good faith of Indian Territory on June 28, 1898, all applicants listed upon census cards having been first examined as to such fact, although their testimony was not reduced to writing.

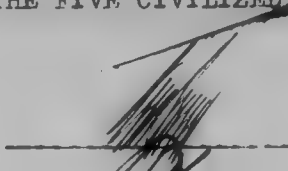
It further appears from the record herein that said Elmira Mitchell appeared before the Commission at Muskogee, Indian Territory, March 5, 1903, and under the provisions of section 21 of the act of Congress approved June 28, 1898 (30 Stat., 495), elected for herself and her said minor child to be finally enrolled as citizens by blood of the Choctaw Nation, and to take allotment of lands and distribution of moneys in said Nation.

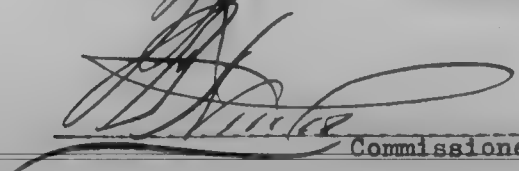
It is, therefore, the opinion of this Commission that Elmira Mitchell and Pansy Blosser should be enrolled as citizens by blood of the Choctaw Nation, under the provisions of section 21

2.

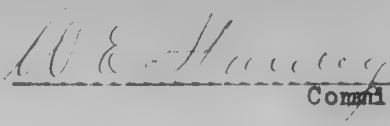
of the act of Congress approved June 28, 1898 (30 Stat., 495), and
it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,


Chairman.


Commissioner.


Commissioner.


Commissioner.

Muskogee, Indian Territory,

JUL 25 1903

Choctaw 4483

Lawdogee, Indian Territory, July 25, 1903.

Elmira Mitchell,

South McAlester, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 25, 1903, granting the application of yourself and your minor child Pansy Blosser for enrollment as citizens 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 applicants herein as citizens of the Choctaw Nation. If at the expiration of that time, no protest has been filed the names of the applicants 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 1/25

Choctaw 4483

Y.

Choctaw, Indian Territory, July 20, 1905.

Manfield, 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 1st, 1905, granting the application of Alfred Mitchell and his minor child Henry Blosser for enrollment as citizens of 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 applicants as citizens of the Choctaw Nation. If at the expiration of that time no protest has been filed the names of the applicants 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.

Commissioner in Charge.

The IMC 8/25

Choctaw 4483
Cherokee D 2626

Muskogee, Indian Territory, December 10, 1902.

Elmira Blosser,

McAlester, Indian Territory.

Dear Madam:

You are hereby advised that you will be allowed fifteen days from this date within which to appear before the Commission at its office at Muskogee, Indian Territory, and elect for yourself and your daughter, Pansy Blosser, to be finally enrolled by this Commission as citizens of the Choctaw or Cherokee Nations under the following provision of the act of Congress of June 28, 1898:

"The several tribes may, by agreement, determine the right of persons 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."

Respectfully,

Acting Chairman.

COMMISSIONERS.
HENRY L. DAWES,
TAMS DIXBY,
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

Cherokee D-2626

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, December 11, 1902.

Choctaw-Chickasaw Enrollment Division,
Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

Gentlemen:-

There have heretofore been listed, from information, upon Cherokee card D-2626, Elmyra Blosser aged 27, and her daughter, Pansy Blosser, aged 7. The names of both of these persons appear upon the 1896 census roll of citizens of the Cherokee Nation, Elmyra Blosser as an intermarried white, and Pansy Blosser as a citizen by blood. The husband and father, Joseph D. Blosser, is listed upon a regular Cherokee card, number 4308.

It appears that Elmyra and Pansy Blosser have applied for enrollment as citizens of the Choctaw Nation and are listed upon Choctaw card 4483. You are requested to advise the Cherokee Enrollment Division of this Commission as to the status, as citizens of the Choctaw Nation, of said Elmyra and Pansy Blosser.

Respectfully,


Acting Chairman.

7-4483.
Cher. D-2626.

Muskogee, Indian Territory, December 13, 1902.

Cherokee Enrollment Division,

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 11th inst., asking the status of Elmyra and Pansy Blosser as citizens of the Choctaw Nation.

You are advised that it appears from the record in this case that Elmira Blosser and her daughter, Pansy Blosser, have been listed for enrollment as citizens of the Choctaw Nation; Elmira Blosser having been identified from the 1893 Leased District Payment Roll of Tobacco County, number 651.

It does not appear, however, that any election has been made by the said Elmira Blosser for herself and her daughter, and on December 10, 1902, she was advised that she would be allowed fifteen days from date within which to appear before the Commission at Muskogee, Indian Territory, and elect for herself and her daughter to be finally enrolled by this Commission as citizens of

C E Div 2

the Choctaw or Cherokee Nation.

You will be duly notified of any further action which may be taken in this case.

Respectfully,

Acting Chairman.

Choctaw-4483

Muskogee, Indian Territory, March 5, 1903.

P. G. Reuter,

Clerk in Charge-Cherokee Enrollment Division,
Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed copy of testimony, taken at Muskogee, Indian Territory, on this day, in the matter of the application for the enrollment of Elmira Mitchell and her minor child, Pansy Blosser, as citizens by blood of the Choctaw Nation, Choctaw roll card Field No. 4483.

It appears from the records of the Commission that this woman, under the name of Elmira Blosser, and her child, Pansy Blosser, are listed for enrollment as citizens of the Cherokee Nation on Cherokee doubtful card, Field No. 2626.

In the testimony taken today, at this place, the said Elmira Mitchell has elected for herself and her said minor child to be finally enrolled and take allotment of lands and distribution of moneys with the Choctaw Nation. As soon as a decision has been prepared in this case you will be furnished with a copy of the same.

Respectfully,

Enc.
ISN-32

Chairman.

7-4483.

Muskogee, Indian Territory, September 14, 1903.

Cherokee Enrollment Division,
Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

There is enclosed you herewith copy of the decision of the Commission of July 25, 1903 enrolling Elmira Mitchell and Pansy Blosser as citizens by blood of the Choctaw Nation.

It appears that these persons have also been enrolled as citizens of the Cherokee Nation and a copy of the decision is transmitted herewith for your information.

Respectfully,

Chairman.

1 inclosure.

7-4483

Muskogee, Indian Territory, October 13, 1903 .

Commissioner in Charge,
Cherokee Land Office,
Tahlequah, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of September 23rd, in which you desire to be informed if the decision of the Commission of July 25, 1903, enrolling Elmira Mitchell and her minor child, Pansy Blosser, has become final either by departmental approval or by notice of protest on the part of the attorneys for the Choctaw and Chickasaw Nations.

In reply you are advised that no protest having been submitted by the attorneys for the Choctaw and Chickasaw Nations, the action of the Commission in enrolling the above named persons as citizens of the Choctaw Nation, July 25, 1903, has become final, and the names of these persons have been included upon a schedule constituting a part of the final roll of the citizens by blood of the Choctaw Nation submitted to the Secretary of the Interior for his approval.

Respectfully,

Commissioner in Charge.

MEMORANDA.

(Date) Sept 11 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, Elizabeth B...

Choctaw? yes County Year No.

Chickasaw? County Year Page

Citizen by blood? yes Mother's citizenship no

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

4 James J. ... County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

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:
v Camp 16 ...
as ...
parents ... see ...
Sarah ...

AA 83

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Chickasaw Nation,
 of Henry Blosser, born on the 4th day of July, 1895.
 Name of father: J. D. Blosser, a citizen of the Chickasaw Nation.
 Name of mother: Elmira Blosser, a citizen of the Chickasaw Nation.
 Post Office: Wagon Mound, Okla.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
northern District.

I, Elmira Blosser, on oath, state that I am 24 years of age and a
 citizen, by birth, of the Chickasaw Nation; that I am the
 lawful wife of J. D. Blosser, who is a citizen, by birth, of the
Chickasaw Nation; that a male child was born to me on the 4th day
 of July, 1895; that said child has been named Henry Blosser
 and is now living.

Subscribed and sworn to before me this

4th day of August, 1899.

R. B. Blosser
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
northern District.

I, A. M. Chickasaw, a Citizen by adoption, on oath, state that I
 attended on Mrs. J. D. Blosser, wife of J. D. Blosser
 on the 4th day of July, 1895; 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 Henry Blosser

Subscribed and sworn to before me this

5th day of Sept, 1899.

G. C. McCulloch
 Notary Public.

my Com Exp Apr 22 1903

Choc 4484

Frank A. Karl
Viola Karl

4484

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 -

FRANK A. KARL, - - - - 7-4484

Department of the Interior.
Commission to the Five Civilized Tribes.
Wister, I. T., December 15th, 1902.

Choctaw 4484
Intermarried

-----oOo-----

In the matter of the application of Frank A. Karl for enrollment as an intermarried citizen of the Choctaw Nation.

Frank A. Karl being first duly sworn testified as follows:

Examination by the Commission.

- Q What is your name? A Frank A. Karl.
- Q How old are you? A Twenty-five years.
- Q What is your post office address? A Pecola, 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 Well, I have been there continuously ever since I was married, and off and on before.
- 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 Viola Lyles.
- 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 Viola Lyles? A Three years ago last August.
- Q Where was this marriage ceremony performed? A Near Spiro, Judge Lanier married us.
- Q At that time were both you and your wife bona fide residents of the Choctaw Nation? A She was; I was off in the State at that time; I had been in the Nation off and on.
- Q Where were you just before your marriage? A I was at Bonanza just before we married.
- Q What state? A Arkansas; I had been in the Nation before; I had lived there before.
- Q How long before? A Well, it had been eight or ten years since I lived there; I had tended land there, though.
- Q At the time of your marriage then you had been a resident of the States for eight or ten years? A Yes sir, I had been in the Nation off and on, but my home was really in the State.
- Q Since your marriage have you lived here continuously? A Yes sir.
- Q Were you married in accordance with the Choctaw tribal law? A Yes sir.
- Q Did you obtain a tribal license? A Yes sir.
- Q From whom did you get that license? A Lyman Moore, Clerk of Skullyville County.
- Q How much did you pay for the license? A One hundred dollars.

Frank A. Karl----2

- Q Who performed the marriage ceremony? A Judge Lanier.
Q Were you ever married prior to your marriage to Viola Lyles?
A No sir.
Q Was she ever married before her 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.

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 15th 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 29 day of January, 1903.

Charles D. Sawyer

Notary Public.

SKULLYVILLE COUNTY,

CHOCTAW NATION., IND- TER.,

To all whom it may concern;

That whereas *F. A. Karl*

Citizen of the United States, has this day petitioned according to the Law for licenseto marry a Citizen of the Choctaw Nation, and a Resident of Skullyville Co,

He having complied with all the requirements of said law therefore I . L.R. Moore, County Clerk of Skullyville Co, by the virtue of the Authority in me vested by the Law's of the Choctaw Nation, do here-by grant unto the with-in mentioned *F. A. Karl* a licenseto marry a Citizen woman of the Choctaw Nation,.

And any Minister of the Gospel or Judge of Court of Record is here-by authorized to preforme said Marriage.,

In testimony where-of I here-un-to set my hand and Official Seal of Office.

Done at Spiro. Ind Ter, This the 23rd day of August A. D. 1899.,

L. R. Moore

Clerk of Skullyville. County.,
Choctaw Nation. Ind-Ter.,

Approved this the 23rd day of Aug, A.D. 1899.,

Ed Garcia
.....
Judge of Skullyville, County.,
Choctaw Nation. Ind- Ter.,

*Recorded in
Book no 2 page 64
In Records of
Skullyville County
Choctaw Nation
this the 28th day
of Aug. 1899.
L. R. Moore
Co. Clerk*

1660
JRB
7 - 4484

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

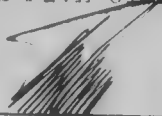
In the matter of the application for the enrollment of
Frank A. Karl as a citizen by intermarriage of the Choctaw Nation.

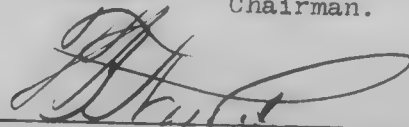
DECISION.

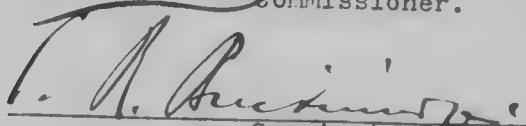
It appears from the record herein that Frank A. Karl, on August 27, 1899, was married in accordance with the laws, customs and usages of the Choctaw Nation to Viola Karl, (nee Lyles), a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as No. 12440 upon the lists prepared 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 March 6, 1903; that at the time of said marriage the applicant herein was a resident of the State of Arkansas and the said Viola Karl (nee Lyles) was a resident 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 Frank A. Karl 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,

JUL 28 1903


Commissioner.

Choctaw 4404

Muskogee, Indian Territory, July 28, 1903.

Frank A. Earl,

Doola, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 28, 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,

Commissioner in Charge.

Enc. NEW 13/28

Muskogee, Indian Territory, July 28, 1903.

Hannfield, McFerray and 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 July 28, 1903, granting the application of Frank A. Karl 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.

Enc. NEW 14/28

MEMORANDA:

(Date) Sept 4 1899.

22

Name *Frank ...*

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.

Frank ... with his ...

Handwritten signature/initials

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

Enrollment of Viola Lydas as Choctaw by blood. Hermon P. Lyles
being sworn and examined by Commissioner McKennon testifies:

Name is Hermon P. Lyles, forty years old.

- Q You are a Choctaw citizen by blood? A Yes sir.
Q Your wife, the mother of Viola, was a white woman? A Yessir.
Q She is dead? A Yes sir.
Q Were you lawfully married to her? A Yes sir.
Q By whom? A By Parson Martin. James of Skullyville County.
Q Minister of the Gospel? A Yes sir.
Q When? A It was in the fall of '77.
Q Then Viola was born of that marriage? A Yes sir.

Robert Stephen being sworn and examined testifies:

- Q What is your name? A Robert Stephen.
Q What is your age? A Forty.
Q Are you acquainted with Hermon P. Lyles? A Yes sir.
Q Do you know anything of his marriage to a white woman, who
was the mother of his daughter Viola? A No sir, I wasn't pres-
ent; I know they lived together as man and wife.
Q They were reputed in the neighborhood where they lived to be
husband and wife and lived together as such? A Yes sir.
Q Do you remember hearing anything about the wedding? A Yessir.
Q You heard about that? A Yes sir.
Q You knew of it from reputation? 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 said Commission, that this
transcript is a true and correct translation of
my stenographic notes.

M. D. Green

IN RE

Application for Enrollment of

INFANT CHILD

Earnest Harlan Karl

as a citizen of

Choctaw Nation.

Approved, **JAN 22 1901** 190
Abner
Commissioner.

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

FILED
JAN 22 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 Earnest Harlan Karl, born on the 27 day of Sept., 1900
(Here insert name of child.)
Name of Father: Frank A Karl, a citizen of the Choctaw Nation.
Name of Mother: Viola Karl, a citizen of the Choctaw Nation.
Post-office, Pocola I. T.

AFFIDAVIT OF MOTHER.

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

I, Viola Karl, 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 Frank A. Karl, who is a citizen, by
Marriage, of the Choctaw Nation, that a Male child was
(male or female.)
born to me on the 27 day of September 1900 that said child has been
named Earnest Harlan Karl, and is now living.

WITNESSES TO MARK

Viola Karl

(Must be Two Witnesses)

Subscribed and sworn to before me this 18 day of January 1901.

D. W. Allen
Comm. expires 1-31-1904 NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, S. C. Smith, a physician, on oath state that I
attended on Mrs. Viola Karl, wife of Frank A. Karl,
on the 27 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 Earnest Harlan Karl.

WITNESSES TO MARK:

S. C. Smith M.D.

(Must be Two Witnesses)

Subscribed and sworn to before me this 18 day of January 1901.

D. W. Allen
Comm. expires 1-31-1904 NOTARY PUBLIC.

Muskogee, Indian Territory, January 10, 1901.

Frank A. Karl,
Pecola, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 7th instant in which you request that you be furnished with a blank application for the enrollment of an infant child.

In accordance with your request there is enclosed you herewith a blank of the description desired. 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 the mother or attending physician or nurse 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 disinterested parties as witnesses thereto.

The Notary Public taking the acknowledgements of the mother and attending physician or nurse must affix his notarial jurat and seal to each separate affidavit.

Yours truly,

Acting Chairman.

In reply please
refer to 7-4484

BC

Muskogee, Indian Territory, January 22, 1901.

Frank A. Karl,

Pocola, Indian Territory.

Dear Sir:

The Commission is in receipt of the application for enrollment as a citizen of the Choctaw Nation of Earnest Harlan Karl, the infant son of Frank A. and Viola Karl, born September 27th, 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.

7-4484

choc 4485 willie Duford

mollie Engleman transferred from choc # D-427
may 15, 1905

4485
58hh

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 -

Mollie Engleman.

7-D-427.

Department of the Interior,
Commissioner of 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,

McKeen

South McAlester, Ind. Terr.

In the enrollment of Mollie Engleman as an intermarried Choctaw
being sworn and examined by Com'r McKennonshe states:

Q What is your name? A Mollie Engleman.

Q How old are you? A About thirty-four.

Q You claim to be an intermarried Choctaw? A Yes sir.

Q What was the name of your husband? A ~~Edward~~ Edward Duford.

Q Where were you married to him? A On the Texas line in

Chickasaw Nation.

Q You were not married in Texas then? A No sir, it was on the
line; they called it then the Texas line, I don't know whether it
was or not.

Q By whom were you married? A A Minister of the Gospel.

Q What was his name? A Parson Hancock.

Q Did you live with him until he died? A Yes sir.

Q Where did he die? A Up there in the Chickasaw Nation.

Q Was he a Choctaw or a Chickasaw Indian? A He was a Choctaw.

Q You have re-married have you? A Yes sir.

Q A white man and a non-citizen? A Yes sir.

Q Where are you living now? A Over here close to Gardner.

W. S. Bise being sworn and examined states:

Q What is your name? A W.S.Bise.

Q How old are you? A Forty-two.

Q Do you know Mollie Engleman? A Yes sir.

Q Do you know anything of her marriage to Ed Duford? A No
sir, I know she lived with Ed Duford as man and wife in my neigh-
borhood, but I don't know anything about their marriage.

Marriage License.

#####

State of Texas Montague Co.

To any Judge of the County or District Court, regularly licensed or ordained Minister of the Gospel, or Justice of the Peace in and for said County, GREETING:

You are hereby authorized to solemnize the rites of Matrimony, between Edward Duford and Mary Smith, and make due return to the Clerk of the County Court of said County, within Sixty days thereafter certifying how you have executed the same.

Given under my hand and seal of office Sept-16-1882.

W.A. Williams

SMIL

Clk. Co. Court.

The State of Texas
County of Montague I, S.P. Strong Clerk of the County Court, in and for said County and State, hereby certify, that the above and foregoing is a true and correct copy of the Marriage License of Edward Duford to Mary Smith, as the same appears of record in this office, in the Marriage Record Book "B" on page 469.

Given under my hand and seal of office, at Montague Texas, this the 8th. day of Aug. A.D. 1899.

S. P. Strong

Clk. Co. Court. Montague Co. Texas.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
SOUTH McALESTER, I.T. Dec. 23, 1902.

7-D427

In the matter of the application of Mollie Engleman for enrollment as an inter married citizen of the Choctaw nation.

Mollie Engleman being sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Mollie Engleman.
Q How old are you? A About thirty seven I think.
Q What is your post office address? A South McAlester.
Q Are you claiming inter married rights in the Choctaw Nation?
A Yes sir.
Q What is the name of your Choctaw husband? A Ed Duford.
Q Is he living? A No sir he's dead.
Q Is he a recognized and enrolled citizen of the Choctaw Nation?
A Yes sir.
Q When did he die? A He has been dead about five years.
Q Have you married a second time? A Yes sir.
Q Is your present husband a white man? A Yes sir.
Q When were you married the second time? A Four years ago yesterday I believe.
Q When and where were you married to your Choctaw husband? A Courtney Flats in the Chickasaw Nation.
Q Were you married according to the laws of the Chickasaw Nation?
A I reckon; that's what he said.
Q Do you know how much he paid for his license? A No sir.
Q Did you live continuously with your Choctaw husband up to the time of his death? A Yes sir.
Q There was no separation or divorce before his death? A No sir.
Q What County in the Chickasaw Nation did you marry in? A Pickens.
Q Who married you? A Preacher Hancock.
Q Was he a Chickasaw preacher? A No sir, I think he was a white man.
Q You always lived in the Chickasaw Nation with your husband up to the time of his death? A Yes sir; we moved down here and stayed one winter and then went back to the place we lived all the time.
Q Now, wasn't you married under a Texas license? A Yes, he got a license in Texas.
Q Then you were married under United States law instead of Indian law?
A I guess that's the way; he got the license in Montague County.
Q Were you married prior to your marriage to Ed Duford? A No sir.
Q Was he married before his marriage to you? A Not as I know of.

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 23, 1902, and that this is a full, true and correct transcript of his stenographic notes in same.

Subscribed and sworn to before me this 8 day of January, 1903.

Henry G. Hains
Charles H. Sawyer

Notary Public.

W. J. X

Oscar D. T. August 25th the 21-1899

This is to Certify that I have Edd.
Duford (Now Deceased) Since 18th
August 1885 And that I have improved
Land for him which Land I now have
Leased of his Heirs which contracts is
on file in the Town of Andover N. H.
I Also knew Parson Hancock & he told
me that he married Molly Smith & Edd
Duford I do not know where they obtained
their Licence But do know that Hancock
was a true Licen Minister of the M
& E Church & Did Live at Rush Springs
N. H. when I knew him last Some 14
years Ago. M. C. Reynolds

Sarah Smith being first duly sworn according to law deposed and said:
My name is Sarah Smith, I am about seventy years old as well as I can remember. The record of all our ages was burned and I don't know exactly how old I am. I am the mother of Mollie Engleman who was Mollie Dufford before she married ^{Engleman, she married} Dufford in 1882. I did not see them married but they were married. I was opposed to the marriage and they ran away and married ~~that~~ they told me when they came back that they were married. An old lady by the name of Scofield stole Mollie off from home and went with them and when they came back she told me and every one that they were married, and the boys arranged to give them a serenade with tin pans and tin horns and other things and to prevent it Ed Dufford went and got some whiskey and gave the boys all a treat. And they lived together as long as Dufford lived as man and wife and every body knew her as his wife. I was present at the birth of all their children but one and acted as midwife. There was never any question as to the legality of their marriage. The record on there was never any return of the marriage license was, at that time people in the Territory married without license and it was not thought to be necessary to return the license.

As long as Dufford lived I lived close to him, on his place, and know that he and Mollie lived together as man and wife.

Sarah Smith

Subscribed and sworn to before me this 21st., day of Jan., 1905.

H. B. Milner
Notary Public/

William Smith being first duly sworn according to law said. My name is William Smith, I ^{am} 32 years old. I am a ~~si~~ brother of Mollie Engleman who was Mollie Dufford. I was 11 years old when my sister married Ed. ~~Dufford~~ Dufford. I remember well when she went away to get married. A woman named Scofield came to our house and begged my sister to go away with Dufford. ~~remember~~ remember well all about it and my mother was oposed to Mollie marrying Dufford because he was an Indian; she said Dufford would not work and make her a living and she did not want her daughtre to marry a man who wpuld not work and make a living. When they came back they said they had been married and no one ever doubted it that I know of. When the court was established at Paris Texas, the United States Marshal wnet to work looking after all adultry cases, ~~that cases where men were i~~ living with women to whom they had not been married according to law and they never ^{did} bother Ed Dufford although they did not like ^{him} very much on some account. They did arrest some in that part of the country and I ~~am~~ sure that they would have arrested Dufford if he had not been married.

The marshalls arrested Andy Whitener and Dock Tucker and Dan Landreth in that neighborhood for living with women to whom they had not been married. This was right in the neighborhood where Dufford lived. Dufford and Mollie lived together as man and wife until he died.

William Smith

Subscribed and sworn to before me this 21st/, day of Jan., 1905.

H. B. Milner

Notary Public/

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

IN RE

MOLLIE ENGLEMAN.

AFFIDAVIT.

W. C. SAPPINGTON, being first duly sworn, states: "I am 46 years of age. United States Citizen. Reside at Grady, Indian Territory, and am Post Master at Grady. I know Ed Duford in his lifetime, and also knew his wife, now Mollie Engleman. I have known her since about 1887. I remember about when they were married. It was sometime in 1882. There were not many people in here then and such a thing was well known among the neighbors. It was commonly reported that they were married by Parson Hancock who then lived at Courtney Flats.

^{then to}
From the time of Ed Duford's death they lived together as husband and wife, and I have often heard him call her his wife.

Ed Duford was a Choctaw Indian, and he and his wife have several children who are recognized as Choctaw citizens, and now reside near here, *one of the boys is named Albert Duford.*

I have no interest in this matter whatever, and am not related to any of the parties.

W. C. Sappington

Feb Subscribed and sworn to before me, this 22 day of
, 1905.

My Commission expires ~~February 1st, 1907~~ February 1st, 1907

J. W. Hayes
Notary Public

My name is Wm. H. Baker: I am 42 years of age and reside at Grady, Indian Territory. I have known Mollie Engleman, wife of Ed Duford since 1878 or 1879 and knew Ed Duford for some time before that until his death, and helped to bury him. I knew them both well at and before the time that they were married I remember the time they were married, it was about the year of 1882 I did not see them married, but it was commonly known among the neighbors that they were married by Parson Hancock at Courtney Flats, about the line of Indian Territory and Texas.

They lived together as husband and wife until his death, and ~~was~~ also recognized by the neighbors. I have heard him call her his wife.

Ed Duford was a Choctaw Indian by blood and was so recognized in his neighborhood.

He and Mollie Engleman have several children who are now recognized as citizens of the Choctaw Nation. One of ^{their} ~~his~~ sons Albert Duford, who is a Choctaw Indian and now resides near Grady.

I am a United States Citizen and not related to any of the parties, and have no interest whatever in this matter.

W. H. Baker

Subscribed and sworn to, before me, this 22nd day of Feb, 1905.

J. W. Hayes
Notary Public.

~~My Commission expires~~

My Commission Expires
February 11th, 1907

My name is S. R. Morgan; I am 41 years old; reside at Grady, Indian Territory.

I knew Ed Duford and his wife Mollie Engleman well. They lived together as husband and wife until his death. They were recognized as husband and wife by the whole neighborhood and I have often heard him speak to her as his wife.

I never knew them until after they were married.

He and Mollie Engleman have several children who are now recognized as citizens of the Choctaw Nation. One of his sons Albert Duford, who is a Choctaw citizen now resides near this place.

Ed Duford was a recognized citizen of the Choctaw and showed to be of Indian blood.

I am not related to any of the parties and have no interest whatever in this matter.

S. R. Morgan

Sworn to and subscribed before me this the 22nd day of Feb. 1905.

My commission expires

J. W. Hayes
Notary Public
My Commission Expires
February 22nd, 1907

My name is Albert Duford; I am 21 years old; A citizen of the Choctaw Nation by blood, and reside near Grady.

I am the son of Ed Duford and his wife Mollie Engleman. My father was a Choctaw Indian by blood and my mother is a white woman.

My father and mother lived together as husband and wife until my father's death.

I have been finally enrolled as a citizen of the Choctaw Nation and as such have selected my allotment of the lands of the Choctaw Nation ^{and Chickasaw.}

Albert Duford

Subscribed and sworn to, before me this 22 day of Feb. 1905.

My Commission expires the ^{My Commission Expires} February 22, 1907

J. W. Hayes
Notary Public.

My name is R. M. Hancock, I am
a minister and my past office in Purdy
Ky. I was regularly ordained
from a minister of the Gospel and became
the M. E. Church South.

I was in a good many ways at Courtney
Flats, Ky. I know Ed. Howard and his wife
a good while, I know him before he was mar-
ried.

I as a minister of the Gospel performed the
marriage ceremony for them. I remember him
coming to me about it. I can not remember

the date, but it was in the early eighties.

My wife and son who were present are now dead.

~~I am not related to~~ made out the certificate
and returned the license to Maudslayi Family Texas,
and it should be on record.

I am not related to the parties and have
no interest in the matter. R. M. HANCOCK

witness to my signature
Frank E. Abankin.

I swear to and subscribed before me this
the 14th day of Feb. 1905
my com. expires Feb 14-1907

Wm. A. Proctor
Notary Public.

My name is Andy Smith, I am 75 years of age and reside near Blanco, T.T.

I am a citizen of the United States and not a member of any Indian Tribe.

I am the father of Mollie Engleman the applicant for enrollment as an intermarried citizen of the Choctaw Nation.

I knew Ed Duford before he and my daughter were married and until his death. He was a Choctaw Indian by blood, I knew his mother, she was a full half blood Choctaw Indian and they all lived in the Indian Territory. I knew them from about the year 1880 on until his mother's death and knew him until his death. I lived on one of his farms as his tenant, on lands in the Chickasaw Nation Indian Territory until he held as a citizen of the Choctaw Nation, for about seven years. As such citizen procured farmers permits for me, I had these until a short time since, I thought they could be of no use and I destroyed them.

Ed Duford and my daughter ran away to be married because my wife and I objected to their marriage. I did not know of it until they were married.

It was then commonly reported among the neighbors that they were married, they both told us they were married and the parties who were present told me they were married by Parson Hancock who at that time resided about Courtney Flat, near the line of the Chickasaw Nation and Texas.

From the time he and my daughter were married until his death they lived together as man and wife in the Chickasaw Nation except for a few months when they moved over into the Choctaw Nation. While they lived in the Chickasaw Nation their Post office was all the time at Grady.

All of their children Albert Duford, Ella McBee, Rossie Duford and Frank Duford are all recognized as Choctaw Indians, they have filed and have their certificates for their lands.

witness to mark
Wm N. Calkins
7. Lawrence Hewitt

his
Andy Smith
Mark

Sworn to and subscribed before me this the 24th day of Feb. 1905.

Gymnoid J. Smith
Notary Public.

My Commission expires *14th day of May 1908*

My name is John S. Jewell, I am 58 years of age and reside at Blanco, I.T.

I am acquainted with Kollie Engleman and knew her husband, Ed Buford in his life time. I was living on his place at the time of his death, this was a place he held as a citizen of the Choctaw Nation.

He and Kollie Engleman lived together as husband and wife from the time I knew them until his death. They then resided in the Chickasaw Nation near Brady.

Ed Buford was recognized as a Choctaw Indian citizen and showed to be of Indian blood.

I am a citizen of the United States and not a member of any Indian Tribe or Nation, am not related to any of the parties and have no interest in this matter.

John S. Jewell

Sworn to and subscribed before me this the 24th day of Feb. 1905.

Raymond J. Seward
My Commission expires 14th day of May 1908

John S. Jewell

My name is Lollie Engleman, I am the applicant in this matter, I am now about forty years of age and reside near Blaine, I.T.

I was married to Ed Duford by Parson Hancock at his home in September of 1882.

Ed Duford was a recognized citizen of the Choctaw Nation by blood. He showed to be at least of one fourth Indian blood. I knew his mother, she lived with us for about four years, she showed to be a half blood Indian. They were recognized as Choctaw citizens and as such held lands of the Chickasaw and Choctaw Nations. They lived in the Chickasaw Nation.

From the time we were married until Duford's death we lived in the Chickasaw Nation near Brady except for a few months we moved into the Choctaw Nation and then returned to the Chickasaw Nation. All of this time we lived together as husband and wife.

After Duford's death I moved into the Choctaw Nation and have lived near Blaine since. I have not lived out of the Choctaw or Chickasaw Nations since 1879. Ed Duford lived in the Choctaw or Chickasaw Nations all of his life.

Duford and I have four children who are recognized as citizens of the Choctaw Nation and as such they have selected their allotment of lands, their names are Albert Duford, Bessie Duford, Frank Duford and Ella McBeck.

witness to mark
Frank Cavenish
Florence Hewitt

Sworn to and subscribed before me this the 24th day of Feb. 1905.

Lollie Engleman
mark

Raymond Smith
Notary Public.
24th day of May 1905

My Commission expires

STATE OF TEXAS, |
 | SS.
COUNTY OF MONTAGUE. |

(1) I, R. D. Rugeley Jr., Clerk of the County Court in and for Montague County, State of Texas, do hereby certify that the foregoing is a true and correct copy of the marriage license dated September 16, 1882, issued to Edward Duford and Mary Smith, as the same appears upon the record of marriages, Volume B, page 469 of said County, now in my office.

(2) I further certify that at the time of the issuance of the above license, the laws of this state made it ^{the} duty of the person solemnizing the rites of matrimony, to endorse the same on the license and make return of the same to the office of the County Clerk from which it issued.

(3) I further certify that I have examined the records of said County wherein the return of marriage license are recorded, and that said records do not show that said license issued to said Edward Duford and Mary Smith on September 16, 1882 was ever re-
turned or ^{the return thereon} made of record.

Given under my hand and seal of office, this 16th day of February, 1907.

R. D. Rugeley Jr.
Clerk of the County Court
Montague, Texas.

DEPARTMENT OF THE INTERIOR.
BEFORE THE COMMISSION TO THE FIVE CIVILIZED TRIBES
IN RE MOLLIE ENGLEMAN.

MY name is Wm. Patton

I reside at Spanish Fort, Texas, and am 42 years old.

I was acquainted with Ed Duford, a citizen of the Choctaw Nation, in his life time. I knew him at and before the time he was married to Mollie Smith, who I am now informed is Mollie Engleman.

I knew him as a young man, he was a single or unmarried man until his marriage with the said Mollie Smith.

I am not related to any of the parties in this matter and have no interest whatever in it.

Wm. Patton

Sworn to and subscribed before me this the 12 day of March 1905.

J. J. Hoopes
Notary Public, Montague Co., TEXAS

My Commission expires November 1906

DEPARTMENT OF THE INTERIOR.
BEFORE THE COMMISSION TO THE FIVE CIVILIZED TRIBES
IN RE MOLLIE ENGLEMAN.

MY name is J. A. Rich
I reside at Spanish Fort, Texas, and am 50 years old.

I was acquainted with Ed Duford, a citizen of
the Cheetaw Nation, in his life time. I knew him at and be
fore the time he was married to Mollie Smith, who I am now
informed is Mollie Engleman.

I knew him as a young man, he was a single or
unmarried man until his marriage with the said Mollie Smith.

I am not related to any of the parties in this
matter and have no interest whatever in it.

J. A. Rich

Sworn to and subscribed before me this the 18 day
of March 1905.

J. G. Cooper
Notary Public. *Montague Co Tex*

My Commission expires December 1908

DEPARTMENT OF THE INTERIOR.
BEFORE THE COMMISSION TO THE FIVE CIVILIZED TRIBES, AT MUSKOGEE.
IN RE, APPLICATION OF MOLLIE ENGLEMAN.

W. A. Knorr being duly sworn states,
My name is W. A. Knorr, I reside at Ryan, I.T.
and am 57 years of age.

I was acquainted with Ed Luford, the former husband of Mollie Engleman, I knew him before his marriage with said Mollie Engleman, and know that he was a single man until said marriage, he never having been married.

I am not related to any of the parties in this matter and have no interest whatever in it.

W. A. Knorr

Sworn to and subscribed before me this the 24 day of Mar. 1905.

My Commission Expires
February 14th. 1907

J. H. Hayes
Notary Public.

DEPARTMENT OF THE INTERIOR.
BEFORE THE COMMISSION TO THE FIVE CIVILIZED TRIBES AT MUSKOGEE.
IN RE APPLICATION OF MOLLIE ENGLEMAN.

W. J. Tucker being duly sworn states,
my name is W. J. Tucker, I reside at Sugden, I. T.;
and am 54 years of age.

I was acquainted with Ed Beford, the former husband of Mollie Engleman,
I knew him before his marriage with said Mollie Engleman, and know that
he was a single man until said marriage, he never having been married to the
best of my knowledge I know him since 1879.
I am not related to any of the parties in this matter and have no interest
whatever in it.

W. J. Tucker
Sworn to and subscribed before me this the 27 day of Mar 1905.

My Commission Expires
February 17th, 1907

J. W. Hayes
Notary Public.

DEPARTMENT OF THE INTERIOR.
BEFORE THE COMMISSION TO THE FIVE CIVILIZED TRIBES AT MUSKOGEE.
IN RE APPLICATION OF MOLLIE ENGLEMAN.

Mr. Martha A Knox being duly sworn states,
my name is Martha A Knox, I reside at Ryan, I. T;
and am 57 years of age.

I was acquainted with Ed Buford, the former husband of Mollie Engleman,
I knew him before his marriage with said Mollie Engleman, and know that
he was a single man until said marriage, he never having been married.

I am not related to any of the parties in this matter and have no interest
whatever in it.

Witness H. E. Brooks Martha A Knox *Her mark*

Sworn to and subscribed before me this the 23rd day of Mar 1905.

My Commission Expires
February 17th. 1907

Julio Hayes
Notary Public.

BEFORE THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Mollie Engleman as a citizen by intermarriage of the Choctaw Nation, Choctaw Field No. D-427.

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 Preston Early, et al., vs. Choctaw and Chickasaw Nations, No. 64 on the South McAlester Docket, in which the said court will decide the question of the citizenship rights, by intermarriage, if any, of those white persons who intermarried with citizens by blood of the Choctaw Nation not in accordance with the tribal laws, 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 23, 1904.

W
E-D-497.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Mollie Engleman
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 in the year
1882 the applicant was lawfully married to Ed Duford, a recog-
nized and enrolled citizen by blood of the Choctaw Nation,
who is identified upon the 1893 Leased District Payment Roll,
Kiamitia County, Number 43; that at the date of said marriage
both persons above mentioned were residents in good faith of
the Chickasaw Nation; that they lived together as husband and
wife in the Choctaw-Chickasaw country until the death of the
said Duford about the year 1887; that thereafter, the ap-
plicant married _____ Engleman, a non-citizen white man.
That the applicant has been a resident in good faith of the
Choctaw-Chickasaw country continuously since the date of her
marriage to said Ed Duford up to, and including, September
25, 1902.

It is therefore the opinion of this Commission that,
following the ruling of the Department in the case of Ella
Jones, (I.T.D. 6813-1904), Mollie Engleman should be enrolled
as a citizen by intermarriage of the Choctaw Nation in ac-
cordance 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,

APR 25 1905

7-D-427.

Muskogee, Indian Territory, April 29, 1905.

Mollie Engleman,

South McAlester, Indian Territory.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered April 28, 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 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,

Chairman.

Register.

Enc-7-D-427.

Muskogee, Indian Territory, April 29, 1905.

Arnote & Eubanks,
Attorneys at Law,
South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that the Commission to the Five Civilized Tribes, On April 28, 1905, rendered its decision granting the application for the enrollment of Mollie Engleman 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, 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,

Register.

Chairman.

Muskogee, Indian Territory, April 29, 1905.

H. B. Milner,

South McAlester, Indian Territory.

Dear Sir:

You are hereby notified that the Commission to the Five Civilized Tribes, on April 28, 1905, rendered its decision granting the application for the enrollment of Mollie Engleman 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, 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.

Register.

Muskogee, Indian Territory, April 29, 1905.

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 April 28, 1905, granting the appli-
cation for the enrollment of Mollie Engleman 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 a-
gainst 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 submit-
ted to the Secretary of the Interior for his approval.

Respectfully,

Chairman.

Registered. (See 7-D-118 for registry receipt for this letter).

Enc-7-D-427.

Department of the Interior
Commission to the Five Civilized Tribes
Wickasaw Land Office
Tishomingo, I. T.
July 22, 1904.

In the matter of the enrollment of Willie Duford, Albert Duford, Ella McFee, Roxy Duford, Frankie Duford, and Pryor Edward McFee, Choctaw card 4485, Choctaw roll No. 12443 to 12447 inclusive.

Willie Duford being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Willie Duford.
Q What is your age? A Twenty-three.
Q What is your post office address? A Atlee.
Q What is your father's name? A Mitchell.
Q What was his full name? A I don't know, he died when I was small.
Q What was the name of your mother? A I don't know.
Q Which one of your parents was a Choctaw? A My mother.
Q It appears from the records of the Commission on Choctaw card 4485, that the name of your father is Edward Duford and your mother, Hollie Engleman; who is the Edward Duford? A My Uncle.
Q And Hollie Engleman, the wife of Edward Duford and your Aunt?
A Aunt by marriage.
Q With whom were you living at the time of the enrollment in 1899?
A With Hollie Engleman.
Q You Uncle, Edward Duford was dead at that time and his wife Hollie, had married again? A Yes.
Q Who appeared before the Commission and gave in the name of yourself and your brothers and sisters for enrollment? A Hollie Engleman.
Q What relation is Albert Duford to you? A My cousin.
Q What was his father's name? A Edward Duford.
Q What is the name of his mother? A Hollie Engleman.
Q What relation is Ella McFee to you? A My cousin.
Q Is she a full sister to Albert Duford? A Yes.
Q What relation is Roxy Duford to you? A My cousin.
Q Is she a full sister to Albert Duford? A Yes.
Q What relation is Frankie Duford to you? A My cousin.
Q Is she a full sister to Albert Duford? A Yes.
Q Did Edward Duford and his wife Hollie ever have a son by the name of Willie? A No.
Q Ella McFee is married is she not? A Yes.
Q What is the name of her husband? A George McFee.
Q Has Ella McFee and children? A Yes, one.
Q What is the name of that child? A Pryor Edward McFee.
Q Do you go by the name of Willie Duford or Willie Mitchell?
A Willie Duford, I was raised by my Uncle, Edward Duford from the time I was a small child and while I was never legally adopted by him, I have always gone by his name.

John C. Miller being first duly sworn on oath states that as stenographer for the Commission to the Five Civilized Tribes she reported he above proceedings and that same is a correct transcript of her stenographic notes.

John C. Miller

Subscribed and sworn to before me this 22nd day of July, 1904.

J. H. Carlock
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 Roxy Duford, born on the 1st day of August, 1894.
 Name of father: Ed Duford, a citizen of the Choctaw Nation.
 Name of mother: Mollie Duford, a citizen of the Choctaw Nation.
 Post Office: Sauk Mealester, Ia.

AFFIDAVIT OF MOTHER.

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

I, Mollie Duford, on oath, state that I am about 34 years of age and a
 citizen, by marriage, of the Choctaw Nation; that I am the
 lawful wife of Ed Duford who is a citizen, by blood, of the
Choctaw Nation; that a female child was born to me on the 1st day
of August, 1894; that said child has been named Roxy Duford

J.F. MURRAY
 and is now living.
 Witness J.F. Murray
 E.E. Bagweel

her
 Mollie Duford
 sworn

Subscribed and sworn to before me this 4th day of September, 1899.

J.F. Murray
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, Sarah Smith, a midwife, on oath, state that I
 attended on Mrs. Mollie Duford, wife of Ed Duford
 on the 1st day of August, 1894; that there was born to her on said date a female child;

J.F. MURRAY
 that said child is now living and is said to have been named
 Witness J.F. Murray
 E.E. Bagweel

Roxy Duford -
 Sarah Duford
 sworn

Subscribed and sworn to before me this 4th day of September, 1899.

J.F. Murray
 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 Frankie Duford, born on the 20 day of January, 1896.
 Name of father: Ed Duford, a citizen of the Choctaw Nation.
 Name of mother: Mollie Duford, a citizen of the Choctaw Nation.
 Post Office: South McAlester, Ok.

AFFIDAVIT OF MOTHER.

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

I, Mollie Duford, on oath, state that I am about 34 years of age and a citizen, by marriage, of the Choctaw Nation; that I am the lawful wife of Ed Duford who is a citizen, by blood, of the Choctaw Nation; that a female child was born to me on the 20 day of January, 1896; that said child has been named Frankie Duford, and is now living.

J. F. MURRAY
 witnesses: J. F. Murray
E. B. Bagwell

Mollie Duford
 her
 name

Subscribed and sworn to before me this 4 day of August, 1899.

J. F. Murray
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, Sarah Smith, a midwife, on oath, state that I attended on Mrs. Mollie Duford, wife of Ed Duford on the 20 day of January, 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 Frankie Duford.

J. F. MURRAY
 witnesses: J. F. Murray
E. B. Bagwell

Sarah Smith
 her
 name

Subscribed and sworn to before me this 4 day of August, 1899.

J. F. Murray
 Notary Public.

Enc 10 72
INDEXED

IN RE

Application for Enrollment of

INFANT CHILD

Prior E. M. Bee

as a citizen of the

Choctaw Nation.

Approved FEB 5 1903 190

~~Commissioner~~
Commissioner.

Proof of birth of child for whom
application was made Oct 14, 1902.

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

FEB - 5 - 1903

~~ACTING CHAIRMAN~~
ACTING CHAIRMAN.

CHOC

4405

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

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,
of Prior Edward Mc Bee (here insert name of child), born on the 20th day of June 1902
Name of Father: Geo Mc Bee, a citizen of the United States Nation.
Name of Mother: Ella Mc Bee, a citizen of the Choctaw Nation.
Post-Office: Blaine, Ok.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Ella Mc Bee, on oath state that I am 17
years of age and a citizen, by blood, of the Choctaw Nation;
that I am the lawful wife of George Mc Bee, who is a citizen, by
birth, of the United States Nation; that a male child was
(male or female.)
born to me on 20th day of June 1902. That said child has been
named Prior Edward Mc Bee, and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses.)
J. Warriner.
E. D. Rodgers.

Ella Mc Bee
mark

Subscribed and sworn to before me this 27th day of December 1902.

David Shelby
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Louiza C. Pedan, a _____, on oath state that I
attended on Mrs. Ella Mc Bee, wife of Geo. Mc Bee,
on the 20th day of June, 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 Prior Edward.

WITNESSES TO MARK

(Must be Two Witnesses.)
C. A. Lindstrom
J. F. Mc Bee

Louiza C. Pedan

Subscribed and sworn to before me this 28th day of January 1903.

Geo. H. ...
Notary Public.

MARRIAGE LICENSE.

310

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. George McBea of *Ark* in the Indian Territory, aged 17 years, and Miss Ellen Buford of *Mo* in the Indian Territory, aged 16 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 8th day of Oct A.D. 1900

J. M. Dodge

Deputy.

E. J. James

Clerk of the United States Court.

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
CENTRAL DISTRICT. } SS.

I, *W. H. James*
a *Baptist Minister*

do hereby CERTIFY, that on the *Eight* day of *October* 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 *8th* day of *October* 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 _____, Page _____



W. H. James
a *Baptist Minister*

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).

MEMORANDA.

(Date) Dec 1 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,

WC
34

Wife's name, Fred

Choctaw ? County Year No.

Chickasaw ? County Year Page

Citizen by blood ? Mother's citizenship

Intermarried citizen ?

Married under what law ? Choctaw

License filed this day Jan

Names of children :

11 * Mary Leiford County Year Page No.

16 - John County Year Page No.

14 # Ed County Year Page No.

35 Ray County Year Page No.

3 Frankie County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

of 11...

13

116 # 1161
117 # 1162
114

Muscogee, Indian Territory,

August 14th, 1904.

Lollie Engleman,

South McAlester, Indian Territory,

Dear Madam:

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

The Commission, commencing December 3rd, 1904, 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-427.

Muskogee, Indian Territory, October 26, 1900.

Mrs. Lou Porter,

Grady, Indian Territory.

Dear Madam:

The Commission is in receipt of your letter of the 19th instant in which you state that you and your children were enrolled by this Commission at Ardmore, Indian Territory in February, 1898 and that you now desire to be furnished with a certificate as to the enrollment of yourself and family.

You also request that you be furnished with a certificate as to the enrollment of the children of Ed Duford and also to be informed if their mother, Mrs. Duford, has been enrolled by this Commission under the name of either Duford or Inglesman.

You are informed that this Commission cannot issue any certificates as to the enrollment of any parties as citizens of either the Choctaw or Chickasaw Nations. The rolls of either of these Nations do not become final until approved by the Secretary of the Interior and therefore it would be impossible to issue any certificates of enrollment until the final approval of the rolls.

The records of the Commission show, however, that Lou Porter, together with her eight minor children, Archibald W., Dae, Lyoungus, Thomas W., Hugh, Viola, Henry W. and Newman Porter were listed for enrollment by this Commission as citizens of the Choctaw Nation, September 23rd, 1898, having been admitted to citizenship in the Choctaw Nation by judgment of the United States Court for the Central District of the Indian Territory, rendered at South McAlester

L P S

Indian Territory, August 25th, 1897 in court case No. 105.

As to the children of Ed Duford, you are informed that the records of this Commission show that Willie, Albert, Ella, Roxy, and Frankie Duford, the children of Edward and Mollie Duford were listed for enrollment as citizens of the Choctaw Nation by this Commission September 4th, 1899.

The mother of these children appears upon the records of this Commission under the name of Mollie Engleman and she was listed for enrollment as a doubtful claimant to intermarried citizenship in the Choctaw Nation, September 4th, 1899.

Yours truly,

Acting Chairman.

7-4485
7-5140
&-D427

Law Offices of

Madonnon, Mansfield, McMurray & Cornish,

South McAlester, Indian Territory,
November 10, 1900.

Mrs. Ollie Engleman,

South McAlester, Ind. Ter.

Dear Madam:

In order for the Dawes Commission to determine your right to enrollment, it will be necessary to know the year in which you were married to Ed Rufford. If you will procure and furnish us this information, the matter can then be submitted to the Commission for its decision.

It will not be necessary for you to go to Aoke on December 3, 1900, as all the proof necessary in your case has already been taken, if you will procure and furnish information as nearly as possible, as to date of your marriage to Rufford.

Yours truly,

(Signed) Mansfield, McMurray & Cornish.

Dictated.

(Copy of letter from the above named gentlemen.)

Muskogee, Indian Territory, November 23, 1900.

Mollie Engleman,

South McAlester, Indian Territory.

Dear Madam:

The Commission is in receipt of your letter of the 22nd instant enclosing a copy of a letter that you have recently received from Messrs. Mansfield, McMurray & Cornish, and also a certified copy of your marriage license to Edward Duford issued by the County Clerk of Montague County, state of Texas.

The copy of Mansfield, McMurray & Cornish's letter and the certified copy of your marriage license, have been duly filed with the other papers in this case and will receive the consideration of the Commission in the matter of your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

Yours truly,

Acting Chairman.

7-D-427

Muskogee, Indian Territory, March 11, 1901.

Will T. Walker,

Canadian, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 7th instant in which you desire to be informed if Ella McBee or Ella Duford was registered at South McAlester in 1899 as a citizen of the Choctaw Nation.

Replying to your letter the Commission has to inform you that our records show that on September 4th, 1899, at South McAlester Indian Territory, Ella Duford, 14 years of age, the daughter of Edward Duford and Mollie Engleman was listed for enrollment as a citizen by blood of the Choctaw nation.

Yours truly,

Acting Chairman.

7-4485

Muskogee, Indian Territory, December 28, 1901.

W. D. Hailey,

Attorney at Law,

South McAlester, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 26th instant, in which you desire to be informed if the name of Edward Duford appears on the rolls as a citizen of the Choctaw Nation.

You are informed that it does not appear from our records that any person by the name of Edward Duford has ever been listed for enrollment as a citizen of either the Choctaw or Chickasaw Nations by this Commission or that any application has ever been made for such enrollment.

It does appear that Willie, Albert, Ella, Roy and Frankie Duford are listed for enrollment as citizens by blood of the Choctaw Nation, and our records show that they are the children of Edward Duford, deceased, a citizen of the Choctaw Nation, and Nellie Engleman, a white woman.

Yours truly,

7-4485

Commissioner in Charge.

Choctaw 4486

Muskogee, Indian Territory, November 22, 1902.

Willie E. Duford,

Atlee, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 16th instant, requesting that you be furnished a certificate of the Choctaw citizenship of yourself and your family.

In reply to your letter you are advised that the Commission cannot issue certificates at this time as to the enrollment of any persons as citizens of the Choctaw Nation.

You are advised, however, that it appears from our records that on September 4, 1899, Willie Duford, 19 years of age, his brother Albert Duford and his children, Ella, Roxy and Frankie Duford, were listed for enrollment by this Commission as citizens by blood of the Choctaw Nation, having been identified from the 1893 pay roll of the Choctaw Nation, Kiamitia County.

Respectfully,

Acting Chairman.

Muskogee, Indian Territory, January 3, 1903.

George Hobee,

Blanco, Indian Territory.

Dear Sir:

Referring to the application for enrollment as a citizen of the Choctaw Nation of Fryer Edward Hobee, infant son of George and Ella Hobee, born June 25, 1902; you are informed that it will be necessary that you furnish the Commission with the affidavit of the attending physician or midwife relative to the birth of said child, and the fact that it is still living, a blank for which purpose is enclosed you 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.

Q MoB B

This matter should receive prompt attention.

Respectfully,

Acting Chairman.

Enc B I 88.

7-4485.

Muskogee, Indian Territory, January 9, 1903.

George McBee,

Blanco, Indian Territory.

Dear Sir:

Referring to the application for enrollment as a citizen of the Choctaw Nation of Pryor Edward McBee, infant son of George and Ella McBee, born June 20, 1902; you are informed that it will be necessary for you to furnish the Commission with the affidavit of the attending physician or midwife as to the birth of this child, and the fact that it is still living, a blank for which purpose is herewith enclosed you.

In having same executed, be careful to see that all blanks are properly filled, all names written in full, and in event the person whose name is to be affixed to the affidavit is unable to write, and the signature is by mark, such signature must be attested by two disinterested parties, witnesses thereto.

The notary public before whom the same is acknowledged must affix his notarial jurat and seal thereto.

Please give this matter prompt attention.

Respectfully,

Enc B I 26.

Commissioner in Charge.

Muskogee, Indian Territory, February 5, 1903.

George McBee,

Blanco, Indian Territory.

Dear Sir:

It appears from our records that on October 14, 1902, application was made for the enrollment as a citizen of the Choctaw Nation of Pryor Edward McBee, infant son of George and Ella McBee, born June 20, 1902; which was returned to you for further information relative to the mother of the child.

Receipt is hereby acknowledged of your letter of the 28th ultimo, enclosing affidavit of Laura C. Peden relative to the birth of said child, June 20, 1902; together with information relative to the enrollment of the mother, who it appears was listed for enrollment as a citizen by blood of the Choctaw Nation September 4, 1899, under the name of Ella Duford.

You are advised that the information relative to the mother is correct, and the application for the enrollment of your child 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,

7-4485

Muslogee, Indian Territory, July 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. 4485:

"No. 3 is legal guardian of Nos. 4 and 5. July 13, 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.

Muskogee, Indian Territory, July 13, 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. 4485:~~

"No. 3 is legal guardian of Nos. 4 and 5.
July 13, 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.

Choctaw D 427

Muskogee, Indian Territory, February 11, 1904.

Mollie Engleman,

South McAlester, Indian Territory.

Dear Madam:

You are hereby advised that under direction of the Secretary of the Interior of November 13, 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 an intermarried citizen of the Choctaw Nation until the Commission is further instructed by the Secretary of the Interior.

Respectfully,

Commissioner in Charge.

7-4485

7-4512

Muskogee, Indian Territory, June 11, 1906.

Arnote & Bain,

Attorneys at Law,

South McAlester, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of May 29, 1906, in which you state that you represent Arizona Goddard et al. and the children of Mollie Engleman, who are children of enrolled citizens by intermarriage of the Choctaw Nation; that these children were all born before the ratification of the supplemental agreement and are all minors except two and seem to come within the provisions of the Act of Congress approved April 26, 1906; you ask if this office will require such applicants to make new applications under the act of Congress above referred to and if application for the enrollment of children born prior to the supplemental agreement will be received.

In reply to your letter you are advised that under the act of Congress approved April 26, 1906, this office is receiving applications for the enrollment of minor children, whose parents have applications pending for enrollment in the Choctaw and Chickasaw Nations and if you desire to submit applications for the enrollment of the children referred to under the act of Congress of April 26, 1906, above referred to the same would receive consideration.

A. & B. #2

You are informed, however, that in accordance with the views of the Attorney General recently expressed white children of intermarried citizens of the Choctaw and Chickasaw Nations are not entitled to enrollment and allotment in said nations.

Respectfully,

Commissioner.

7-4488

Muskogee, Indian Territory, July 27, 1904.

Commissioner in Charge,
Chickasaw Land Office,
Tishomingo, Indian Territory.

Dear Sir :-

Referring to original Choctaw enrollment card No.4485, Willie Duford, et al, you are advised that the following changes have this day been made therein:

Opposite the name of No.2, in the "Relationship" column, the word "Bro" has been erased and the word "Cousin" substituted; opposite the name of No.3, in the same column, the word "Dau" has been erased and ditto marks substituted; opposite the name of No.6, in the same column, the words "G. Son" have been erased and the words "Son of No.3" substituted.

Opposite the name of No.1, in the column headed "Name of Father", the name "Edward Duford" has been erased, and the name "____ Mitchell" substituted; opposite the name of No.2, in the same column, the ditto marks have been erased and the name "Edward Duford" substituted.

Opposite the name of No.1, in the column headed "Name of Mother", the name "Mollie Engleman" has been erased, and the word "Unknown" substituted; opposite the name of No.2, in the same column

1

Commissioner, Chickasaw L.O. 2.

the ditto marks have been erased and the name "Mollie Engleman" substituted.

You are therefore requested to make like changes upon the duplicate of corresponding number in your possession.

Respectfully,

Commissioner in Charge.

7-D-427.

Muskogee, Indian Territory, October 12, 1904.

Mollie Engleman,

South McAlester, 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 for you to furnish the Commission with satisfactory proof of your marriage to Edward Duford, through whom you claim.

The Commission has been furnished with a certified copy of the license issued for said marriage but requires either the original or a certified copy of the marriage certificate.

This matter should receive your prompt attention.

Respectfully,

Chairman.

7-D-427

Muskogee, Indian Territory, November 25, 1904.

H. B. Milner,

South McAlester, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of November 21, 1904, returning a letter from the Commission from Mollie Engleman under date of November 23, 1900, and a statement of H. C. Reynolds relative to the marriage of Mollie Smith and Ed Buford, which you forward in ~~order~~ that we may determine the matter of evidence in the case of Mary Buford, an applicant for enrollment as a citizen of the Choctaw Nation.

The letter of the Commission enclosed with your communication is herewith returned, and you are requested to advise this office if Mollie Engleman and Mary Buford are the same person.

Respectfully,

WB 1-23

Chairman.

7- D- 427.

Muskogee, Indian Territory, December 2, 1904.

H. B. Milner,

South McAlester, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of November 28, 1904, in the matter of the application of Mollie Engleman for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are informed that before any further action can be taken in the matter of said application the Commission must be furnished with proof of the marriage of the applicant to Edward Duford. A certified copy of the marriage license has been filed with the Commission, but there is no certificate of marriage and the Commission must be furnished with either the original or a certified copy of the certificate.

Respectfully,

Commissioner in Charge.

Muskogee, Indian Territory, December 5, 1904.

H. B. Milner,

South McAlester, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of November 30, 1904, in which you refer to the application of Mollie Engleman or Mary Bufford and state the name of this person should be Mollie Duford, instead of Bufford, and you request that this change be made upon our records.

In reply to your letter you are informed it appears from our records that Mollie Engleman, formerly the wife of Ed Duford, is an applicant for enrollment as an intermarried citizen of the Choctaw Nation. It appears, however, that since the death of Ed Duford she has married a man by the name of Engleman and her name appears upon our records as Mollie Engleman.

You do not offer any reason for the request that her name be changed upon our records to Mollie Duford and as it appears that her present married name is Mollie Engleman, it is impracticable to comply with your request.

Respectfully,

Chairman.

Choctaw D 427

Muskogee, Indian Territory, December 20, 1904.

H. B. Milner,

South McAlester, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of December 16, stating that the court house in Montague County, Texas, where Mollie Engleman was married to Ed Dufford was destroyed by fire and there is no record of her marriage. You therefore wish to be advised if affidavits of persons to the effect that Mollie Engleman lived with Ed Dufford until his death will be accepted as evidence.

In reply to your letter you are advised that if the records of the marriage of Mollie Engleman and Ed Duford were destroyed by fire you should furnish a certificate of the Clerk of the Court to that effect, and should forward affidavits of two or more persons who know that these persons were married and that they lived together as husband and wife up to the time of the death of Duford. These affidavits, in connection with the certificate of the Clerk to the destruction of the records, will receive consideration.

Respectfully,

Chairman.

7-D-427

Muskogee, Indian Territory, January 25, 1905.

H. B. Milner,

South McAlester, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 21, 1905, enclosing affidavits of Sarah Smith and William Smith which you offer in support of Mollie Engleman for enrollment as an inter-married citizen of the Choctaw Nation and the same have been filed with the record in this case.

Respectfully,

Chairman.

7-D-427.

Muskogee, Indian Territory, February 3, 1905.

W. B. Milner,

South McAlester, Indian Territory.

Dear Sir:

In the matter of the application of Mollie Engleman for enrollment as a citizen by intermarriage of the Choctaw Nation, you are informed that the evidence furnished is not sufficient to establish that the applicant was married to Ed Duford, through whom she claims. The Commission must be furnished with the affidavits of two or more reputable persons who were present, and actually saw the marriage ceremony performed, and these affidavits must give the date of the marriage. The Commission must also be furnished with the affidavit of the applicant setting forth her actual residence at the date of said marriage, and just where she has actually resided since that date up to and including September 25, 1902. Her affidavit must also show the residence of said Ed Duford, at the date of the marriage, and just where he resided from that date until the time of his death.

The Commission should also be advised of the names of the brothers and sisters, if any, of the said Ed Duford, in order that we may be able to identify him upon the tribal rolls of the Choctaw Nation.

As this case, with others, must be closed up at an early

H. B. M. 2

date, you will see the necessity for promptly furnishing the evidence requested above.

Respectfully,

Chairman.

7-D-427

Muskogee, Indian Territory, March 7, 1905.

James S. Arnote,

Attorney at Law.

South McAlester, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of March 3, 1905, enclosing the affidavits of W. C. Sappington, W. H. Baker, S. R. Morgan, Albert Duford, R. M. Hancock, Andy Smith, John S. Jewell and Mollie Engleman which are offered in support of the application of Mollie Engleman for enrollment as an intermarried citizen of the Choctaw Nation and the same have been filed with the record in this case.

Respectfully,

Commissioner in Charge.

7-D-427.

Muskogee, Indian Territory March 8, 1905.

H. B. Milner,

South McAlester, Indian Territory,

Dear Sir:

In the matter of the application of Mollie Engleman for enrollment as a citizen by intermarriage of the Choctaw Nation you are requested to procure and forward to this Commission the affidavit of someone who has knowledge of the fact as to whether Edward Duford was ever married prior to his marriage to the applicant and if so whether his former wife was dead or had been divorced and if divorced to furnish either the original or a certified copy of the decree of divorce.

As soon as this evidence is furnished the application will be taken up and a decision rendered. Will you therefore forward same without delay.

Respectfully,

Muskogee, Indian Territory, March 18, 1905.

J. S. Arnote,

South McAlester, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of March 13, 1905, stating that you will forward the evidence requested in our letter of March 8, in support of the application of Mollie Engleman for enrollment as an intermarried citizen of the Choctaw Nation as early as practicable.

In reply to your letter you are advised that the proof requested should be forwarded as early as practicable in order that disposition may be made of the application of Mollie Engleman for enrollment as an intermarried citizen of the Choctaw Nation.

Respectfully,

Chairman.

7-D-427

Muskogee, Indian Territory, March 24, 1905.

Arnote & Eubanks,

Attorneys at Law.

South McAlester, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of March 20, 1905, enclosing affidavits of W. M. Patton and J. A. Rich which you offer in support of the application of Mollie Engleman for enrollment as an intermarried citizen of the Choctaw Nation and the same have been filed with the record in this case.

Respectfully,

Chairman.

7-D-427.

Muskogee, Indian Territory, April 26, 1903.

J. S. Arnote,
Attorney at Law,
South McAlester, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of April 21, asking the status of the application of Mollie Engleman for enrollment as an intermarried citizen of the Choctaw Nation.

In reply to your letter, you are advised that the Commission is now considering the application for enrollment of Mollie Engleman as an intermarried citizen of the Choctaw Nation, and as soon as the decision is reached in this case, you and the applicant will be notified of the action taken therein.

Respectfully,

Chairman.

Muskogee, Indian Territory, May 3, 1905.

George McBee,

Grady, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of April 25, 1905, asking if you are entitled to enrollment as an inter-married citizen of the Choctaw Nation.

In reply to your letter you are advised that it does not appear from our records that application has been made to this Commission by you or on your behalf 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 such an application in your behalf.

Respectfully,

Chairman.

Muskogee, Indian Territory, August 21, 1903.

Willie Duford,

Atlee, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of August 16, stating that you have been enrolled under the name of Willie Duford and that your correct name is Willie Mitchell, and ask what steps to take in order to have your name changed upon the rolls.

It appears from our records that you have been enrolled by the Commission as a citizen by blood of the Choctaw Nation under the name of Willie Duford and such enrollment has been approved by the Secretary of the Interior. Under this name therefore you will receive allotment of land in distribution of tribal property in the Choctaw and Chickasaw Nations.

Respectfully,

Commissioner in Charge.

Muskogee, Indian Territory, July 27, 1904.

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

Dear Sir :-

Referring to original Choctaw enrollment card No.4485, Willie Duford, et al, you are advised that the following changes have this day been made therein:

Opposite the name of No.2, in the "Relationship" column, the word "Bro" has been erased and the word "Cousin" substituted; opposite the name of No.3, in the same column, the word "Dau" has been erased and ditto marks substituted; opposite the name of No.6, in the same column, the words "G. Son" have been erased and the words "Son of No.3" substituted.

Opposite the name of No.1, in the column headed "Name of Father", the name "Edward Duford" has been erased, and the name "Mitchell" substituted; Opposite the name of No.2, in the same column, the ditto marks have been erased and the name "Edward Duford" substituted.

Opposite the name of No.1, in the column headed "Name of Mother", the name "Mollie Engleman" has been erased, and the word "Unknown" substituted; opposite the name of No.2, in the same column, the ditto marks have been erased and the name "Mollie Engleman" sub-

Commissioner, Chectaw L.O. 2.

stituted.

You are therefore requested to make like changes upon the duplicate of corresponding number in your possession.

Respectfully,

Commissioner in Charge.

Choc 4486 Sophia Vail

John F. Vail transferred from Chickasaw #1498
Feb 5, 1905

4486

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

-oOo-

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

J O H N F. V A I L - - - - - 9-1498.

-oOo-

DEPARTMENT OF THE INTERIOR,

Commission to the Five Civilized Tribes.

wa p 99

John Hale

VS.

NO. *166*

CHIEF

Nation.

FORT SMITH, ARK.,

D. C. 187

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.

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, I.T. November 18, 1902.

9-1498

In the matter of the application of John F. Vail for enrollment as an inter-married citizen of the Chickasaw Nation.

John F. Vail being duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A John F. Vail.
Q How old are you? A 54.
Q What is your post office address? A Durant.
Q How long have you resided in the Choctaw Nation? A 32 years.
Q Lived here continuously for that length of time? A Yes sir.
Q Do you claim inter-married rights in the Chickasaw Nation?
A Well, I married in the Choctaw Nation.
Q Is your wife through whom you claim inter-married rights Choctaw or Chickasaw? A Her mother was Chickasaw and her father Choctaw.
Q Which tribe was she enrolled with? A She died before this woman came up.
Q What was her name? A Levina Stidham. She was a widow.
Q When were you married to her? A In '78, January.
Q Where was this marriage ceremony performed? A In Caddo.
Q Did you make application to this Commission in 1896 for admission to citizenship in the Choctaw Nation? A Yes, my daughter registered at Colbert.
Q What was done with your application at that time? A I don't know; I have never seen nor heard anything of it.
Q Was it granted or refused? A Yes, I have got that grant.
Q You stated that your application was granted? A Yes sir.
Q Was it taken to the United States Court? A No sir, not that I know of. I wasn't notified of it.
Q When you appeared before the Commission for enrollment the first time you enrolled did you apply as a Choctaw or Chicksaw inter-married-- A Choctaw here at Durant; also I told the Commission that my daughter was on the Chickasaw roll.
Q How long have you lived with this Choctaw woman, your wife?
A Nine years, a little over, until her death.
Q When did she die? A In '87 the last day of January.
Q Have you re-married since her death? A Yes sir.
Q When did you marry your second wife? A In '89.
Q Is that the only marriage since her death? A No sir I married again; that woman's dead.
Q When did you marry your third wife? A Last August one year ago.
Q What was her name? A Her name's on the roll here; was Sophia Felton.
Q Is she a Choctaw Indian? A Yes sir.
Q Where did this marriage to Sophia Felton take place? A Down at Durant.
Q Under what law did you marry her? A Under United States law this time.
Q Who performed the marriage ceremony? A Stevens; I have the certificate here.

(The applicant presents marriage license and certificate issued to John F. Vails and Sophia Malton; this license was filed with the records of the Commission in 7-4486; also the certificate.)

2--John F. Vail

Q Is the Sophia Malton referred to in this marriage license the identical woman to whom you have referred as Sophia Felton? A Yes sir.

Q Since your admission in 1896 as an inter-married citizen of the Choctaw Nation, this is the only time that you have married again, is it? A Yes sir.

Henry G. Hains, being sworn ~~testifies~~ states that as stenographer to the Commission to the Five Civilized Tribes he reported the above case on the 18th day of November, 1902, 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 15 day of December, 1902.

P. C. Bolger

Notary Public.

United States of America.)

Indian Territory, City of Durant.)

Before me personally appeared, Geo. Kemp, who upon his oath states, that I am a citizen of the Chickasaw Nation, I. T. I that I have known Lavina Nelson who I think was enrolled as a Chickasaw Citizen in the name of Lavina Stidham. I have known her all my life, her father's name was Geo. Nelson. We were brother and sister. My mother first married Geo. Nelson and Lavina was a child by that marriage after the death of Geo.

~~Nelson my mother married Roben Kemp and I am a child by that marriage.~~

1877.

My half sister, Lavina, first married Ben Stidham. He died in ~~1877~~

After his death Lavina married John W. Vails. This marriage was solemnized at Caddo, I. T. in January, 1878. They were married under the Choctaw law.

My sister, Lavina, was more Chickasaw than Choctaw by blood. Her mother was a ~~full~~ blood Chickasaw and her father was three fourth Choctaw and one fourth white blood. I know all these facts from my personal knowledge,

I have lived near these parties all my life.

^{Geo}
George Kemp
mark

Subscribed and sworn to before me ^{October} this 22nd, 1904.

Witness to mark
Charles A. Phillips

Charles A. Phillips

Notary Public.

9-1498.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskogee, Indian Territory November 9, 1904.

In the matter of the application for the enrollment of John F. Vail as a citizen by intermarriage of the Chickasaw Nation.

John F. Vail being first duly sworn testifies as follows:

Examination by the Commission:

- Q What is your name? A John F. Vail.
Q You are an applicant as a citizen by intermarriage of the Chickasaw Nation? A Yes, sir.
Q Through whom do you claim your right? A I was married in the Choctaw Nation.
Q What was her name? A Levina.
Q She was part Choctaw and part Chickasaw? A Yes, sir.
Q How many times was she married? A Twice, I was her second husband.
Q What was her first husband's name? A His name was Stidham.
Q When were you married to her? A January '78.
Q How long did you live with her? A Until she died, she died in January 1886.
Q Where was she living at that time? A She was living in Blue County, Choctaw Nation.
Q Did she ever draw any money? A She drew in Chickasaw, yes, sir.
Q When? A The last she drew was in 1882 I think.
Q Her name was Nelson when you married her? A No her name was Stidham.
Q And after her death you married a Choctaw? A Yes, sir.
Q What was her name? A Sophia Felton.
Q Her maiden name was Nelson wasn't it? A Yes, sir, both of my women were named Nelson.
Q Were they related to each other? A Yes, sir, they were cousins.
Q But you claim through your first wife? A Yes, sir.
Q Levina Stidham who was a Nelson? A Yes, sir.
Q Did you ever draw any money yourself? A Drew three dollars in 1882.
Q Along with her? A Yes, sir.
Q Was Levina Stidham your first wife? A Yes, sir.
Q Was her former husband dead when you married her? A Yes, sir, he died the year before I married her.
Q Did you have any children by her? A Yes, sir, one living, it is twenty-one years old.
Q What is the name of the child? A Ada.
Q Is she married? A Yes, sir, her name is Wilkinson.

Ada Wilkinson the daughter of the applicant by his Chickasaw wife Levina is identified on Choctaw field card number 5588 and is numbered 14037 upon the final roll approved March 19, 1903, she was originally enrolled on Chickasaw field card number 1251.

- Q You were admitted in 1896 were you? A Yes, sir.

- Q Was appeal taken? A Not as ever I know of.
- Q You were admitted as a Choctaw were you not? A Yes, sir, I think I have that right here.
- Q In case the Commission finds that you are entitled to be enrolled as a citizen by intermarriage of the Choctaw and of the Chickasaw nations in which nation do you elect to be enrolled now? A Choctaw Nation, I am living in the Choctaw Nation.
- Q And you wish to be enrolled as a citizen of the nation in which you live? A Yes, sir.
- Q And do you now relinquish whatever rights you may have in the Chickasaw Nation? A Yes, sir.
- Q And take your allotment in the Choctaw Nation? A Yes, sir.
- Q Did you have a tribal liveness when you married Levina Stidham?
- A Yes, sir, I got my liveness and married according to the Choctaw laws.
- Q How do you spell Vail - V-a-i-l? A Yes, sir.
- Q John F.? A Yes, sir.
- Q And your post office is where? A Durant, Box #95.

Witness excused.

Joseph B. Nelson being first duly sworn testifies as follows:

Examination by the Commission:

- Q What is your name? A Joseph B. Nelson.
- Q Are you any relation to the applicant or his wife? A Yes, sir, my father's brother's daughter.
- Q Are you a Choctaw by blood? A Yes, sir, I am.
- Q Are you enrolled as a citizen of the Choctaw Nation? A Yes, sir.
- Q Taken your allotment of lands? A Yes, sir.
- Q Did you know Levina Stidham? A Yes, sir.
- Q Was she a recognized Choctaw by blood? A Yes, sir, her mother was a Chickasaw and her father was a Choctaw.
- Q Who was her mother? A I don't remember the name yet at this time I couldn't remember it.
- Q What was her father's name? A George Nelson.
- Q Was he a Choctaw or Chickasaw? A Yes, sir, Choctaw himself.
- Q So Levina's mother was a Chickasaw and her father was a Choctaw? A Yes, sir.
- Q Was Levina recognized by both nations? A Yes, sir, she lived in the Choctaw Nation. a good deal.

Witness excused.

John F. Vail recalled testifies as follows:

Examination by the Commission:

- Q When did Levina died? A In 1886.
- Q Did you live with her until her death? A Yes, sir.
- Q Any separation, abandonment or divorce? A No, sir.
- Q Is there anything further you wish to say? A No, sir, I haven't.

9-1498-----3.

anything further.

Applicantx files affidavit of George. Kemp.

Witness excused.

Chas. T. Difendafer being first duly sworn states that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

Chas. T. Difendafer

Subscribed and sworn to before me this 11th day of November 1904.

Charles H. Sawyer
Notary Public.

Chickasaw 1498.

In the matter of the enrollment
of John P. Vail as an intermar-
ried citizen of the Chickasaw
Nation.

PROTEST of
Choctaw and Chickasaw Attorneys

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE CHICKASAW TRIBES.

FILED

FEB 6 1904

CHAIRMAN.

BEFORE THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of
John F. Vail as a citizen by intermarriage of the Chickasaw Nation,
Chickasaw Field No. 1498.

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 Althea Paull, et al., vs. Choctaw and Chickasaw Nations, No. 44 on the Tishomingo Docket, in which the said court will decide the question of the citizenship rights by intermarriage, if any, of those white persons who intermarried with citizens by blood of the Chickasaw Nation not in accordance with the tribal laws, 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 23, 1904.

9-1498.

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

-c0o-

In the matter of the application for the enrollment of
John F. Vail as a citizen by intermarriage of the Chickasaw Nation.

---: D E C I S I O N :---

It appears from the record herein that in January, 1898, the applicant, John F. Vail, was married to Levina Stidham, a recognized citizen by blood of the Chickasaw Nation.

It appears from the records of the Commission that on September 5, 1896, in the case entitled "John Vail vs. the Choctaw Nation," (1896 Choctaw Citizenship Docket, Case No. 254), 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 to Melvina Stidham (nee Nelson), and on December 2, 1896 the said John Vail was, by this Commission, admitted to citizenship in the Choctaw Nation as a citizen by intermarriage, from which decision no appeal was taken.

It further appears from the record herein that subsequent to the applicant's admission in 1896, he married Sophia Vail, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as No. 14168 upon the lists prepared by this 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 March 19, 1903.

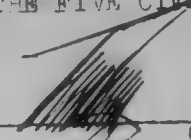
It further appears from the evidence in this case that the applicant herein was a resident in good faith of the Choctaw Nation on June 28, 1898, and that his status as an intermarried citizen remained unchanged from the date of his said admission by the Commission in 1896, up to and including September 25, 1902.

The record herein further shows that on November 9, 1904, the applicant appeared before this Commission at its office at Muskogee, Indian Territory, and under the provisions of Section twenty-one of the Act of Congress approved June 28, 1898, (30 Stats., 495), elected to be enrolled as a citizen by intermarriage of the Choctaw Nation, and take his allotment of lands and distribution of moneys in said nation.

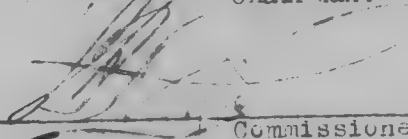
It is therefore the opinion of this Commission that John F. Vail should be enrolled as a citizen by intermarriage of the Choctaw Nation under the provisions of the Acts of Congress approved

June 28, 1898, (30 Stats., 495), and July 1, 1902, (32 Stats., 641),
and it is so ordered.

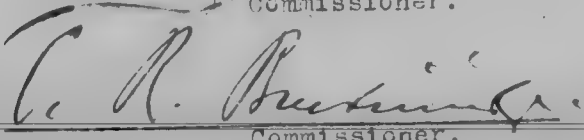
COMMISSION TO THE FIVE CIVILIZED TRIBES.



Chairman.



Commissioner.



Commissioner.

Muskogee, Indian Territory,
JAN 1 1902

2
Chickasaw1498

COPY!

Muskogee, Indian Territory, January 20, 1906.

John F. Vail,
Post Office Box #95,
Durant, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered January 20, 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,

SIGNED:

Tamm Dobby

Chairman.

Registered.

Incl. 2-1498.

Chickasaw 1498

COPY:

Muskogee, Indian Territory, January 20, 1905.

Mansfield, McFerray & 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 January 20, 1905, granting the application for the enrollment of John F. Vail 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

†

James P. Vail

Chairman.

Registered.

Incl. 9-1498

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation, of Clarence Felton, born on the 28th day of March, 1898. Name of father: John Felton, a citizen of the Choctaw Nation. Name of mother: Sophia Felton, a citizen of the Choctaw Nation. Post Office: Scipio Ind Ter

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District.

I, Sophia Felton, 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 Felton, who is a citizen, by non, of the Choctaw Nation; that a male child was born to me on the 28th day of March, 1898; that said child has been named Clarence Felton and is now living.

Attest L. G. Bantresh

Subscribed and sworn to before me this

Sophia Felton 1st day of September, 1899. Notary Public. Commissioner

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.

7-4486.

No.

Certificate of Record of Marriages.

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

7 x 17 p

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. _____ and

M _____ was

filed in my office in said Territory and District the

21 day of August A. D. 1901

and duly recorded in Book _____ of Marriage

Record, Page _____

WITNESS my hand and seal of said Court,

at Alaska this 21

day of August A. D. 1901

E. J. Fannin
Clerk.

By Wm. J. Reynolds Deputy

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
NOV 20 1902

MARRIAGE LICENSE.

UNITED STATES OF AMERICA,
THE INDIAN TERRITORY,
DISTRICT.

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 *M. J. [unclear]*
of *[unclear]* in the Indian Territory, aged
years, and *M. J. [unclear]*
of *[unclear]* 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 _____ day of *E. J. Fannin*, A. D. 190

[Signature]
Deputy.

Clerk of the United States Court.

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA,
THE INDIAN TERRITORY,
DISTRICT.

1. John J. Stephens
Minister of the Gospel

do hereby CERTIFY, that on the *20th* day of *August*, A. D. 1901, 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 *20th* day of *August*, A. D. 1901

My credentials are recorded in the office of the Clerk of the United States Court in the
Indian Territory, Central District, Book *B*, Page *277*

John J. Stephens
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).

MEMORANDA.

(Date) 1899.

53

Name *John S. Vair*

Choctaw? *Yes* County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship *us*

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.

1448

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, *H. J. ...*

Choctaw ? *...* County *Tullock* 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:

<i>10</i>	<i>Henry ...</i>	County	Year	Page	No. <i>3</i>
<i>8</i>	<i>...</i>	County	Year	Page	No. <i>2 3 2 0</i>
<i>7</i>	<i>...</i>	County	Year	Page	No. <i>...</i>
<i>1 yr</i>	<i>Charlene ...</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.

4/4/96

Chickasaw 1498

Muskogee, Indian Territory, May 20, 1903.

John F. Vails,

Durant, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of May 16th, asking the status of the enrollment of yourself and your baby Arthur Floyd Vails, born October 19, 1902.

~~In reply to your letter you are informed that it appears from our records that John F. Vail 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 your case you will be notified of the action of the Commission.~~

Relative to the enrollment of your child Arthur Floyd Vail your attention is invited to the following provisions of the act of Congress of July 1, 1902, which was ratified by the Choctaw and Chickasaw Nations September 25, 1902:

"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.

Respectfully,

Chairman.

Muskogee, Indian Territory, January 25, 1904.

L. D. Horton,

Durant, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 16, 1904, in which you state that John F. Vailer and his children, S. A. Vailer and his children, and Ben F. Vailer own improvements on approximately the amount of land to which they are entitled in allotment but that you understand they are not enrolled and you do not know whether they will be permitted to file contest against persons who have filed on portions of this land, pending the determination of their rights.

In reply to your letter you are informed that it appears from our records that John F. Vail is an applicant to this Commission for enrollment as an intermarried citizen of the Chickasaw Nation, but his final right to such enrollment has not yet been determined.

You are further advised that his wife, Sophia Vail, has been enrolled as a Chickasaw by blood and her enrollment as such has been approved by the Secretary of the Interior.

From the information contained in your letter the Commission is unable to identify the other persons named therein as appli-

L D H 2

cants for enrollment in either the Choctaw or Chickasaw Nation.

You are informed that if John F. Vail has valuable improvements on land which he desires to select in allotment and will forward a description of said land, proper notation thereof will be made upon our records and in the event any other persons makes application for the same land or a portion of it, he will be notified and will be permitted to institute contest proceedings therefor.

Respectfully,

Commissioner in Charge.

Chickasaw 1498

Muskogee, Indian Territory, January 26, 1904.

Mansfield, McMurray & Cornish,
South McAlester, Indian Territory,
Gentlemen:

Receipt is hereby acknowledged of your letter of January 21, in which you refer to the name of John F. Vail, and ask if it appears from our records that he was married to his wife, Sophina Felton, whose name appears on Choctaw card 4486, in accordance with the tribal laws of the Choctaw nation.

In reply to your letter there is inclosed you copy of the testimony of John F. Vail relative to his intermarried status, taken at Atoka, Indian Territory, November 18, 1902.

Respectfully,

Commissioner in Charge.

AB 3-26

Chickasaw 1498

Muskogee, Indian Territory, February 8, 1904.

John F. Vail,
Durant, 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 an intermarried citizen of the Chickasaw Nation until the Commission is further instructed by the Secretary of the Interior.

Respectfully,

Commissioner in Charge.

Chickasaw 1498.

Muskogee, Indian Territory, June 30, 1904.

John F. Vail,

Durant, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 25, in which you ask the present condition of your application for enrollment as an intermarried Chickasaw.

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 Chickasaw Nation, but will, as early as practicable, take up the matter for consideration and determination. As soon as a decision is reached, you will be notified of the action taken.

Respectfully,

Commissioner in Charge.

9-1498

Muskogee, Indian Territory, July 29, 1904.

John F. Vail,

Durant, Indian Territory.

Dear Sir:

You are hereby notified that before further action can be taken in the matter of your application for enrollment as an intermarried citizen of the Chickasaw Nation it will be necessary for you to file with this Commission either the originals or certified copies of your marriage license and certificate showing your marriage to Lavina Stidham in 1878.

This matter should receive your immediate attention.

Respectfully,

Commissioner in Charge.

COMMISSIONERS
F. M. BINGG,
THOMAS C. NEEDLES,
T. R. BRECKINRIDGE

J. M. O'NEILL,
Secretary

DEPARTMENT OF THE INTERIOR

COMMISSION TO THE FIVE CIVILIZED TRIBES

9-1498

Muskogee, Indian Territory, October 10, 1904.

John F. Vail,

Durant, Indian Territory.

Dear Sir:

It appears from your testimony taken at Atoka, Indian Territory, November 18, 1902, that you claim rights as an intermarried Citizen of the Chickasaw Nation by virtue of your marriage to Lavina Stidham in 1878, who, you state, possessed both Choctaw and Chickasaw blood.

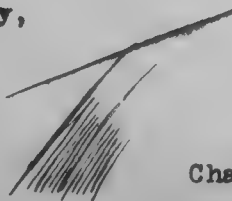
You are hereby notified that before further action can be taken in the matter of your application for enrollment as an intermarried citizen of the Chickasaw Nation, it will be necessary for you to furnish this Commission with evidence of the fact that your first wife, Lavina Stidham, was a Chickasaw by blood. This fact may be secured by a sworn statement of some citizen who was acquainted with Lavina Stidham, or you may bring such witness before this Commission at Muskogee, Indian Territory, where such testimony will be heard.

The records of the Commission show that you were admitted by this Commission in 1896 as an intermarried Choctaw. Provided the Commission finds that you are entitled to be enrolled either as a Choctaw or Chickasaw, it will be necessary to file with this Commis-

J F V --2

sion your sworn statement electing which Nation you desire to be finally enrolled in.

Respectfully,

A handwritten signature consisting of a long, sweeping horizontal line that curves downwards and to the right, followed by several vertical, parallel strokes of varying lengths, creating a stylized, somewhat abstract signature.

JD

Chairman.

Choc 4487 Mary Sexton

4487

Choc 4488 George Nelson

Nº 4 granted OCT 5, 1905

4488

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 Agnes Nelson.

7-4488.

Department of the Interior.
Commission to the Five Civilized Tribes.
South McAlester, I. T., December 24th, 1902.

Choctaw 4488
Intermarried

-----oOo-----

In the matter of the application of Mary Agnes Nelson for enrollment as an intermarried citizen of the Choctaw Nation.

Mary Agnes Nelson being first duly sworn testified as follows:

Examination by the Commission.

- Q What is your name? A Mary Agnes Nelson.
Q How old are you? A Twenty-six.
Q What is your post office address? A South McAlester.
Q Do you live here in South McAlester? A Yes sir.
Q How long have you resided in the Choctaw Nation? A Well, I have been in the Nation, you might say I was raised here in the Nation; born and raised in the Nation.
Q Never made your home elsewhere? A No sir.
Q Lived here continuously? A Yes sir.
Q Where was you born? A I was born in Fort Smith, but ever since I was a little child I have been in the Nation.
Q Are you a white woman? A Yes sir.
Q An applicant for enrollment as an intermarried citizen of the Choctaw Nation? A Yes sir.
Q What is the name of your Choctaw husband? A George Nelson.
Q Is he a recognized citizen by blood of the Choctaw nation?
A Yes sir.
Q Always recognized and enrolled by the tribal authorities?
A Yes sir.
Q Have his rights in any manner ever been questioned? A No sir.
Q When were you married to George Nelson? A I was married to George Nelson the 7th day of October, '91.
Q Were you ever married before that? A No sir.
Q Was he ever married before his marriage to you? A No sir.
Q Was you and your husband both living in the Choctaw Nation when you were married? A Yes sir.
Q Who married you? A Nelson.
Q Where were you married? A Wilburton.
Q Now have you and your husband lived together continuously since that time? A Yes sir.
Q Husband still living? A Yes sir.
Q Ever been any separation, desertion or divorce? A No sir.
Q Are you and your husband now living together as man and wife and actual bona fide residents of the Choctaw Nation? A Yes sir.
Q Six years ago, in 1896, did you sign a petition or make application in writing to the Dawes Commission to have yourself and your two oldest children admitted to citizenship in the Choctaw Nation?

Mary Agnes Nelson-----2

A No sir, I have some relatives here--Harmon Mickle--that has daughters that has been trying to get their right proved up, but that isn't me. My husband has a right and I am a citizen by intermarriage

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 24th 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 10 day of February, 1903.

Charles H. Sawyer

Notary Public.

Marriage Certificate

This is to Certify
That - I united
Mr. ~~George Nelson~~ and
Mrs. Mary Agnes ~~Nelson~~
in Holy Matrimony
According to the
Rites of the Choctaw Nation
at ^{with legal} time ~~and place~~

This the 7 Day of
~~October 1891~~
Samos P. Wilson
Asst. Probate
Judge Gaines County
Choctaw Nation

Central District,
Indian Territory.

George Nelson, of South McAlester, I.T., says that he is a full blood Choctaw Indian, recognized as such by everybody; that he is a cousin of Governor Green McCurtain; that he has drawn money in every payment in which the Choctaws have participated; that he votes in all the Choctaw elections; that he has been County Clerk of Gaines County, Choctaw Nation; that he has always been recognized by the Choctaw Council; and that he was enrolled by the Commission to the Five Civilized Tribes without cavil or question, and without protest from any source. His name is now on the roll of said Commission and on the roll of the Choctaw Nation as a Choctaw Indian of the full blood.

That on October 7th, 1891, he was lawfully married to Miss Mary Agnes Mickle at Wilburton in Gaines County, Choctaw Nation. That Simon P. Nelson, affiant's father, who was then County and Probate Judge of Gaines County, performed the ceremony; that said marriage conformed in all respects to the Choctaw law. He further says that his wife, Mary Agnes Nelson, is a Choctaw citizen by intermarriage with him, the affiant. That Mary Agnes Nelson never authorized Mrs. Joanna Mickle or any other person to make application for her to the Dawes Commission for enrollment; and if Mrs. Joanna Mickle or any other person did make application for Mary Agnes Nelson, they did so not only without her consent, but also without her knowledge. That Mary Agnes Nelson did not appeal from the decision of the Dawes Commission because she knew nothing of said application or of its denial.

Geo. Nelson

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

D. A. Richardson

Notary Public.

7-4488.

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

In the matter of the application of Mary Agnes Nelson
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 on October 7, 1891 the applicant Mary Agnes Nelson (née Pickle), was lawfully married to George Nelson, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as No. 12448 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 March 6, 1903; that at the date of said marriage both the persons above mentioned were residents in good faith of the Choctaw Nation, and that they lived together as husband and wife in said Nation continuously since said date up to and including September 25, 1902.

It appears from the records of the Commission that on September 9, 1896 in the case entitled "Mary A. Nelson vs. Choctaw Nation" (1896 Choctaw Citizenship Pocket, Case No. 1137), the said Mary Agnes Nelson 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 the right thereto by virtue of her marriage to the said George Nelson; and, on December 7, 1896 the Commission "rejected" said application, from which decision no appeal was taken.

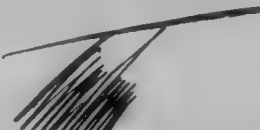
It further appears from the record herein that on December 24, 1902 the applicant appeared in person before the Commission at South McAlester, Indian Territory and again made application for enrollment as a citizen by intermarriage of the Choctaw Nation claiming the right thereto by reason of her said marriage to the said George Nelson.

Upon an examination of the tribal rolls in the possession of the Commission the applicant is identified (as Mary A. Nelson), upon the 1896 Choctaw Census Roll, Sans Bois County, No. 14499 enrolled thereon as a citizen by intermarriage of the Choctaw Nation.

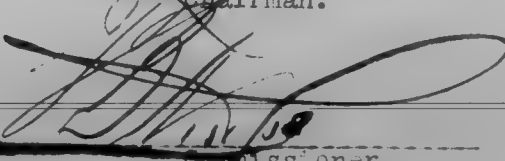
It is, therefore, the opinion of this Commission that, following the ruling of the Department in the case of Angeline White, (I.T.D. 1130-1905) Mary Agnes Nelson should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the Acts of Congress approved June 22, 1898

(30 Stat., 495) and July 1, 1902 (32 Stat., 641), and it is so ordered.

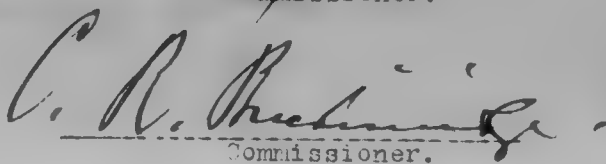
COMMISSION TO THE FIVE CIVILIZED TRIBES.



Chairman.



Commissioner.



Commissioner.

Muskogee, Indian Territory,
MAR 27 1905

7-4488

COPY.

Muskogee, Indian Territory, March 27, 1905.

Mary Agnes Nelson,

South McAlester, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered March 27, 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,

W. G. RICHES

W. G. Riches

Chairman.

Registered.

Incl. 7-4488.

7-4488

COPY.

Muskogee, Indian Territory, March 27, 1905.

McCurtain & Hill,

Attorneys at Law,

South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that the Commission to the Five Civilized Tribes, on March 27, 1905, rendered its decision granting the application for the enrollment of Mary Agnes Nelson 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, 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

Registered.

Chairman.

COPY.

Muskogee, Indian Territory, March 27, 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 27, 1905, granting the application for the enrollment of Mary Agnes Nelson 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

Chairman.

Registered.

Incl. 7-4488.

See 7-5387 for registry receipt for this letter.

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

Record in the matter of the application for enrollment as a citizen by blood of the Choctaw Nation of:

REBECCA NELSON

7-4488.

C O P Y.
7-4488
MARRIAGE CERTIFICATE.

This is to certify that I united Mr. Gerge Nelson
and Mrs Mary Agnes Mickle in hold Matrimony according to the
laws of the Choctaw Nation at Wilburton Gaines County this
the 7 day of October 1891

Simon P. Nelson
Co. & Probate Judge Gaines
County Choctaw Nation

INDORSED:

Record Page 20 J J Ames Gaines County Clerk. 7 day of
Oct 1891

-----oOo-----

Chas. T. Difendafer being first duly sworn states
that the above and foregoing is a full, true and correct
copy of the original marriage certificate now on file with
the Commission to the Five Civilized Tribes.

Chas. T. Difendafer

Subscribed and sworn to before me this 1st day of December
1904.

Charles H. Sawyer
Notary Public.

7/11
8675
7-4488.

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

In the matter of the application for the enrollment of Rebecca Nelson as a citizen 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 September 4, 1899 application was made to this Commission for the enrollment of Rebecca Nelson as a citizen by blood of the Choctaw Nation.

It further appears from the census card record in this case that the applicant was born about 1892 and that she is a daughter of George Nelson, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 12448 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 March 6, 1903, and Mary A. Nelson, a white woman having no rights of Choctaw citizenship by blood.

It appears from the records of the Commission that on September 9, 1896, in the case entitled "Mary A. Nelson vs Choctaw Nation" (1896 Choctaw Citizenship Docket, case number 1137), original application was made to this Commission, under the provisions of the act of Congress approved June 10, 1896 (29 Stat., 321), for the admission of the applicant Rebecca Nelson, and others, to citizenship in the Choctaw Nation, the said Rebecca Nelson claiming her right thereto as a citizen by blood, and on December 7, 1896 said Rebecca Nelson was by this Commission denied admission to citizenship in the Choctaw Nation as a citizen by blood, from which decision of the Commission no appeal was taken.

It appears from an examination of the tribal rolls in the possession of the Commission that the applicant, Rebecca Nelson, is identified upon the 1893 Choctaw Leased District Payment Roll, Gaines County, number 402, and upon the 1896 Choctaw Census Roll, Gaines County, number 9598, enrolled on said rolls as a citizen by blood of said nation.

It further appears that the applicant was a resident in good faith of Indian Territory on June 28, 1898, all applicants listed upon census cards in 1899 having been first

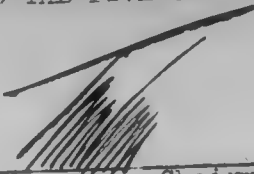
2.

examined as to such fact although their testimony was not reduced to writing.

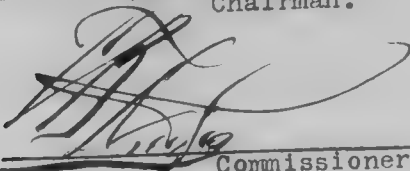
It is the opinion of this Commission that, following the ruling of the Department in the case of Wiley Adams (I.T.D. 4398-1903), the denial by this Commission of the applicant Rebecca Nelson, under the provisions of the act of Congress approved June 10, 1896 (29 Stat., 321), was without authority of law and of no force and effect upon the status of this applicant as a citizen by blood of the Choctaw Nation.

It is further the opinion of this Commission that Rebecca Nelson 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.

Muskogee, Indian Territory,

JUN 30 1905

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

In the matter of the application for the enrollment of Mabel Nelson as a citizen 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 September 4, 1899, application was made to the Commission to the Five Civilized Tribes for the enrollment of Mabel Nelson as a citizen by blood of the Choctaw Nation.

It further appears from the census card record in this case that the applicant was born about 1895 and that she is a daughter of George Nelson, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as No. 12488, upon a list 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 on March 6, 1903, and Mary A. Nelson, a white woman having no rights of Choctaw citizenship by blood.

It appears from the records of the Commission to the Five Civilized Tribes that on September 9, 1896, in the case entitled "Mary A. Nelson vs Choctaw Nation," (1896 Choctaw Citizenship Docket, case No. 1137), original application was made to the Commission to the Five Civilized Tribes under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321), for admission of the applicant, Mabel Nelson (as Mable Nelson) and others, to citizenship in the Choctaw Nation, the said Mabel Nelson claiming her right thereto as a citizen by blood, and on December 7, 1896, said Mabel Nelson was by said Commission denied admission to citizenship in the Choctaw Nation as a citizen by blood, from which decision of said Commission no appeal was taken.

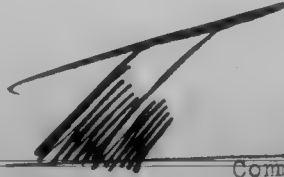
It appears from an examination of the tribal rolls in the possession of this office that the applicant, Mabel Nelson, is identified upon the 1896 Choctaw census roll, Gaines County, No. 9599, enrolled thereon, as a citizen by blood of said Nation.

It further appears that the applicant was a resident in good faith of Indian Territory on June 28, 1898, all applicants listed upon census cards in 1899 having been first examined as to such facts although their testimony was not reduced to writing.

It is the opinion of the Commissioner that, following the ruling of the Department in the case of Wiley Adams (I.T.D. 4398-1903), the denial by the Commission to the Five Civilized Tribes of the applicant, Mabel Nelson, under the provisions of the Act of Congress approved June 10, 1896, (29 Stats., 321), was without authority of law and of no force and effect upon the status of this applicant as a citizen by blood of the Choctaw Nation.

2.

It is further the opinion of the Commissioner that Mabel Nelson 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 Stats., 495) and July 1, 1902 (32 Stats. 641), and it is so ordered.



Commissioner.

Muskogee, Indian Territory,

OCT 5- 1905

MEMORANDA.

(Date) August 1899

29

Name John W. ...

Choctaw? Yes County LeFlore Year 1899 No. 1-1-1

Chickasaw? No County LeFlore Year 1899 Page 1-1-1

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

Intermarried citizen? No

Married under what law? ...

License filed this day, ...

Wife's name, Mary W. ...

Choctaw? Yes County LeFlore Year 1899 No. ...

Chickasaw? No County LeFlore Year 1899 Page ...

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

Intermarried citizen? No

Married under what law? ...

License filed this day ...

Names of children:

1

John W. ... County LeFlore Year 1899 Page ... No. ...

2

Mary W. ... County LeFlore Year 1899 Page ... No. ...

3

... County LeFlore Year 1899 Page ... No. ...

4

... County LeFlore Year 1899 Page ... No. ...

County LeFlore Year 1899 Page ... No. ...

County LeFlore Year 1899 Page ... No. ...

County LeFlore Year 1899 Page ... No. ...

County LeFlore Year 1899 Page ... No. ...

County LeFlore Year 1899 Page ... No. ...

County LeFlore Year 1899 Page ... No. ...

County LeFlore Year 1899 Page ... No. ...

Handwritten notes and stamps in the bottom right corner.

INDEXED

20

IN RE

Application for Enrollment of

INFANT CHILD

Osborne Micka Nam

as a citizen of

Choctaw Nation.

Approved

~~AUG 26~~ 1902

190

[Signature]
Commissioner.

DEPARTMENT OF THE
COMMISSION TO THE CIVILIZED

FILED

AUG 23 1902

[Signature]
ALTING CHAIRMAN

CHOCTAW.

4488

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

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Osborne Mickle Nelson, born on the 1st day of March, 1902, 1
(Here insert name of child)
Name of Father: George Nelson a citizen of the Choctaw Nation.
Name of Mother: Mary Agnes Nelson a citizen of the Choctaw Nation.
Post-office Sans Bois, Ind. Terr.

AFFIDAVIT OF MOTHER.

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

I Mary Agnes Nelson, on oath state that I am 27
years of age and a citizen, by Internarrriage, of the Choctaw Nation;
that I am the lawful wife of George Nelson, who is a citizen, by
Birth, of the Choctaw Nation; that a Boy child was
(male or female)
born to me on first day of March, 1902; 1; that said child has been
named Osborne Mickle Nelson, and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses)

Mary Agnes Nelson

Subscribed and sworn to before me this 21 day of Aug 1902

H. W. Mason

NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, E. Johnson, a Physician, on oath state that I
attended on Mrs. Mary Agnes Nelson, wife of George Nelson
on the First day of March 1902, 1; that there was born to her on
said date a Boy child; that said child is now living and is said to have been
(male or female)
named Osborne Mickle Nelson

WITNESSES TO MARK:

(Must be Two Witnesses)

E. Johnson M.D.

Subscribed and sworn to before me this 21 day of August 1902

H. W. Mason

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 Georgia Nelson, born on the 12 day of July, 1894
 Name of father: George Nelson, a citizen of the Choctaw Nation.
 Name of mother: Agnes Nelson, a citizen of the Choctaw Nation.
 Post Office: Wilberton

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Central District.

I, Mrs Agnes Nelson, 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 George Nelson who is a citizen, by blood, of the
Choctaw Nation; that a Boy child was born to me on the 12 day
 of July, 1894, that said child has been named George
 and is now living.

Mary A. Nelson
 Subscribed and sworn to before me this 2 day of September, 1894
J. N. Ratter
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Central District.

I, E. Keybold, a Physician, on oath, state that I
 attended on Mrs. Agnes Nelson, wife of George Nelson
 on the 12 day of July, 1894, 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.

E. Keybold M.D.
 Subscribed and sworn to before me this 2 day of September, 1894
J. N. Ratter
 Notary Public.

My Commission Exp. 2nd 1903

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
 of Beatrice Nelson, born on the 26th day of April, 1897.
 Name of father: George Nelson, a citizen of the Choctaw Nation.
 Name of mother: Mary A Nelson, a citizen of the Choctaw Nation.
 Post Office: Choctaw

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Choctaw District.

I, Mary A Nelson, 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 George Nelson who is a citizen, by birth, of the
Choctaw Nation; that a female child was born to me on the 26th day
 of April, 1897; that said child has been named Beatrice Nelson,
 and is now living.

Subscribed and sworn to before me this 16th day of April, 1897.

E. J. Evans
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Choctaw District.

I, J. P. Evans, a Physician, on oath, state that I
 attended on Mrs. Mary A Nelson, wife of George Nelson
 on the 26th day of April, 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 Beatrice Nelson.

Subscribed and sworn to before me this 17th day of October, 1899.

E. J. Evans
 Notary Public.

7-4488.

Muskogee, Indian Territory, August 26, 1902.

George Nelson,

Sansbois, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Osborne Mickle Nelson, infant son of George and Mary Agnes Nelson, born March 1, 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.

(COPY)

D.C. 7216

I.T.D. 1660-1904.

L.R.S.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

W.C.F.

FHE

March 1, 1904.

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

Gentlemen:

The Department is in receipt of your letter of February 8, 1904, requesting that the number opposite the name of George Nelson, Jr., on the schedule of citizens by blood of the Choctaw Nation, numbers 12003 to 12984, which was approved by the Department March 6, 1903, be changed. You state that the number opposite the name of George Nelson, Jr., is 13450, whereas, in regular sequence, it should be 12450; that the proper correction has been made upon the schedule in your possession.

Reporting February 25, 1904, the Acting Commissioner of Indian Affairs recommends that said correction be made upon the schedule in the possession of the Department. A copy of his letter is inclosed.

You are advised that the Department has this day corrected the schedule in its possession according to your request, and the Commissioner has been authorized to make said change upon the schedule in his office.

Respectfully,

(Signed)

Thos. Ryan,
Acting Secretary.

1 inclosure.

(C O P Y)

Land.
11,439-1904.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, Feb. 25, 1904.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to invite your attention to letter of the Commission to the Five Civilized Tribes, of the 8th instant referring to the fact that on February 15, 1903, the Commission transmitted for departmental action, a schedule constituting a part of the final roll of citizens by blood of the Choctaw Nation -- Nos. 12,031 to 12,984 -- copies of which have been heretofore returned approved by the Department March 6, 1903.

Referring to the name of George Nelson, Jr., which appears upon letter of the Commission of February 15, 1903, opposite No. 12,450, the Commission say the number which appears opposite the name of George Nelson, Jr., upon the schedule of citizens by blood of the Choctaw Nation transmitted with their letter of February 15, 1903, is 13,450, whereas, in regular sequence, it should be 12,450.

This discrepancy was not deemed of sufficient importance to withhold the issuance of citizenship certificate and the making of an allotment to George Nelson, Jr., and has been

-2-

corrected upon the schedules of citizens by blood of the Choctaw Nation in the possession of the Commission and request is now made that this correction be made upon the schedules in the possession of your office and of this office, I concur in this recommendation.

Very respectfully,

(Signed) A. C. Tonner,
Acting Commissioner.

(E.B.H.)P.

7-4488

Muskogee, Indian Territory, June 17, 1905.

W. F. Redwine,

Attorney at Law.

South McAlester, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 14, 1905, asking if the enrollment of Mary Agnes Nelson as an intermarried citizen of the Choctaw Nation has been approved by the Secretary of the Interior.

In reply to your letter you are advised that on June 12, 1905, the Secretary of the Interior approved the enrollment of Mary Agnes Nelson as an intermarried citizen of the Choctaw Nation.

Respectfully,

Chairman.

7-4488

Muskogee, Indian Territory, June 1, 1907.

George Nelson,

South McAlester, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 23, 1907, in which you state you are on the roll as a full blood when you should be enrolled only as a half blood and you ask if this cannot be corrected at this time.

In reply to your letter you are advised that under a ruling of the Department there is no authority at this time for changing the degree of blood of citizens upon the rolls of the Choctaw and Chick-saw Nations.

Respectfully,

Commissioner.

Choctaw 4488.

Muskogee, Indian Territory, January 29, 1903.

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

Gentlemen:

Receipt is hereby acknowledged of your letter of January 26th, relative to the citizenship status of George Nelson, his wife, Mary Agnes Nelson and his children, Mabel and Rebecca Nelson, in which you ask what is shown by our records of the proceedings had in connection with these persons under the act of Congress of June 10, 1896.

In reply to your letter you are advised that it appears from our records that in 1896 an application was made to this Commission under the act of Congress of June 10, 1896, by Mary A. Nelson, for admission as an intermarried citizen of the Choctaw Nation and for her children, Rebecca and Mable Nelson as citizens by blood of the Choctaw Nation, and that said application was denied in Choctaw case 1137, and that no appeal was taken from the said decision of the Commission within the time prescribed by the act of Congress above referred to.

You are further advised that Rebecca and Mabel Nelson have been listed for enrollment as citizens by blood of the Choctaw

M.M. & C., 2.

taw Nation, and that Mary A. Nelson has been listed for enrollment as an intermarried citizen of the Choctaw Nation, having been identified from the 1896 census roll of said nation.

Respectfully,

Acting Chairman.

Choctaw 4488

Muskogee, Indian Territory, October 20, 1902.

George Nelson,

Sansbois, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 14th instant, in which you desire to be advised if it will be necessary for you to bring your family before the Commission to register or if you can come by yourself.

In reply to your letter you are advised that George Nelson, his wife, Mary A. Nelson and their children, Rebecca, Mabel, Beatrice, George Jr. and Osborne M. Nelson are listed for enrollment by the Commission as citizens of the Choctaw Nation.

The rolls as now being made by this Commission of the citizens of the Choctaw and Chickasaw Nations will be as of September 25, 1902, the date of the ratification of the recent agreement entered into between the United States and the Choctaw and Chickasaw tribes, and it is necessary that the Commission ascertain the status of all applicants for enrollment as inter-married citizens on the date of the final ratification of such agreement.

It will therefore, be necessary that your wife, Mary A.

G N 2

Welson present herself in person before the Commission at one of the appointments specified in the circular enclosed you herewith, in order that her status as an intermarried citizen of the Choctaw Nation on September 25, 1902, may be determined.

Respectfully,

Acting Chairman.

Enc.circular

Choctaw 4469

Wuskoree, Indian Territory, January 21, 1903.

Mossfield, McWhirter & Cornish,

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

Gentlemen:

Receipt is hereby acknowledged of your letter of January 19, asking information as to the citizenship status of George Nelson his wife, Mary Agnes Nelson, and his children Rebecca and Mabel Nelson.

In reply to your letter you are advised that it appears from our records that George Nelson, and his children, Rebecca, Mabel Beatrice, George Jr., and Osborne M. Nelson, have been listed for enrollment as citizens by blood of the Choctaw Nation, and that Mary A. Nelson, wife of George Nelson, has been listed for enrollment as an intermarried citizen of the Choctaw Nation.

Respectfully,

Choctaw 4488.

Muskogee, Indian Territory, March 14, 1903.

Mansfield, McMurray & Cornish,
South McAlester, Indian Territory,
Gentlemen:

Receipt is hereby acknowledged of your letter of February 9, inclosing the affidavit of George Nelson which you offer in support of the application for enrollment of Mar. Agnes Nelson, wife of George Nelson, and their two minor children, Rebecca and Mabel Nelson, and the same has been filed with the record in their case.

Respectfully,

Chairman.

Muskogee, Indian Territory, November 8, 1904.

McCurtain & Hill,

Attorneys at Law.

South McAlester, Indian Territory.

Gentlemen:-

Receipt is hereby acknowledged of your letter of November 4, 1904, asking what disposition, if any, has been made by the Commission in the application of Rebecca and Mabel Nelson, children of George Nelson, for enrollment as citizens by blood of the Choctaw Nation, and also the application of Mary Agnes Nelson, wife of George Nelson for enrollment as an intermarried citizen of the Choctaw Nation.

In reply to your letter you are informed it appears from our records that Mary Agnes Nelson, wife of George Nelson, was denied admission as an intermarried citizen of the Choctaw Nation by this Commission in 1896, and that Rebecca and Mabel Nelson, children of George Nelson were denied admission as citizens by blood in the same case. The Commission has not yet passed upon the application for enrollment of the above named persons. When a decision is reached, you will be notified of the action taken therein.

Respectfully,

Chairman.

7-4486

Muskogee, Indian Territory, September 25, 1905.

George Nelson,

South McAlester, Indian Territory.

Dear Sir:

Replying to your letter of the 20th instant, in reference to the enrollment of your two children, Rebecca and Mabel Nelson, as citizens of the Choctaw Nation, you are advised that no protest having been entered by the attorneys for the Choctaw and Chickasaw Nations to the decision of the Commission to the Five Civilized Tribes of June 30, 1905, enrolling Rebecca Nelson as a citizen by blood of the Choctaw Nation, her name has been included upon a schedule of citizens of the Choctaw Nation now being prepared by the Commissioner for submission to the Secretary of the Interior for his approval. When the schedule containing the name of Rebecca Nelson has been approved by the Department, you will be notified thereof.

No decision has as yet been rendered by the Commissioner upon the application of Mabel Nelson for enrollment as a citizen of the Choctaw Nation. The case is apparently complete and is now receiving consideration and in all probability disposition will be made thereof in the near future.

Respectfully,

Commissioner.

1
Choctaw 4498

Muskogee, Indian Territory, June 27, 1905.

George Nelson,

South McAlester, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of June 22, asking if the enrollment of your children, Rebecca and Mabel Nelson, has been approved and in reply you are advised that the Commission is now considering the applications for the enrollment of your children, Rebecca and Mabel Nelson, as citizens by blood of the Choctaw Nation, and when a decision is reached you will be notified of the action taken.

Respectfully,

Chairman.

7--4488

Muskogee, Indian Territory, June 30, 1905.

George Nelson,
South McAlester, Indian Territory.

COPY

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered June 30, 1905, granting the application for the enrollment of your minor child, Rebecca Nelson, 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 this date within which to file protest against the action of the Commission in enrolling said Rebecca Nelson as a citizen by blood of the Choctaw Nation. If at the expiration of that time no protest has been filed, the name of said applicant will be placed upon the rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

SIGNED

James Dickson

Register.

Chairman.

Incl--7--4488

Muskogee, Indian Territory, June 30, 1905.

COPY,

McCurtain & Hill,

Attorneys at Law,

South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that the Commission to the Five Civilized Tribes on June 30, 1905, rendered its decision granting the application for the enrollment of Rebecca Nelson as a citizen by blood of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished with 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 her 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 roll of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

SIGNED

James Bixby
Chairman.

Register.

7--4488

Muskogee, Indian Territory, June 30, 1905.

Mansfield, McMurray & Cornish,

COPY.

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 June 30, 1905, granting the application for the enrollment of Rebecca Nelson as a citizen by blood of the Choctaw Nation.

You are 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 said 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 Bixby*

Register.

Chairman.

Incl--7--4488

Choc 4489 Rufus winlock

4489
68hh

Commission to the Five Civilized Tribes,

Hartshorne, Indian Territory.

In the enrollment of Cora Winlock as Choctaw by blood; Abel McGilberry being sworn and examined by com'r McKennon testifies:

(Commissioner Anderson, Interpreter)

Q What is your name? A Abel McGilberry.

Q How old are you? A Twenty-eight.

Q Do you know Rufus Winlock and the woman that was his wife, Dora? A Yes sir

Q He is a Choctaw citizen is he?

A Yes sir.

Q She is a white woman? A Yes sir.

Q Were you present when they were married? A No, he didn't see them.

Q Was he in the neighborhood when they were married?

A Yes sir.

Q And he knew of it that way? A Yes sir

Q Do you know they lived together as husband and wife after that? 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. Green

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
CHOCTAW LAND OFFICE.
Atoka, Indian Territory, July 27, 1903.

Choc. R. 14822.

-:-

Card 4489.

In the matter of the enrollment of Bettie Winlock, Choctaw enrollment card field No. 4489, approved Choctaw Roll No. 14-822.

Rufus Winlock, Choctaw enrollment card field No. 4489, Approved Choctaw Roll No. 12452, being first duly sworn testifies as follows:

- Q What is your name? A Rufus Winlock.
- Q What is your post office address? A Corbon, Indian Territory.
- Q What was your post office address before you moved to Corbon?
A Simpson, Indian Territory.
- Q Did you live there when you were first enrolled by the Commission to the Five Civilized Tribes? A Yes, sir.
- Q Are you married? A Yes, sir.
- Q How many times have you been married? A Three times.
- Q What was the name of your first wife? A Susie.
- Q Is Susie dead? A No, sir.
- Q Are you divorced from her? A Yes, sir.
- Q What is the name of your second wife? A Elizabeth.
- Q Is she living? A Yes, sir.
- Q Are you and she divorced? A Yes, sir.
- Q Has Elizabeth married the second time? A Yes, sir, she is married now to Alex Johnson.
- Q Did you and Elizabeth have any children? A Yes, sir, this one (indicating boy with him).
- Q What is the name of that child? A Bennie; then there was one died when it was three weeks old.
- Q After you and Elizabeth were divorced did you remarry again?
A Yes, sir.
- Q Whom did you marry? A Eliza Jones.
- Q Is Eliza Jones living? A Yes, sir.
- Q What is the name of her father? A Willie Jones.
- Q What is the name of her mother? A Wiley Jones.
- Q Were there any children born to you and Eliza Jones? A Yes, sir, one.
- Q What is the name of that child? A Bettie Winlock.
- Q Is that child living? A Yes, sir.
- Q In what month was that child born? A I was not there -- I was in Muskahoma -- but I think the child was born in September of October, 1902.
- Q Have you the custody of that child? A No, sir; it is with its mother.
- Q You do not know any thing positive about the exact date of the child's birth? A No, sir. I had been gone two months and when I come back the child had been born.

Bettie Winlock 2

- Q Did Eliza Jones have any brothers or sisters ? A Yes, sir, brothers.
Q What were their names ? A Douglas and George Jones.

The name of Eliza Jones, mother of this child Bettie Winlock, appears on Choctaw enrollment card field No. 3108, approved Choctaw Roll No. 9042.

- Q Have you a copy of your marriage license to Eliza Jones ?
A Yes, sir, I have at home.
Q You have never furnished the commission with a copy of them ?
A No, sir; I took them to a Notary Public to get him to send them in and he said there was no use in it.
Q Have you and Eliza Jones been divorced ? A Yes, sir; she got the divorce -- I did not.
Q Is it your intention to permit the mother of this child to select lands for her ? A No, sir; I had rather do that myself.
Q Do you know whether or not the courts in granting that divorce to her gave the custody of the child to the mother ? A I don't know.
Q But she obtained the divorce from you ? A Yes, sir.

Before the Commission will permit you to file on lands for this child the question of her custody will have to be determined, and you are requested to file with the Commission a copy of the divorce proceedings between yourself and wife, and also a copy of your marriage license.

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 27, 1903; that the above and foregoing is a full true and correct translation of his stenographic notes as taken therein on said date.

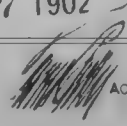
Fred V. Kinkade

Subscribed and sworn to before me this August 11 1903.

David Shelby
Notary Public.

Copy of bill of
divorce between
 Rufus and Elizabeth
 Winlock

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
APR 17 1902

 ACTING CHAIRMAN.

Be it remembered that the Circuit
Court of the 1st Judicial District
Choctaw Nation met at its June
Special Term 1901 at the Circuit Court
Grounds for said District at Red Oak,
Ok. on Tuesday morning June the 4th
1901 at 9 o'clock in the forenoon
and place for holding said Term.
Hon. Hall T. Holson Circuit Judge
present and presiding. Chas. Terry
Sheriff and James Cleburn Circuit
Clerk were all present.

Among other things the following
business was had to wit:

Cause No. 367

Rufus Winlock

vs. Divorce

Elizabeth Winlock

The above entitled cause on motion
of Hon. D. C. McBurnam Atty. for Plaintiff is
taken up and Plaintiff having
satisfied the Court on the evidence of
his witnesses that the allegations set
forth in his petition are true. Therefore
it is ordered decreed and adjudged by the
Court that the Bonds of Matrimony
heretofore existing between Plaintiff

and defendant be forever dissolved

H. G. Holson

Residing Judge

I hereby certify that the above
and foregoing is a true and
correct copy of Case No. 367
as found on Page 76 Moshol stubble
District Record Book. Now used
as Minute Book.

Given under my hand and seal
of office this 21st day of
February 1892.

H. G. Holson

Circuit Clerk

Marriage Certificate of Mr Alex Johnson
and Elizabeth Johnson

This is to certify that on the
6th day of June 1901 Mr Alex Johnson
and Mrs Elizabeth Johnson were by me
united in marriage at District Court
House in the Town of Red Oak D.T. Therefore
in accordance with the laws of the Cherokee
Nation. I do hereby pronounce you husband
and wife. Given under my hand this the
8th day of June 1901

M. J. Holson
Circuit Judge of the 1st
Judicial District - C.H. D.T.

I do hereby certify that the above is a
True and correct copy of the original now
on file Record in my office. This the 8th
day of April A.D. 1902

H. M. Moore
Clerk

7-~~83~~4489 ✓

IN RE

Application for Enrollment of

INFANT CHILD

Belle Winlock

as a citizen of

Choctaw Nation.

Approved DEC 8 190

Commissioner.

COMMISSION TO THE CHOCTAW TRIBES

FILED

DEC 8 190

ACTING CHAIRMAN.

CHOCTAW.

4489

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

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Bettie Winlock, born on the 13th day of September, 1902
(cite name of child)
Name of Father Rufus Winlock a citizen of the Choctaw Nation.
Name of Mother Eliza Winlock a citizen of the Choctaw Nation.
Post-office Vireton, Ind. Ter

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Eliza Winlock, on oath state that I am 19
years of age and a citizen, by blood, of the Choctaw Nation;
that I ~~was~~ ^{was} the lawful wife of Rufus Winlock, who is a citizen, by
blood, of the Choctaw Nation; that a ^{female} child was
born to me on 13th day of September, 1902; that said child has been
named Bettie Winlock, and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses.)
Wm. C. Brown Eliza Winlock
H. Hains mark

Subscribed and sworn to before me this 23rd day of December, 1902

J. L. Humphrey
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District,

I, Carmelia Colbert, a Midwife, on oath state that I
attended on Mrs. Eliza Winlock, wife of Choctaw
on the 13th day of September, 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 Bettie Winlock.

WITNESSES TO MARK:

(Must be Two Witnesses.)
Wm. C. Brown Carmelia Colbert
H. Hains mark

Subscribed and sworn to before me this 23rd day of December, 1902

J. L. Humphrey
NOTARY PUBLIC

MEMORANDA.

(Date) Sept 11 1899.

38

Name George W. ...

Choctaw? Yes County ... Year 1 No. 27

Chickasaw? Yes County ... Year ... Page 34

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

Intermarried citizen? ...

Married under what law? ...

License filed this day, ...

Wife's name, ...

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

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

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

Intermarried citizen? ...

Married under what law? ...

License filed this day ...

Names of children:

2

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

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

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

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

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IN RE

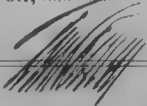
Application for Enrollment of

INFANT CHILD

John S Johnson
as a citizen of

..... CHOCTAW, Nation.

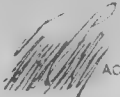
Approved, APR 17 1902 190



.....
Commissioner.

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

FILED
APR 17 1902



ACTING CHAIRMAN.

CHOCTAW.

CHOCTAW.

41129

Carl

H.B-11

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

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of John S Johnson, born on the 9th day of April, 1901
(Here insert name of child)
Name of Father: Alex Johnson, a citizen of the Choctaw Nation.
Name of Mother: Elizabeth Johnson, a citizen of the Choctaw Nation.
Post-office, Iron Bridge Greal Leg

AFFIDAVIT OF MOTHER.

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

I, Elizabeth Johnson, 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 Alex Johnson, who is a citizen, by
Blood, of the Choctaw Nation, that a Male child was
(male or female)
born to me on the 9th day of April, 1901; that said child has been
named John Simpson Johnson, and is now living.

WITNESSES TO MARK

(Must be Two Witnesses)

Elizabeth Johnson

Subscribed and sworn to before me this 26th day of Sept, 1901.

M. W. Neuman

NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, Kiziah Jones, a Midwife, on oath state that I
attended on Mrs. Elizabeth Johnson, wife of Alex Johnson,
on the 9th day of April, 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 John S Johnson.

WITNESSES TO MARK:

(Must be Two Witnesses)

Kiziah Jones

Subscribed and sworn to before me this 26th day of Sept, 1901.

M. W. Neuman

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 Sergeant Wuloch born on the 26 day of Sept, 1897.
 Name of father: Rufus Wuloch, a citizen of the Choctaw Nation.
 Name of mother: Elizabeth Wuloch, a citizen of the Choctaw Nation.
 Post Office: Carbon Valley

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Central District.

I, Elizabeth Wuloch, on oath, state that I am 26 years of age and a
 citizen, by birth, of the Choctaw Nation; that I am the
 lawful wife of Rufus Wuloch who is a citizen, by birth, of the
Choctaw Nation; that a male child was born to me on the 26 day
 of Sept, 1897; that said child has been named Sergeant Wuloch
 and is now living.

Subscribed and sworn to before me this

7th day of September, 1899

J. J. Carroll

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Central District.

I, Ella Edwards, a midwife, on oath, state that I
 attended on Mrs. Elizabeth Wuloch, wife of Rufus Wuloch
 on the 26 day of Sept, 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 Sergeant Wuloch

Witness
M. Holliday
 Subscribed and sworn to before me this

7th day of September, 1899

Ella Edwards
J. J. Carroll

Notary Public.

7-2968

7-4489

Muskogee, Indian Territory, April 17, 1902.

Alex Johnson,

Ironbridge, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of John S. Johnson, infant son of Alex and Elizabeth Johnson, born April 9, 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 Chickasaw Nation.

Receipt is also acknowledged of a certified copy of the divorce proceedings between Rufus and Elizabeth Winlock; also certificate of marriage between Alex and Elizabeth Johnson, and the same have been **duly** filed with the records of the Commission in the matter of the application for the enrollment of the infant child John S. Johnson.

Yours truly,

Acting Chairman.

7-2968
7-4489

Muskogee, Indian Territory, April 17, 1902.

M. W. Newman,

Ironbridge, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 14th instant enclosing the application for enrollment as a citizen of the Choctaw Nation of John S. Johnson, infant son of Alex and Elizabeth Johnson, a certified copy of divorce proceedings between Rufus and Elizabeth Winlock, and certificate of marriage between Alex Johnson and Elizabeth Johnson, and acknowledgment of the same has been made this day to Alexander Johnson, Ironbridge, Indian Territory.

Yours truly,

Acting Chairman.

Muskogee, Indian Territory, January 11, 1902.

M. W. Newman,

Ironbridge, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 7th instant, returning to this office the application for enrollment as a citizen of the Choctaw Nation of John S. Johnson, the infant son of Alex and Elizabeth Johnson, born April 9, 1901, together with a letter of June 8, 1901, from N. J. Helson, addressed to Alex Johnson, Sansbois, Indian Territory.

The application for the enrollment of John S. Johnson and the letter of N. J. Helson to Alex Johnson, are returned you herewith for the reason that the same cannot receive the consideration of the Commission unless evidence is first submitted of the divorce of Elizabeth Johnson from her former husband, Rufus Winlock, and evidence of the death or separation of Ada E. B. Johnson from her former husband, Alexander Johnson, together with the evidence of the marriage of Alexander Johnson and Elizabeth Winlock. This evidence is necessary for the reason that our records now show Elizabeth Winlock to be the lawful wife of Rufus Winlock, and also that Alexander Johnson has a living white wife, named Ada E. B. Johnson. It would be advisable in

M. W. H.-----2.

the matter of the application for the enrollment of John S. Johnson as a citizen of the Choctaw Nation that this matter receive prompt consideration, and upon the submission of the evidence requested and the return of the application for the enrollment of the child, the matter will receive further consideration.

Yours truly,

Commissioner in Charge.

7-4489.

Encl. H. B.11.

Muskogee, Indian Territory, October 1, 1901.

Mr. M. W. Newman,

Notary public,

Irenbridge, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of recent date enclosing the application for enrollment as a citizen of the Choctaw Nation of John S. Johnson, the infant son of Alex and Elizabeth Johnson, born April 9/ 1901 and the same is returned to you for further information relative to the mother of the child.

It is stated in her affidavit that her name is Elizabeth Johnson; that she is 27 years of age and a citizen by blood of the Choctaw Nation. It appears from your letter that the mother of this child was listed for enrollment as Elizabeth Winlock. The records of this office show that when Elizabeth Winlock was listed for enrollment as a citizen by blood of the Choctaw Nation, September 4, 1899, she was the lawful wife of Rufus Winlock, of Simpson, Indian Territory.

If Rufus Winlock and his wife Elizabeth, who, it is claimed, is the mother of the child for whose enrollment application is made, have been divorced, a certified copy of the

M. V. No--#2.

divorce proceedings should be filed with the records of this office.

It is also stated in the affidavit of the mother that she is the lawful wife of Alex Johnson. You are informed that the records of this office show that Alexander Johnson, 30 years of age, a full blood Choctaw Indian of Sans Bois, Indian Territory, and his wife, Ada E. B. Johnson, 19 years of age and an intermarried white person, were listed for enrollment as citizens of the Choctaw Nation, June 20, 1899.

If Alex Johnson, who appears in the application as the father of the infant child, John S. Johnson, is the identical person listed for enrollment under the name of Alexander Johnson as stated above, you are requested to inform this office whether his wife, Ada E. B. Johnson is living, and if so, whether she and Alexander Johnson have been divorced; if dead state date of her death; if living and Alexander Johnson and she have been divorced it will be necessary to file a certified copy of the divorce proceedings.

Upon return of the application together with the information requested herein, and either the original marriage license and certificate, or a certified copy thereof between Alex Johnson and Elizabeth Winlock, the application for the enrollment of this child will receive further consideration.

Yours truly,

Acting Chairman.

7-2968
7-4489
Enc. V. 190.

Wagon, Indian Territory, January 3, 1903.

Wagon Winlock,

Wagon, 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 Bettie Winlock, infant daughter of Rufus and Eliza Winlock, born September 13, 1902.

It is stated in the affidavit of the mother that her name is Eliza Winlock, that she is 19 years of age, a citizen by blood of the Choctaw Nation, and that she was the lawful wife of Rufus Winlock, a citizen by blood of the Choctaw Nation.

If it be a fact that Eliza Winlock 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 Eliza Winlock as being duly listed for enrollment as a citizen by blood of the Choctaw Nation.

R W 3

Either the original certificate of marriage between yourself and Eliza Winlock, or a certified copy thereof, should also be furnished the Commission.

It will be necessary in the matter of the application for enrollment of this child that the above information be furnished this office at your earliest convenience.

Respectfully,

Commissioner in Charge.

~~Choctaw 3108~~
Choctaw 4489

Muskogee, Indian Territory, February 14, 1903.

Rufus Winlock,
Vireton, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of the second instant, stating that you are now the husband of Eliza Jones, daughter of Willie and Mil. Jones, and requesting to be advised whether it will be necessary for you to appear before a Notary Public and make affidavit to this fact. You state that you were married to her September 5, 1901, and have a marriage license which you can forward if necessary.

It is presumed from your letter that you desire to furnish this evidence as authority for the change of your wife's name upon our records from her former name of Jones to her present name of Winlock, and you are informed that on January 9, 1903, the Commission enrolled Eliza Jones as a citizen by blood of the Choctaw Nation, and on February 4, 1903, her enrollment was approved by the Secretary of the Interior.

The Commission cannot therefore change the name of your wife from Jones to Winlock, and allotment of land and distribution of the tribal property of the Choctaw and Chickasaw Nations will be

R V 2

made to her under the name by which her enrollment was approved.

It will not, therefore, be necessary for you to forward any evidence of this change of name of Eliza Jones to Eliza Winlock.

Respectfully,

Acting Chairman.

7-4489

Atoka, Indian Territory, August 28, 1903.

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

Dear Sir:

You are hereby advised that the following notation has
~~been~~ been made upon original Choctaw enrollment card, No. 4489:

"The mother of No. 5 is Eliza Jones on Choctaw
card No. 3108. See copy of testimony of No. 1
taken July 27, 1903."

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

Respectfully,

Chairman.

7-4489

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. 4489:

"The mother of No. 5 is Eliza Jones on Choctaw
card No. 5108. See copy of testimony of No. 1
taken July 27, 1903."

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

Respectfully,

Chairman.

Muskogee, Indian Territory, March 1, 1904.

Rufus Winlock,

Carbon, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of February 24, 1904, asking if your daughter Bettey Winlock has been enrolled.

In reply to your letter you are informed that Bettie Winlock has been enrolled by this Commission as a citizen by blood of the Choctaw Nation, and on May 20, 1903, her enrollment as such approved by the Secretary of the Interior.

Respectfully,

Commissioner in Charge.

Choc 4490 William H. Stanton

4490

DEPARTMENT OF THE INTERIOR,
COMMISSIONER OF THE BUREAU OF INDIAN AFFAIRS.

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

IRISH J. STANTON, 7-4490.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Muskogee, Indian Territory,
November 24, 1903.

Choctaw 4490,
Intermarried.

In the matter of the application for the enrollment of
Inez J. Stanton as a citizen by intermarriage of the Choctaw Nation.

Said Inez J. Stanton, being duly sworn, testified as
follows:

Examination by the Commission.

- Q What is your name? A Inez J. Stanton.
Q How old are you? A Twenty-seven this month.
Q What is your post-office address? A South McAlester.
Q What is your father's name? A John Orr.
Q White man? A Yes, sir.
Q Citizen of the United States? A Yes, sir.
Q What is your mother's name? A Mary Orr.
Q White person? A Yes, sir.
Q Citizen of the United States? A Yes, sir.
Q Both alive? A Yes, sir.
Q Did either of them ever claim any rights as an Indian by blood?
A No, sir.
Q Do you? A No, sir, only as intermarried.
Q You claim your rights as an intermarried citizen? A Yes, sir.
Q In what Nation? A Choctaw.
Q By virtue of your marriage to whom? A William H. Stanton.

William H. Stanton, husband of the applicant herein, is
identified upon Choctaw card, field number 4490, and is
numbered 12456 upon the lists, prepared by the Commission,
of persons entitled to enrollment as citizens by blood of
the Choctaw Nation, and approved by the Secretary of the
Interior on March 6, 1903. The applicant's name appears upon
the same card.

- Q Were you married before you were married to Mr. Stanton? A No,
sir.
Q Was he married before he was married to you? A No, sir.
Q When were you married to Mr. Stanton? A In 1892 -- June 2, 1892.
Q Did you apply to the Dawes Commission in 1896 for enrollment as
a citizen by intermarriage of the Choctaw Nation? A Yes, sir.
Q Were you admitted? A Yes, sir.
Q Was an appeal taken from the judgment of the Dawes Commission?
A No, guess not.
Q Where were you married to Mr. Stanton? A Six miles west of Mc-
Alester in the Choctaw Nation.
Q Were you living in the Choctaw Nation at that time? A Yes, sir.
Q How long had you been living there? A Thirteen years.

Inez J. Stanton 2

- Q Before you were married? A Two or three years before I was married.
- Q Where was Mr. Stanton living at that time, in the Choctaw Nation? A Yes, sir.
- Q Have you lived together as husband and wife from the date of said marriage up to and including September 25, 1902? A Yes, sir.
- Q Any separation, abandonment or divorce? A No, sir.
- Q Are you the mother of these children on card 4490, Serena, Arthur, Lettie and Lola? A Yes, sir.
- Q That all the children you have? A Yes, sir.
- Q You are on the 1896 roll? A Yes, sir.

The applicant is identified upon the 1896 Choctaw Census Roll, Tobucksy County, number 15034.

-----:-----

William H. Stanton, husband of the applicant, being duly sworn, testified as follows:

Examination by the Commission.

- Q Anything you want to say, Mr. Stanton? A Nothing more than I just wanted to ask you if I would be safe in selecting her allotment.

-----:-----

Inez J. Stanton, being recalled, testified as follows:

Examination by the Commission

- Q Since your marriage in 1892, Mrs. Stanton, have you lived continuously in the Choctaw Nation? A Yes, sir.
- Q Never made your home any where else than in the Choctaw Nation? A Lived in the Chickasaw Nation nearly a year.
- Q When was that? A Four years ago.
- Q Lived only in the Choctaw-Chickasaw country? A Yes, sir.
- Q Haven't made your home any where else at all? A No, sir.

-----:-----

Wirt Franklin, being 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 at Muskogee, Indian Territory, November 24, 1903, and that the above and foregoing is a full, true and correct transcript of his stenographic notes, taken in said cause.

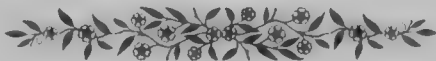
Wirt Franklin

Subscribed and sworn to before me this 25th day of November, 1903.

Charles H. Sawyer
Notary Public.

No. 6

Marriage License.



United States of America, }
INDIAN TERRITORY, } ss.
Second Judicial Division, }

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. *William N. Stanton* of *McAllester*
in the *Choctaw Nation* aged *21* years, and
Miss *Inus Orr* of *McAllester* in the
Choctaw Nation aged *16* 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 *28th* day of *May* A. D. 189*2*

John Wilson

CLERK OF THE U. S. COURT.

By *T. N. Foster*

DEPUTY.

Certificate of Marriage.

United States of America }
INDIAN TERRITORY, } ss.
J. W. Judicial Division, }

I, *J. M. Crocker*

DO HEREBY CERTIFY, that on the *Second* day of *June* A. D. 189*2*
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 *Second* day of *June* A. D. 189*2*

My credentials are recorded in the Office of the Clerk of the United States Court, Indian Territory,
Judicial Division, Book _____ Page _____

J. M. Crocker

CERTIFICATE OF RECORD

United States of America,
INDIAN TERRITORY.

SS.

Second Judicial Division.

I, WILLIAM NELSON, Clerk of the United States Court in the Indian Territory do hereby certify that the instrument hereto attached the 9 day of

June A. D. 1892, was filed for record in my office this 9 day of *June* A. D. 1892, at o'clock M. and duly recorded the 9 day of *June* A. D. 1892, at o'clock M. in Book *B*.

Page 892

Witness my hand and seal of said Court at *Quilch M. Alota* in said Territory, this 9 day of *June* A. D. 1892

By *Heather A. Schuyler* Deputy.

William Nelson Clerk

*ep.
8000*

DEPARTMENT OF THE INTERIOR,
COMMISSION TO INVEST INDIAN TERRITORIES.

In the matter of the application for the enrollment of Inez J. Stanton as a citizen by intermarriage of the Choctaw Nation.

DECISION.

It appears from the census-card record in this case that Inez J. Stanton (nee Orr), on September 4, 1899, appeared before the Commission at its session at South McAlester, Indian Territory, and made personal application for her enrollment as a citizen by intermarriage of the Choctaw Nation, claiming her right thereto in virtue of her marriage with William M. Stanton, a recognized and enrolled citizen of blood of the Choctaw Nation, whose name appears as No. 18166 upon the list prepared by this Commission under the act of Congress approved July 1, 1891, (26 Stat., 303) and was entitled to enrollment as citizens of blood of the Choctaw Nation and approved by the Secretary of the Interior March 3, 1901. Further proceedings were had in this matter before the Commission at McAlester, Indian Territory, November 11, 1901.

It further appears from the records in the possession of the Commission that on September 6, 1899, in the census card which was filed with the Choctaw Nation, (No. 18166) Choctaw Citizenship Record, case No. 18166, the said Inez Stanton's original application to this Commission under the provisions of the act of Congress approved June 10, 1891, (26 Stat., 311), for admission to citizenship in the Choctaw Nation, claiming her right thereto in virtue of her marriage with the said William M. Stanton, was on December 4, 1899, by the said Inez J. Stanton (nee Orr) made this Commission and the said Inez Stanton in the Choctaw Nation a citizen by intermarriage, and which is a valid act of the Commission.

It further appears from the evidence in this case that the said Inez Stanton is a resident in the Territory of Indian Territory, Oklahoma, 1901, and that her status as an intermarried citizen of blood of the Choctaw Nation is a valid admission in accordance with the act of September 11, 1891.

It is, therefore, the opinion of this Commission that Inez J. Stanton should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 10, 1891, (26 Stat., 311) and July 1, 1891, (26 Stat., 303), and it is so ordered.

COMMISSION TO INVEST INDIAN TERRITORIES.

Chairman,
 Commissioner,
 C. R. Hutchinson,
 Commissioner,
 W. E. Hance,
 Commissioner.

7-4490

Muskogee, Indian Territory, January 7, 1904.

Inez J. Stanton,
South McAlester, Indian Territory.

Dear Madam:

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 intermarriage of the Choctaw Nation.

The attorney 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)

Thomas J. ...
Chairman.

Registered.

Enc. 4490.

7-4490

Muskogee, Indian Territory, January 7, 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 7, 1904, granting the application of Inez J. Stanton 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 Inez J. Stanton 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,

Registered.

Chairman.

Enc. 7-4490

Visited States of America
Southern District
Chickasaw Nation Indian Territory
to the Census Commission

this is to certify that Mrs. Julia
Demagau personally came before
me a Notary Public, in and for said
District before and states on her oath
that she was present at the birth of
Arthur Guy Stanton that was born
Jan. 15th. 1897 and that he is the son
of William Henry Stanton who is now
in the Cherokee Citizen Roll she further
swears she assisted the midwife in the
the Birth of Arthur Guy Stanton on
the 15th day of Jan. A.D. 1897 and that
he is in title to be placed on roll
with his mother Mrs. Stanton and
his father William Henry Stanton

Julia Demagau

Subscribed and sworn to before me
for which I set my hand and seal
this the 22nd day of August A.D. 1899

my com. expires
Dec. 11 1899

John F. West
Notary Public
County of ...

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
 of Feltie Anne Stanton born on the 27 day of July, 1899.
 Name of father: W N Stanton, a citizen of the Choctaw Nation.
 Name of mother: Mary J Stanton, a citizen of the Choctaw Nation.
 Post Office: So McElister T.

AFFIDAVIT OF MOTHER.

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

I, Mary J. Stanton, on oath, state that I am 23 years of age and a
 citizen, by Murray, of the Choctaw Nation; that I am the
 lawful wife of W N Stanton who is a citizen, by _____, of the
Choctaw Nation; that a girl child was born to me on the 27 day
 of July, 1899; that said child has been named Feltie Anne Stanton,
 and is now living.

Subscribed and sworn to before me this

4 day of August, 1899

Frank Smith

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, R A Munn, a Physician, on oath, state that I
 attended on Mrs. Mary J Stanton, wife of W N Stanton
 on the 27 day of July, 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 Feltie Anne Stanton.

Subscribed and sworn to before me this

4 day of Sept, 1899

R A Munn M.D.

Notary Public.

Enc R 11234

INDEXED

ACTAW.

20

IN RE

Application for Enrollment of

INFANT CHILD

Lola Blanch Stanton

as a citizen of

Stanton Nation.

Approved *[Signature]* JUN 10 1902 190

[Signature]
Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
JUN 10 1902

[Signature]
ACTING CHAIRMAN.

4410

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

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,
of *Lola Blanch Stanton*, born on the *22nd* day of *March*, 1902
(Here insert name of child.)
Name of Father: *W. H. Stanton* a citizen of the *Choctaw* Nation.
Name of Mother: *Greg J. Stanton* a citizen of the *Choctaw* Nation.
Post-office *South McAlester I. T.*

AFFIDAVIT OF MOTHER.

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

I, *Greg J. Stanton*, on oath state that I am *twenty six*
years of age and a citizen, by *marriage*, of the *Choctaw* Nation;
that I am the lawful wife of *W. H. Stanton*, who is a citizen, by
blood, of the *Choctaw* Nation; that a *female* child was
(male or female.)
born to me on *22nd* day of *March*, 1902; that said child has been
named *Lola Blanch*, and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses.)

Greg J. Stanton

Subscribed and sworn to before me this *24th* day of *May*, 1902.

Richard Bulgin Jr
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, *R. A. Munn*, a *physician*, on oath state that I
attended on Mrs. *Greg J. Stanton*, wife of *W. H. Stanton*
on the *22nd* 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
(male or female.)
named *Lola Blanch*.

WITNESSES TO MARK:

(Must be Two Witnesses.)

R. A. Munn M.D.

Subscribed and sworn to before me this *24th* day of *May*, 1902.

Conceives June 28, 1905
Richard Bulgin Jr
NOTARY PUBLIC

MEMORANDA.

(Date) Aug 21 1899.

27 ✓ Name William H. ...
 Choctaw? yes County Talbot Year 90 No. ...
 Chickasaw? County Year Page
 Citizen by blood? Mother's citizenship
 Intermarried citizen?
 Married under what law?
 License filed this day,

23 Wife's name, ...
 Choctaw? County Talbot 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:

6 ... County Year Page 77 No.
 3 ... County Year Page No.
 1 ... County Year Page No.
 County Year Page No.
 County Year Page No.
 County Year Page No.
 County Year Page No.
 County Year Page No.
 County Year Page No.

✓ ...
 ✓ ...
...

4490

Muskogee, Indian Territory, May 27, 1902.

W. H. Stanton,

South McAlester, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Lola Blanch Stanton, infant daughter of W. H. and Inez J. Stanton, born March 22, 1902, and the same is returned to you herewith for the reason that the notary public before whom the affidavit of the mother was acknowledged neglected to affix his notarial seal thereto.

Upon return of the application with the seal of the notary affixed to the affidavit of the mother the matter will receive further consideration.

Yours truly,

Enc.
RBE 34.

Commissioner in Charge.

Muskogee, Indian Territory, June 10, 1902.

W. H. Stanton,

South McAlester, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Lola Blanch Stanton, infant daughter of W. H. and Ines J. Stanton, born March 22, 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.

Choctaw 4490

Muskogee, Indian Territory, January 23, 1903.

Annie Evans,

McAlester, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of your letter of december 29, 1902, stating that you were enrolled under the name of your step-father, William Stanton; that you were a Breshears before you were married, and that you were also known by the name of Burns, and that you have a child, Maria Evans, who was nine months old in September 1896.

You are advised that the information contained in your letter has not enabled the Commission to identify you under any of the names mentioned, as an applicant for enrollment in either the Choctaw or Chickasaw Nation. If you are able to furnish any other information which would enable the Commission to identify you on its records such as the full names of your father and mother, the county in the Choctaw Nation to which you belong, and under what name you drew the Leased District money, the matter of your inquiry will receive further consideration.

Respectfully,

Acting Chairman.

COMMISSIONERS
TAMS 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 4490.

ALLISON L. AYLESWORTH,
SECRETARY

ADDRES ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, November 17, 1903.

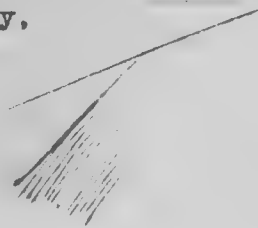
Inez J. Stanton,

South McAlester, Indian Territory.

Dear Madam:

In the matter of your application for enrollment as a citizen by intermarriage of the Choctaw Nation, you are advised that before further consideration can be given to your said application, it will be necessary for you to appear before the Commission at its offices at Muskogee, Indian Territory, there to give testimony as to your status upon September 25, 1902, as an intermarried citizen of the Choctaw Nation. You should give this testimony as soon as possible.

Respectfully,



Chairman.

Choc 4491 Ella Carney

4491

7-4491

✓

20 INDEXED

IN RE

Application for Enrollment of

INFANT CHILD

Albert Barney
as a citizen of

Choctaw Nation.

Approved **FEB - 2 1903** 190



Commissioner.

Proof of birth of child for whom application was made Dec 23-1902

Commissioner TO ED TRIBES

FEB - 2 1903


ACTING CHAIRMAN.

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

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,
of Albert Carney, born on the 25 day of Aug, 1902
(Here insert name of child.)
Name of Father: Allen Carney, a citizen of the Cherokee Nation.
Name of Mother: Ella Carney, a citizen of the Cherokee Nation.
Post-office Hinton

AFFIDAVIT OF MOTHER.

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

I, Ella Carney, on oath state that I am 25
years of age and a citizen, by blood, of the Cherokee Nation;
that I am the lawful wife of Allen Carney, who is a citizen, by
blood, of the Cherokee Nation; that a Male child was
(male or female.)
born to me on 28 day of Aug, 1902; that said child has been
named Albert Carney, and is now living.

WITNESSES TO MARK:

(Must be Two
Witnesses.)

Ella Carney

Subscribed and sworn to before me this 23 day of Dec, 1904
J. C. Humphrey
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, Lilia Moore, a Midwife, on oath state that I
attended on Mrs. Ella Carney, wife of Allen Carney,
on the 28 day of August, 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 Albert Carney.

WITNESSES TO MARK:

(Must be Two
Witnesses.)

C. M. Randall
A. B. Bullard

Subscribed and sworn to before me this 17 day of January, 1905
J. M. [Signature]
Notary Public.

Case No. 20 7 17-441

IN RE

Application for Enrollment of

INFANT CHILD

Nettie Carney

as a citizen of the

Choctaw Nation.

Approved, DEC 17 190

Commissioner.

COMMISSION TO THE UNITED TRIBES

FILED
DEC 17 190



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 Nettie Corney, born on the 16 day of February, 1900
(Here insert name of child.)
 Name of Father: Albert Corney, a citizen of the Choctaw Nation.
 Name of Mother: Ella Corney, a citizen of the Choctaw Nation.
 Post-Office: Quinton Okla

AFFIDAVIT OF MOTHER.

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

I, Ella Corney, 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 Alley N. Corney, who is a citizen, by
Blood, of the Choctaw Nation, that a Female child was
(Male or female.)
 born to me on the 16 day of February, 1900, that said child has been
 named Nettie Corney, and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 27 day of July, 1902.
Chas M Randal
 Notary Public.

FILED

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, Sarah King, a Midwife, on oath state that I
 attended on Mrs. Ella Corney, wife of Alley Corney,
 on the 16 day of February, 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 Nettie.

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 27 day of July, 1902.
Chas M Randal
 Notary Public.

FILED

MEMORANDA.

H. W. H. Co.

(Date) *7/1/11* 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 :

5 *W. H. H.* County Year Page No.

1-4 *W. H. H.* County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

21491

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation, of Hester Baum, born on the 20 day of January, 1894. Name of father: Phil Baum a non-citizen of the Choctaw Nation. Name of mother: Ella Jones, a citizen of the Choctaw Nation. Post Office: Sigler, Ind. Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District.

I, Ella Jones, 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 Phil Baum who is a non-citizen, of the Choctaw Nation; that a female child was born to me on the 20th day of January, 1894; that said child has been named Hester Baum, and is now living.

attest E. G. Balleish

Ella Jones

Subscribed and sworn to before me this 4th day of September, 1899.

Notary Public, Commissioner

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, District.

I, 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.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
 of Nora Carney, born on the 12 day of Dec, 1897.
 Name of father: Albert Carney, a citizen of the Choctaw Nation.
 Name of mother: Ella Jones, a citizen of the Choctaw Nation.
 Post Office: Stigler Ind. Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Central District.

I, Ella Jones, 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 Albert Carney who is a citizen, by blood, of the
Choctaw Nation; that a female child was born to me on the 12 day
 of Dec, 1897; that said child has been named Nora Carney
 and is now living.

Witness
L. G. Bannest
 Subscribed and sworn to before me this 4th day of September, 1899.
Ella her Jones
T. S. [unclear]
 Notary Public.
Commissioner

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.

IN RE
THE DEATH OF

Noah Barney

a citizen of the

Choctaw Nation.

Approved **JUL 21 1902** 190

[Handwritten Signature]
Commissioner

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

In the matter of the death of Norah Carney
(Here insert name of deceased.)
a citizen of the Choctaw Nation, who formerly resided at or near
Vinton, Ind. Ter., and died on the 16 day of
April, 1901.
(Here insert name of postoffice.)

AFFIDAVIT OF RELATIVE.

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

I, Liley Moore, 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 Vinton, Ind. Ter.; that I am
aunt of Norah Carney
(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 Norah Carney died on the 16 day of
April, 1901.

WITNESSES TO MARK: Liley Moore
(Must be Two Witnesses) } M. White
G. W. Holt

Subscribed and sworn to before me this 16 day of July 1902
Chas. M. Raudall
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

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

I, Silver Carney, on oath state that I am 35
years of age, and a citizen, by Blood, of the Choctaw Nation;
that my post office address is Vinton, Ind. Ter.;
that I was personally acquainted with Norah Carney
(Here insert name of deceased.)
who was a citizen, by Blood, of the Choctaw Nation;
and that said Norah Carney died on the 16 day of
April, 1901.

WITNESSES TO MARK: Silver Carney
(Must be Two Witnesses) } M. White
G. W. Holt

Subscribed and sworn to before me this 16 day of July 1902
Chas. M. Raudall
Notary Public.

Choctaw 4491

Muskogee, Indian Territory, July 21, 1902.

Liley Moore,

Quinton, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your affidavit and the affidavit of Silver Carney as to the death of Norah Carney on the 16th day of April, 1901, and such affidavits being in proper form have been accepted by the Commission and duly filed with the records of this office as evidence of the death of Norah Carney.

Yours truly,

Commissioner in Charge.

7-4191.

Muskogee, Indian Territory, January 3, 1907.

Allen Garvey,

Quinton, Indian Territory.

Dear Sir:

Referring to the application for enrollment as a citizen of the Choctaw Nation of Albert Garvey, infant son of Allen and Ella Garvey, born August 28, 1903; you are informed that it will be necessary that you furnish the Commission with the affidavit of the attending physician or midwife as to the birth of said child, and the fact that it is still living, a blank for which purpose is enclosed you 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.

Please give this matter prompt attention.

Respectfully,

Enc B I 83.

Acting Chairman.

7-4491.

Muskogee, Indian Territory, February 2, 1903.

Allen Carney,

Quinton, 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 Albert Carney, infant son of Allen and Ella Carney, born August 28, 1902, at which time only the affidavit of the mother was furnished.

Receipt is hereby acknowledged of the affidavit of the midwife relative to the birth of said child; and the application now being complete and 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.

7-4491
7-5423

Muskogee, Indian Territory, May 24, 1906.

Guy A. Curry,

Quinton, Indian Territory.

Dear Sir:

~~Receipt is hereby acknowledged~~ of your letter of May 19, 1906, enclosing affidavits of Ella Carney and L. H. Winborn to the birth of Burlington Carney, child of Allen Carney and Ella Carney, January 19, 1906, and the same have been filed as an application for the enrollment of said child.

Respectfully,

Acting Commissioner.

Choc 4492 John Simpson

4492

7-D-753.

Muskogee, Indian Territory, August 17, 1904.

John Sampson,

South McAlester, Indian Territory,

Dear Sir:

In the matter of your application for enrollment as a citizen by blood of the Choctaw Nation, you are advised that before further consideration can be given to your application that it will be necessary for you to appear in person before the Commission with such witnesses as you may be able to produce to testify as to your identity as a citizen by blood of the Choctaw Nation.

For this purpose you should appear before the Commission 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.

9/14

COMMISSIONERS:
TAMM BIXBY,
THOMAS B. NEEDLES,
C. E. BRACKINRIDGE,
WM. O. BEALL,
Secretary.

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

REFER TO REPLY TO THE FOLLOWING:

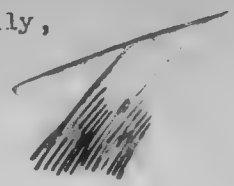
Muskogee, Indian Territory, February 10, 1905.

Wirt Franklin,
Hartshorne, Indian Territory.

Dear Sir:

You are advised that on this day John Simpson, Choctaw roll card, No. 4492 appeared before the Commission at its office in Muskogee, Indian Territory, and from his testimony it is evident that he and John Sampson, Choctaw card D 753 are identical. Choctaw card D 753 has this day been cancelled and the record therein transferred to Choctaw 4492.

Respectfully,



Chairman.

Choctaw D 753

COMMISSIONERS:
TAMM BIRBY,
THOMAS B. NEEDLES,
C. E. BRECKINRIDGE.
WM. O. BEALL,
Secretary.

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

REFER IN REPLY TO THE FOLLOWING:

Muskogee, Indian Territory, February 3, 1905.

John Simpson,
Carbon, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 30, 1905, referring to a letter received by you from M. M. Lindly relative to the enrollment of John Sampson, a half blood Choctaw fifty-nine years of age, who claimed to have been admitted by the Council at Armstrong Academy and the presumption that this might refer to you. You state that this is evidently an error as you have already been enrolled and taken your allotment.

In reply to your letter you are advised that the information desired was as to whether or not the John Sampson referred to herein is the identical person elsewhere enrolled as John Simpson and for this reason you are requested to advise whether or not you were admitted by the Choctaw Council at Armstrong Academy and whether you made application for enrollment at South McAlester, Indian Territory, at the appointment of the Commission September 4 to 13, 1899.

Your early attention to this matter will be appreciated.

Respectfully,

Chairman.

MEMORANDA.

(Date) 1899.

Name

Choctaw ? County Year No.

Chickasaw ? County Year Page 227

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.

Handwritten signature or stamp in the bottom right corner.

Commission to the Five Civilized Tribes,

South McAlester, Ind. Terr.

In the enrollment of John Sampson as a Choctaw; being sworn and examined by Com'r Mc Kennon he states:

Q What is your name? A John Sampson.

Q How old are you? A Fifty-nine.

Q You are a full-blood Choctaw Indian? A No sir, my father was a Spaniard.

Q (By Choc Com'r Lewis: Was she a Spaniard or a Mexican?

A You can call it either one; I don't know which; he lived in Mexico.

Q Com'r McKennon: Where were you born and raised? A In Lee county, Mississippi, close to Cartage, Mississippi; my grandfather was named Neshaksenema; that was on my mother's side.

Q When did you come to this country? A I have been here thirty-two years.

Q Were you admitted by the council? A Yes sir.

Q Where? A At Armstrong Academy.

Q And you have been all the while recognized as a citizen?

A Yes sir.

Department of the Interior,

Commissioner of the General Land Office.

I hereby certify on the official record as stenographer to the named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

M. D. Green

7D 753.

John Sampson age 59, ¹ ² ³ ⁴ ⁵ ⁶ ⁷ ⁸ ⁹ ¹⁰ ¹¹ ¹² ¹³ ¹⁴ ¹⁵ ¹⁶ ¹⁷ ¹⁸ ¹⁹ ²⁰ ²¹ ²² ²³ ²⁴ ²⁵ ²⁶ ²⁷ ²⁸ ²⁹ ³⁰ ³¹ ³² ³³ ³⁴ ³⁵ ³⁶ ³⁷ ³⁸ ³⁹ ⁴⁰ ⁴¹ ⁴² ⁴³ ⁴⁴ ⁴⁵ ⁴⁶ ⁴⁷ ⁴⁸ ⁴⁹ ⁵⁰ ⁵¹ ⁵² ⁵³ ⁵⁴ ⁵⁵ ⁵⁶ ⁵⁷ ⁵⁸ ⁵⁹ ⁶⁰ ⁶¹ ⁶² ⁶³ ⁶⁴ ⁶⁵ ⁶⁶ ⁶⁷ ⁶⁸ ⁶⁹ ⁷⁰ ⁷¹ ⁷² ⁷³ ⁷⁴ ⁷⁵ ⁷⁶ ⁷⁷ ⁷⁸ ⁷⁹ ⁸⁰ ⁸¹ ⁸² ⁸³ ⁸⁴ ⁸⁵ ⁸⁶ ⁸⁷ ⁸⁸ ⁸⁹ ⁹⁰ ⁹¹ ⁹² ⁹³ ⁹⁴ ⁹⁵ ⁹⁶ ⁹⁷ ⁹⁸ ⁹⁹ ¹⁰⁰ ¹⁰¹ ¹⁰² ¹⁰³ ¹⁰⁴ ¹⁰⁵ ¹⁰⁶ ¹⁰⁷ ¹⁰⁸ ¹⁰⁹ ¹¹⁰ ¹¹¹ ¹¹² ¹¹³ ¹¹⁴ ¹¹⁵ ¹¹⁶ ¹¹⁷ ¹¹⁸ ¹¹⁹ ¹²⁰ ¹²¹ ¹²² ¹²³ ¹²⁴ ¹²⁵ ¹²⁶ ¹²⁷ ¹²⁸ ¹²⁹ ¹³⁰ ¹³¹ ¹³² ¹³³ ¹³⁴ ¹³⁵ ¹³⁶ ¹³⁷ ¹³⁸ ¹³⁹ ¹⁴⁰ ¹⁴¹ ¹⁴² ¹⁴³ ¹⁴⁴ ¹⁴⁵ ¹⁴⁶ ¹⁴⁷ ¹⁴⁸ ¹⁴⁹ ¹⁵⁰ ¹⁵¹ ¹⁵² ¹⁵³ ¹⁵⁴ ¹⁵⁵ ¹⁵⁶ ¹⁵⁷ ¹⁵⁸ ¹⁵⁹ ¹⁶⁰ ¹⁶¹ ¹⁶² ¹⁶³ ¹⁶⁴ ¹⁶⁵ ¹⁶⁶ ¹⁶⁷ ¹⁶⁸ ¹⁶⁹ ¹⁷⁰ ¹⁷¹ ¹⁷² ¹⁷³ ¹⁷⁴ ¹⁷⁵ ¹⁷⁶ ¹⁷⁷ ¹⁷⁸ ¹⁷⁹ ¹⁸⁰ ¹⁸¹ ¹⁸² ¹⁸³ ¹⁸⁴ ¹⁸⁵ ¹⁸⁶ ¹⁸⁷ ¹⁸⁸ ¹⁸⁹ ¹⁹⁰ ¹⁹¹ ¹⁹² ¹⁹³ ¹⁹⁴ ¹⁹⁵ ¹⁹⁶ ¹⁹⁷ ¹⁹⁸ ¹⁹⁹ ²⁰⁰ ²⁰¹ ²⁰² ²⁰³ ²⁰⁴ ²⁰⁵ ²⁰⁶ ²⁰⁷ ²⁰⁸ ²⁰⁹ ²¹⁰ ²¹¹ ²¹² ²¹³ ²¹⁴ ²¹⁵ ²¹⁶ ²¹⁷ ²¹⁸ ²¹⁹ ²²⁰ ²²¹ ²²² ²²³ ²²⁴ ²²⁵ ²²⁶ ²²⁷ ²²⁸ ²²⁹ ²³⁰ ²³¹ ²³² ²³³ ²³⁴ ²³⁵ ²³⁶ ²³⁷ ²³⁸ ²³⁹ ²⁴⁰ ²⁴¹ ²⁴² ²⁴³ ²⁴⁴ ²⁴⁵ ²⁴⁶ ²⁴⁷ ²⁴⁸ ²⁴⁹ ²⁵⁰ ²⁵¹ ²⁵² ²⁵³ ²⁵⁴ ²⁵⁵ ²⁵⁶ ²⁵⁷ ²⁵⁸ ²⁵⁹ ²⁶⁰ ²⁶¹ ²⁶² ²⁶³ ²⁶⁴ ²⁶⁵ ²⁶⁶ ²⁶⁷ ²⁶⁸ ²⁶⁹ ²⁷⁰ ²⁷¹ ²⁷² 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7-4492.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, IND. TER., FEBRUARY 10, 1905.

In the matter of the application for the enrollment
of John Sampson as a citizen by blood of the Choctaw Nation.

~~John Sampson being first duly sworn testifies as follows:~~

EXAMINATION BY THE COMMISSION:-

- Q What is your name? A John Simpson.
Q How old are you? A I don't know just exactly - in time
of the war I was about sixteen or seventeen years old.
Q Your age is given as fifty-nine in 1899, is that about
right, that would make you sixty-four now? A Yes, sir.
Q Were you admitted as a citizen of the Choctaw Nation by
the Choctaw Council at Armstrong Academy? A Yes, sir.
Q When were you so admitted? A It must have been thirty
years ago.
Q Are you on the final roll? A Yes, sir.

The witness is identified on Choctaw field card
#4492 and as number 12465 on the final roll of Choctaws by
blood approved March 6, 1903.

- Q Are you married Mr. Simpson? A Yes, sir.
Q What is your wife's name? A Mina.
Q Have you any children? A No, sir.
Q Are you acting as guardian for anybody? A No, sir.
Q Didn't you have a ward named Wesley Smith at one time? A
Yes, sir, he is going to school at Armstrong Academy; I have
raised two or three orphan children.
Q Did you make application to this Commission at South
McAlester, Indian Territory between the dates September 4th
and September 13th 1899? A No, sir.
Q Were you there at that time? A Yes, sir.
Q Did you register there? A Yes, sir.
Q You registered under the name of John Simpson? A Yes,
sir, me and my wife were there ~~at~~ together.
Q What portion of Choctaw blood do you claim to have? A
My mother is Choctaw.
Q Your mother was a full blood? A Yes, sir.
Q And your father? A He claimed to be a Spaniard.
Q He hasn't any Choctaw blood? A No, sir.

2-2-

Q .So you are a half blood? A Half blood, yes, sir.
Q At the time you registered at South McAlester in September
1899 did you register for yourself or yourself and family?
A Myself and family.
Q You didn't apply for yourself alone? A No, sir.
Q Where were you born? A Lee County Mississippi on a
creek what we call Red Dog.

Witness excused.

Chas. T. Difendafer being first duly sworn states
that the above and foregoing is a full, true and correct
transcript of his stenographic notes taken in said cause on
said date.

Chas. T. Difendafer

Subscribed and sworn to before me this 10th day of February
1905.

Charles S. Sawyer

Notary Public.

Choc 4493 William G. Holleman
Gillie A. Holleman

4493

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--

WILLIAM G. HOLLEMAN, 7-4493.

(COPY)

The Choctaw Nation
Gains County

Know all men by these presents that Josiah Reid County clerk of Gains County Choctaw by virtue of the Choctaw Nation was this day granted a license to Wm Hallemon to the lawfully married to wife Gilley A. Davis a Choctaw Nation woman who has been residing within the limits of the Choctaw Nation for the space of two years of sober habits

Given under my hand this 18th day of October A.D. 1888

Josiah Reid County &
pro clerk Gains County
C.N.

(SEAL)

I do solemnly swear that I will honor defend and ~~and~~ submit to the constitution and laws of the Choctaw Nation and will neither claim nor seek from the United States Government from the Judicial Tribunal there of any protection privilege or remedy incompatible with same as guaranteed to the Choctaw Nation by the treaty stipulations entered into between them so help me God

Wm. Hallermon

Sworn to and subscribed before me Josiah Reid County clerk of Gains County Choctaw Nation

this 18th day of October A.D. 1888 (SEAL)
Josiah Reid

This is to certify that I have, on this the 21st day of October 1888, celebrated the rites of matrimony between Wm. Hollerman and Gillie A. Davis at McAlester, I. T.

G. M. Bond
County Judge
Tobucksy Co.
I. T.

(SEAL)

Filed in my office for record and duly recorded in Book D. Page 253 of Tobucksy County Court Record this 4th day of Sept 1899

A W McClure
Clerk of Tobucksy County
Choctaw Nation

I, Pat E. Trent do hereby certify that the above and foregoing is a true and correct copy of the marriage certificate between William Hollerman and Gillie A. Davis now on file at the office of the Commissioner to the Five Civilized Tribes.

Subscribed and sworn to before me this 6th day of February, 1909.

Pat E. Trent
Walter D. Happee
Notary Public.

Department of the Interior.
Commission to the Five Civilized Tribes.
South McAlester, I. T., December 24th, 1902.

Choctaw 4493
Intermarried

-----oOo-----

In the matter of the application of William G. Holleman for enrollment as an intermarried citizen of the Choctaw Nation.

William G. Holleman being first duly sworn testified as follows:

Examination by the Commission.

- Q What is your name? A William G. Holleman.
Q How old are you? A Thirty-five.
Q What is your post office address? A Holleman, I. T.
Q How long have you resided in the Choctaw Nation? A I have been here about--something over twenty-five years.
Q Lived here continuously for the past twenty-five years? A Yes sir.
Q Never have made your home elsewhere? A No sir.
Q Where were you born? A Fort Smith.
Q A citizen of the United States? A Yes sir.
Q You are now an applicant for enrollment as a citizen by intermarriage of the Choctaw Nation? A Yes sir.
Q What is the name of your Choctaw wife? A Gillie A. Holleman.
Q What was her maiden name? A Davis.
Q Is she a recognized and enrolled citizen by blood of the Choctaw Nation? A Yes sir.
Q Always recognized by the tribal authorities? A Yes sir.
Q Have your wife's rights as a citizen ever in any manner been disputed? A Never that I heard of.
Q When were you married to Gillie A. Davis? A Married the 21st day of October, '88.
Q Married under a Choctaw tribal license? A Yes sir.
Q Is that the only time you married under that license? A Yes sir.
Q How much did you pay for the license? A \$100.
Q Was you ever married prior to your marriage to Gillie A. Davis?
A No sir.
Q Was she ever married prior to her marriage to you? A No sir.
Q Have you and this woman lived together continuously since your marriage in 1888? A Yes sir.
Q Never been any separation, desertion or divorce? A No sir.
Q Are you and this woman living together as husband and wife and actual bona fide residents 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 24th 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 10 day of February, 1903.

Charles L. Sawyer

Notary Public.

UNITED STATES OF AMERICA,
Indian Territory, Central District.

Mrs. Gillie A. Holleman (nee Davis), being duly sworn, on her oath states:

My Name is (Mrs.) Gillie A. Holleman. I am the wife of William G. Holleman, who is an applicant for enrollment as a citizen of the Choctaw Nation by virtue of his marriage with me. At the time of my marriage with him I was, and had been for about 15 years prior thereto, residing about two miles from the town of Savanna, in the Choctaw Nation, Indian Territory. My maiden name was Gillie A. Davis.

Gillie A. Holleman (nee Davis)

Subscribed and sworn to before me on this 25th day of May, 1903.

My Commission expires on
the 20th day of January, 1904.

Geo. Hutchins
Notary Public

UNITED STATES OF AMERICA,
Indian Territory, Central District.

Also William G. Holleman, of lawful age, being duly sworn, on his said oath states, -

My name is William G. Holleman. I am the identical William G. Holleman who is an applicant for enrollment as a member of the Choctaw Nation by virtue of my marriage with Gillie A. Holleman, whose name, prior to my said marriage with her, was Gillie A. Davis. At the time of my said marriage with her, the said Gillie A. Holleman (nee Davis) was a resident of the Choctaw Nation, in the Indian Territory, and about two miles from the town of Savanna, in said Nation and Territory.

William G. Holleman

Subscribed and sworn to before me on this 25th day of May, 1903.

My Commission expires on the 9th day
of January, 1904.

Geo. Hutchins
Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE SEVEN CIVILIZED TRIBES

In the Matter of the Application of Lillian G. Holloman as a Citizen
of the Choctaw Nation by Intermarriage.

-----o-----

Lillian G. Holloman: being first duly sworn, on his oath states:

I am the Lillian G. Holloman the name and application to the Commission to the Five Civilized Tribes for enrollment as a citizen and membership of the Choctaw Nation, having complied with the requirements in this particular of the Choctaw law in marrying a wife, who is a citizen by blood. I obtained marriage license from the County and Precinct Clerk of Indian County, Choctaw Nation, on the _____ day of _____, 19____, and said said Josiah Reid was at that time clerk of said County. That George W. Biddle, a Choctaw by blood, was at that time County Judge of said county, and was present at the time of said clerk, near 11 o'clock, when I went for said license.

That said Josiah Reid, being apparently a full-blood Indian, seemed to possess little education and not to be at all familiar with the duties of his office in the matter of issuing such license. That when attempting to make out said license for me he searched about for a copy that, as it appeared, had been intended for other parties, and having found it, he proceeded to write out mine, copying therefrom. That when he had finished writing the license it was read, either by himself or by said George W. Biddle, and it was discovered that the name of Catherine Russell, which appeared in the license from which he had copied, had been inserted instead of the name of Gillie A. Davis, the name of my wife before our marriage. That the mistake was then and there corrected by erasing, or crossing out the name of Catherine Russell and inserting instead the name of Gillie A. Davis, my wife. That said correction was before said license was delivered to me. That said George W. Biddle was present all the while during the writing of my license, and that said mistake was made and corrected, but that a such correction was made by him, or by said clerk, I cannot now remember.

William G. Holloman

Subscribed and sworn to before me this _____ day of _____, 19____.

J. R. Jean
Notary Public

810
8840

7 - 4433.

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

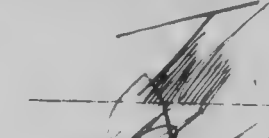
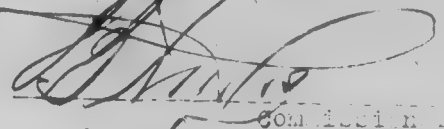
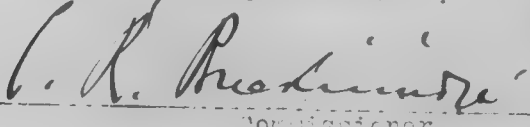
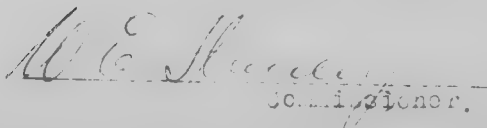
In the matter of the application for the enrollment of
William G. Holloman as a citizen by intermarriage of the Choctaw
Nation.

DECISION.

It appears from the record herein that William G. Holloman,
on October 21, 1888, was lawfully married to Gillie A. Holloman
(nee Davis), a recognized and enrolled citizen by blood of the
Choctaw Nation, whose name appears as No. 18468 upon the lists
prepared by this Commission under the act of Congress approved
July 1, 1902, (36 Stat., 611) of persons entitled to enrollment
as citizens by blood of the Choctaw Nation and approved by the
Secretary of the Interior March 6, 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 23, 1902.

It is, therefore, the opinion of this Commission that
William G. Holloman should be enrolled as a citizen by intermar-
riage 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, (36 Stat., 641), and it is so ordered.

COMMISSIONER TO THE FIVE CIVILIZED TRIBES,


Chairman.

Commissioner.

Commissioner.

Commissioner.

Washington, Indian Territory,

MAR 15 1904

Choctaw 4493

Muskogee, Indian Territory, March 29, 1904.

William C. Holleman,

Holleman, Indian Territory.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission, rendered March 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 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,

Registered.
enc. 7-4493.

Commissioner in Charge.

Choctaw 4493

Muskogee, Indian Territory, March 29, 1904.

A. S. McKennon,

Attorney-at-Law,

South McAlocter, Indian Territory.

Dear Sir:

You are hereby notified that on March 15, 1904, the Commission rendered a decision granting the application of William G. Holloman 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 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)

Commissioner in Charge.

Registered.

Choctaw 4493

Muskogee, Indian Territory, March 29, 1904.

Mansfield, McLurray & 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 18, 1904, granting the application of William G. Holloman for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed thirteen 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,

Registered.
Enc. 7-4493.

Commissioner in Charge.

MEMORANDA.

(Date) 1899.

32 ✓

Name *W. H. ...*

Choctaw? *Y* County *Tarrant* Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship *USA*

Intermarried citizen?

Married under what law?

License filed this day,

Wife's name, *W. H. ...*

Choctaw? *Y* County *Tarrant* Year *11* No. *31*

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:

7 to *James C. ...* County *Tarrant* Year Page No. *22*

4 *Thomas C. ...* County Year Page No. *3*

2 *Martha M. ...* County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

441125

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
 of Juanita Hallman born on the 15th day of November, 1897.
 Name of father: J. M. Hallman & David, a citizen of the Choctaw Nation.
 Name of mother: Lillie Hallman, a citizen of the Choctaw Nation.
 Post Office: Hallman

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Central District.

I, Lillie Hallman, on oath, state that I am 28 years of age and a citizen, by David, of the Choctaw Nation; that I am the lawful wife of J. M. Hallman who is a citizen, by David, of the Choctaw Nation; that a girl child was born to me on the 15th day of November; that said child has been named Juanita Hallman and is now living.

Subscribed and sworn to before me this 5th day of Sept, 1901.
Guinea Hallman
 Notary Public.

My Commission Expires Sept 15, 1901

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Central District.

I, Rebecca Kury, a Midwife, on oath, state that I attended on Mrs. Guinea Hallman, wife of J. M. Hallman on the 15th day of November, 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 Juanita Hallman.

Subscribed and sworn to before me this 1st day of Sept, 1901.
Rebecca Kury
 Notary Public.

My Commission Expires Sept 16, 1901.

IN RE


Application for Enrollment of

INFANT CHILD

William Giveus Holloman
as a citizen of

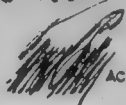
Choctaw Nation.

Approved, SEP 26 1901 190


Commissioner.

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

FILED
SEP 26 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,
William Givens, born on the 14th day of August, 1901
(Here insert name of child)
Name of Father: W. G. Hallerman, a citizen of the Choctaw Nation.
Name of Mother: Gillie A. Hallerman, a citizen of the Choctaw Nation.
Post-office: Hallerman 25

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Second District.

I, Gillie A. Hallerman, 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 W. G. Hallerman, who is a citizen, by
Blood, of the Choctaw Nation, that a Male child was
(male or female)
born to me on the 14th day of August, 1901; that said child has been
named William Givens and is now living.

WITNESSES TO MARK

(Must be Two
Witnesses)

W. H. Davis

Gillie A. Hallerman

Subscribed and sworn to before me this 24th day of Sept, 1901

W. A. Culbertson
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Second District.

I, S. P. Ross, a Physician, on oath state that I
attended on Mrs. Hallerman, wife of W. G. Hallerman
on the 14 day of Aug., 1901; that there was born to her on
said date a Male child;
(male or female)
that said child is now living and is said to have been
named William Givens Hallerman.

WITNESSES TO MARK:

(Must be Two
Witnesses)

W. H. Davis

S. P. Ross M.D.

Subscribed and sworn to before me this 24 day of Sept, 1901

W. A. Culbertson
NOTARY PUBLIC

Muskogee, Indian Territory, September 28, 1901.

Mr. W. C. Holleman,
Holleman, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of William Givens Holleman, the infant son of W. C. and Gillie A. Holleman, born August 14, 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,

7-493

Acting Chairman.

Muskogee, Indian Territory, October 20, 1902.

W. G. Holleman,

Halleman, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 15th instant, in which you desire to know if the names of your family are on the roll.

You also desire to be advised if you should get a surveyor and get a plat of your allotments and file the same with this Commission.

In reply to your letter you are advised that it appears from our records that William G. Holleman, his wife, Gillie A. Holleman and their children, Gracie R. A., Thomas C., Juanita M. and William Givens Holleman are listed for enrollment as citizens of the Choctaw Nation.

You are further advised that the Commission cannot at the present time accept for filing the selection of any allotment in the Choctaw-Chickasaw country. Matters of this character will receive the attention of the Commission upon the establishment of a land office or land offices in the Choctaw-Chickasaw country

W G H 2

for the purpose of allowing the citizens of these two tribes to
make selection of and file upon their prospective allotments.

Respectfully,

Acting Chairman.

Choctaw-4493

Kuskogee, Indian Territory, May 7, 1903.

William G. Holleman,

Holleman, 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 Choctaw Nation by virtue of your marriage with Gillie A. Holleman (nee Davis), a citizen by blood of said nation, but there is no evidence in your case showing your wife's residence at the time of your marriage to her.

You are advised that it will be necessary that you furnish the Commission with the sworn statements of yourself and wife setting forth the place of her residence at the time of your marriage.

This matter should receive your prompt attention.

Respectfully,

Chairman.

Choctaw 4493

Muskogee, Indian Territory, May 20, 1903.

W. G. Holleman,

Holleman, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of May 12, replying to our communication of May 7, in which you were requested to furnish sworn statements of yourself and your wife, setting forth the place of residence of your wife at the time of your marriage to her. You ask therein for blank forms for statements of this character

In reply to your letter you are advised that the Commission has no blanks of this character for distribution. You should, however, immediately forward the affidavits requested in our letter of May 7, as until the same are received no further consideration can be given your application for enrollment as an intermarried citizen of the Choctaw Nation.

The matter of the segregation of the lands referred to by you has been made the subject of another communication.

Respectfully,

Chairman.

7-4493

Muskogee, Indian Territory, May 29, 1903.

W. G. Holleman,
Holloman, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 25th instant, enclosing your affidavit, and that of your wife, relative to her residence at the time of her marriage to you, 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.

Respectfully,

Commissioner in Charge.

7-4493

Muskogee, Indian Territory, May 29, 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. 4493:

"Affidavits of Nos. 1 and 2 as to residence
at date of their marriage filed May 29, 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.

7-4493

Muskogee, Indian Territory, May 29, 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. 4493:

"Affidavits of Nos. 1 and 2 as to residence
at date of their marriage filed May 29, 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.

Choctaw 4493

Muskogee, Indian Territory, December 12, 1903.

William G. Holloman,

Holloman, Indian Territory.

Dear Sir:

In the matter of your application for enrollment as a citizen by intermarriage of the Choctaw Nation, there is on file with the records of the Commission in your case a marriage license issued to you by Josiah Reid, County and Probate Clerk of Gaines County, Choctaw Nation, authorizing you to marry Catherine Russell. It is noticed that the words "Catherine Russell" are erased from the license and the interlineation "Willey A. Davis" put in their place in a hand-writing entirely different from the hand which wrote the body of the license.

You are advised that before further consideration can be given your application for enrollment as a citizen by intermarriage of the Choctaw Nation it will be necessary for you to forward to the Commission your sworn statement explaining how this interlineation came about, and embody in your affidavit the statement as to whether or not the said interlineation took place before or after the issuing the said license to you.

W. G. H., 2.

This matter should receive your immediate attention.

Respectfully,

Chairman.

Choctaw 4493

Muskogee, Indian Territory, February 26, 1904.

W. G. Holleman,

Halleman, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of February 20, asking when your citizenship case will be passed upon and stating that the Choctaw Land Office is permitting other persons to file on all your land.

In reply to your letter 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.

You are informed, however, that if other persons are filing upon land on which you have improvements and which you desire to select as your allotment, you will be permitted to institute contest therefor, upon your personal appearance at the Choctaw Land Office, at any time within nine months from the date of the original selection.

Respectfully,

Commissioner in Charge.

Choctaw 4493

Muskogee, Indian Territory, March 14, 1904.

W. C. Holleran,

Holleran, Indian Territory,

Dear Sir:

Your letter of February 20, 1904, addressed to the President, has been by the Secretary of the Interior referred to the Commission for consideration and appropriate action. Therein you complain that your enrollment as an intermarried citizen of the Choctaw Nation has not been approved and by reason of this fact you are not permitted to select your allotment, and another citizen has filed on a part of the land on which you have improvements and which you desire to select as your allotment and you are now forced to institute a contest to protect your property. This you do not want to do, as it incurs expense which you do not feel able to bear.

In reply to your letter you are advised that the Commission is passing upon applications for enrollment as intermarried citizens of the Choctaw Nation as rapidly as practicable. Your case is now receiving consideration and as soon as a decision is reached you will be notified of the action taken therein.

The letter of the Commission, inclosed with your communication, is herewith returned.

Respectfully,

Choctaw-4493.

Muskogee, Indian Territory, June 14, 1904.

W. G. Holleman,

Savanna, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 27th in which you ask if your enrollment has been approved, and in reply you are advised that William G. Holleman has been enrolled as an intermarried citizen of the Choctaw Nation and his enrollment as such was approved by the Secretary of the Interior on May 21, 1904.

The matter of the filing on the land referred to in your letter has been made the subject of another communication.

Respectfully,

Chairman.

choc 4494 Daniel A. Bond

4494

7-4494.

Muskogee, Indian Territory, September 28, 1904.

Commissioner in Charge,
Chickasaw Land Office,
Tishomingo, Indian Territory.

Dear Sir:-

You are hereby requested to place the following notation in red ink on duplicate Choctaw enrollment card in your possession number 4494 Daniel A. Bond et al.

"No. 4494 is a duplicate of Andy Jackson on Choctaw card No. 4315".

Respectfully,

Chairman.

7-4884

Muskogee, Indian Territory, September 28, 1904.

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

Dear Sir:-

You are hereby requested to place the following notation
in red ink on duplicate Choctaw enrollment card in your possession
number 4494 Daniel A. Bond et al.

"No. 6 is a duplicate of Andy Jackson on Choctaw card
No. 4915".

Respectfully,

Chairman.

Muskogee, Indian Territory, November 8, 1901.

A. E. Hardin, M. D.,

Fort Smith, Arkansas.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 5th instant, in which you state that Amanda Jackson claims to be a Choctaw but has not been enrolled and desires to know when and where she can make proof so as to be enrolled.

You are requested to state the full name and age of this person, the names of her parents and her residence.

Upon receipt of this information the matter will be given further attention.

Yours truly,

Acting Chairman.

7-4494

MEMORANDA.

(Date) *Sept 1st* 1899.

41 ✓ Name *Samuel H. Bond*
 Choctaw? County *LeFlore* Year *1891* No. *121*
 Chickasaw? County *LeFlore* Year *1891* Page *21*
 Citizen by blood? Mother's citizenship *1891*
 Intermarried citizen?
 Married under what law?
 License filed this day,

42 Wife's name, *William Bond*
 Choctaw? County *LeFlore* Year *1891* No. *121*
 Chickasaw? County *LeFlore* Year *1891* Page *21*
 Citizen by blood? Mother's citizenship
 Intermarried citizen?
 Married under what law?
 License filed this day

Names of children:

12	<i>William</i>	County <i>LeFlore</i>	Year <i>1891</i>	Page <i>121</i>	No. <i>121</i>
13	<i>Simon Bond</i>	County <i>LeFlore</i>	Year <i>"</i>	Page <i>21</i>	No. <i>121</i>
10	<i>Jacob</i>	County <i>"</i>	Year <i>"</i>	Page <i>"</i>	No. <i>121</i>
1	<i>...</i>	County <i>"</i>	Year <i>"</i>	Page <i>"</i>	No. <i>"</i>
		County <i>"</i>	Year <i>"</i>	Page <i>"</i>	No. <i>"</i>
		County <i>"</i>	Year <i>"</i>	Page <i>"</i>	No. <i>"</i>
		County <i>"</i>	Year <i>"</i>	Page <i>"</i>	No. <i>"</i>
		County <i>"</i>	Year <i>"</i>	Page <i>"</i>	No. <i>"</i>
		County <i>"</i>	Year <i>"</i>	Page <i>"</i>	No. <i>"</i>

114924

Choc 4495 Yimmie Tonah Bond

4495

MEMORANDA.

to 11/12/1895.

(Date) *11/12/1895* 1899.

87

Name *John Bond*

Choctaw? *if* County *Tullock* Year *96* No. *14324*

Chickasaw? County Year Page *373*

Citizen by blood? *if* Mother's citizenship *if*

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:

<i>John Bond</i>	County	Year <i>96</i>	Page <i>20</i>	No. <i>3</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.

John Bond

4495

choc 4496 Rhoda Bond

4496

MEMORANDA.

(Date) Sept 4 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,

42 Wife's name, Rhoda Bond

Choctaw ? yes County Johnson Year 96 No. 933

Chickasaw ? County Year Page 24

Citizen by blood ? yes Mother's citizenship Chae

Intermarried citizen ?

Married under what law ?

License filed this day

Names of children:

19 x Nabet Bonaparte County Atoka Year 96 Page 45 No. 1857

County Year Page No.
County Year Page No.
County Year Page No.
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 Nabet Bonaparte

Handwritten signature or stamp

Choc 4497 Tennessee Kincade

4497

7-4497

✓

32 INDEXED

IN RE
THE DEATH OF

Sizzie Williams
a citizen of the

Choctaw Nation.

Approved *[Signature]* 190

Commissioner.

RECORDED
DEC 23 1902

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

In the matter of the death of Sizzie Williams
(Here insert name of deceased.)
a citizen of the Choctaw Nation, who formerly resided at or near
Vireton, Ind. Ter., and died on the _____ day of
_____, 1900.

AFFIDAVIT OF RELATIVE.

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

I, Tennessee Kincaid, on oath state that I am 67
years of age and a citizen, by blood, of the Choctaw Nation;
that my post office address is Vireton, Ind. Ter.; that I am
the mother of Sizzie Williams
(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 Sizzie Williams died on the _____ day of
_____, 1900.

WITNESSES TO MARK:
(Must be Two Witnesses.)
Am. C. Bunn
R. J. Mung

Tennessee Kincaid
mark
Subscribed and sworn to before me this 23rd day of December 1902.
J. C. Humphrey
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

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

I, W. G. Argo, on oath state that I am 56
years of age, and a citizen, by _____, of the United States Nation;
that my post office address is Vireton, Ind. Ter.;
(Here insert name of post office.)
that I was personally acquainted with Sizzie Williams
(Here insert name of deceased.)
who was a citizen, by blood, of the Choctaw Nation;
and that said Sizzie Williams died on the _____ day of
_____, 1900.

WITNESSES TO MARK:
(Must be Two Witnesses.)

Subscribed and sworn to before me this 23rd day of December 1902.
W. G. Argo
J. C. Humphrey
Notary Public.

Be it remembered that on this
the 15th day of January, A. D. 1903,
personally appeared before me,
the undersigned authority, Isaac King,
who being duly sworn deposes and
says: that he is the lawful father of
Anderson King, son of Isaac and
Lizzie King, born Aug. 30. 1900, who is
now living in the care of his grand-
mother Tennessee Kincaid, at Vireton
Indian Territory; whose enrollment
as a citizen of the Choctaw Nation
is solicited and requested; that the
original application for enrollment
made on or about Dec. 17. 1902, said
to have been returned to deponent
addressed to him at Vireton, I. T., has
not been received by him; deponent
further swears that his wife, now
deceased, was a full-blood citizen
of the Choctaw Nation; that she was
listed for enrollment in or about
Sept. 1st. 1899, at South McAlester, I. T.,
under her maiden name of Lizzie
Williams, her father's name was
Allen Williams, her mother's name was,
and is Tennessee Williams; that her
only living brother or sister is Susan
Haudcock now living in Vireton, I. T.

the wife of Solomon Handcock of the
same place, viz: - Vieton, I. T.

Deponent further swears that he was
lawfully married to Lizzie Williams
at Vieton, I. T., Oct. 4, 1899, by the Rev.
Jesse Carter, and the issue of this
marriage was the boy Anderson King.

State of Kansas

County of Leavenworth

Isaac King

Subscribed and sworn to before me
the undersigned Notary Public, on this
the 15th day of January, A. D. 1903,

John C. Ripley.

Notary Public.

My Com. Expires Sept. 4, 1904.

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

A handwritten signature in dark ink, appearing to be 'W. B. ...', is written over the printed text 'ACTING CHAIRMAN'.

ACTING CHAIRMAN.

7 4497

IN RE

Application for Enrollment of

INFANT CHILD

Andersson King
as a citizen of

Choctaw Nation.

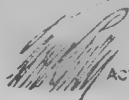
Approved DEC 2 190

Commissioner.

COMMISSION TO THE CHOCTAW TRIBES

FILED

DEC 2 190



ACTING CHAIRMAN.

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

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,
of Anderson King, born on the 31st day of August, 1900
(Here insert name of child.)
Name of Father: Isaac King a citizen of the Cherokee Nation.
Name of Mother: Lizzie King a citizen of the Cherokee Nation.
Post-office Wadsworth, Ind. Terr.

AFFIDAVIT OF ~~MARRIAGE~~ Recognition

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, W. G. Argo, on oath state that I am 56
years of age and a citizen, by me, of the United States Nation;
that I ~~am~~ was personally acquainted with Lizzie King, who ~~is~~ was a citizen, by
blood, of the Cherokee Nation; that a male child was
(male or female.)
born to ~~her~~ her on 31st day of August, 1900 that said child has been
named Anderson King, and is now living.

WITNESSES TO MARK:
(Must be Two Witnesses.)

W. G. Argo
R. B. Curran

Subscribed and sworn to before me this 23rd day of December, 1902.

J. C. Humphrey
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District,

I, Tennessee Kincaid, a Midwife, on oath state that I
attended on Mrs. Lizzie King, wife of Isaac King
on the 31st day of August, 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 Anderson King.

WITNESSES TO MARK:
(Must be Two Witnesses.)

Tennessee Kincaid
R. B. Curran

Subscribed and sworn to before me this 23rd day of December, 1902.

J. C. Humphrey
NOTARY PUBLIC

MEMORANDA.

Billie G. Gator

(Date) *Sept 11* 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,

Tex ✓ Wife's name, *Frances Williams*

Choctaw ? *Yes* County *LeFlore* Year *96* No. *1443*

Chickasaw ? County Year Page *183*

Citizen by blood ? *Yes* Mother's citizenship *Yes*

Intermarried citizen ?

Married under what law ?

License filed this day

Names of children:

17 *Lizzie Williams* County *LeFlore* Year *95* Page *332* No. *12648*

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

✓ *Frances Williams* *LeFlore* *96* *1443*

4497

Choc 4498.

Solomon Hancock

4498

7-4498.

Wahkagoa, Indian Territory, November 18, 1908.

Solomon Hancock,

Wahkagoa, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Jefferson Lee Hancock, infant son of Solomon and Susie Hancock, born September 2, 1903; 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.

MEMORANDA.

Some State

(Date) *Sept 11* 1899.

13 Name *John A. ...*

Choctaw? *Yes* County *... 13* Year *96* No. *5121*

Chickasaw? County Year Page *1203*

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

Intermarried citizen?

Married under what law?

License filed this day,

23 Wife's name, *...*

Choctaw? *Yes* County *...* Year *11* No. *...*

Chickasaw? County Year Page *12*

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

1 *John A. ...* County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

21498

INDEXED

IN RE

Application for Enrollment of

INFANT CHILD

Jefferson Lee Hancock
as a citizen of

Nation.

Approved,

190

[Signature]
Commissioner.

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

[Signature]
ACTING CHAIRMAN

4478

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

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Jefferson Lee Hancock, born on the 9th day of September, 1902
(Here insert name of child)
Name of Father: Doloman Hancock, a citizen of the Choctaw Nation.
Name of Mother: Rusie Hancock, a citizen of the Choctaw Nation.
Post-office, Vireton, Ind. T.

AFFIDAVIT OF MOTHER.

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

I, Rusie Hancock, 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 Doloman Hancock, who is a citizen, by
Blood, of the Choctaw Nation, that a male child was
(male or female)
born to me on the 9th day of September, 1902; that said child has been
named Jefferson Lee Hancock, and is now living.

WITNESSES TO MARK
(Must be Two Witnesses) Dusie Hancock
M. J. Male
R. W. Snider

Subscribed and sworn to before me this 10th day of November, 1902
James E. Kenihan
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, Tennessee Kinkead, a Mid-wife, on oath state that I
attended on Mrs. Rusie Hancock, wife of Doloman Hancock
on the 9th day of September, 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 Jefferson Lee Hancock.

WITNESSES TO MARK:
(Must be Two Witnesses) Tennessee Kinkead
M. J. Male
R. W. Snider

Subscribed and sworn to before me this 10th day of November, 1902
James E. Kenihan
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 William Hancock, born on the 6 day of March, 1898
 Name of father: Solomon Hancock, a citizen of the Choctaw Nation.
 Name of mother: Susan Hancock, a citizen of the Choctaw Nation.
 Post Office: Vireton Ind. Ter.

AFFIDAVIT OF MOTHER.

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

I, Susan Hancock, 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 Solomon Hancock, who is a citizen, by blood, of the
Choctaw Nation; that a Male child was born to me on the 6th day
 of March, 1898; that said child has been named William Hancock
 and is now living.

Attest
L. G. Bannest

Subscribed and sworn to before me this

Susan Hancock
4th day of September, 1898
[Signature]
 Notary Public.
 Commissioner

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, Tennessee Kineade, a Midwife, on oath, state that I
 attended on Mrs. Susan Hancock, wife of Solomon Hancock
 on the 6th day of March, 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 William Hancock.

Attest
L. G. Bannest

Subscribed and sworn to before me this

Tennessee Kineade
4th day of September, 1898
[Signature]
 Notary Public.
 Commissioner

Choc 4499 Lula Dunagan

4499
bbhh

MEMORANDA.

(Date) Sept 4 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.

25 X Wife's name, Lula Dunagan

Choctaw ? yes County Jobuskey Year 96 No. 3320

Chickasaw ? County Year Page 80

Citizen by blood ? yes Mother's citizenship us

Intermarried citizen ?

Married under what law ?

License filed this day

Names of children:

8 v Thomas C. Dunagan County Jobuskey Year 96 Page 80 No. 3323

5 # Mildred A. County Year Page No. 3324

2 Maggie G. County Year Page No.

County Year Page No.

County Year Page No.

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 Lula Dunagan
v " " Clay " "
" " Mabel " "

v As to marriage of parents see enrollment of Talitha Rozelle

4499

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
 of Maggie Gurtinela Dunagan, born on the 16 day of March, 1897.
 Name of father: D W Dunagan, a citizen of the Choctaw Nation.
 Name of mother: Sula Dunagan, a citizen of the Choctaw Nation.
 Post Office: Center Ind Territory

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Southern District.

I, Sula Dunagan, 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 D N Dunagan who is a citizen, by Marriage, of the
Choctaw Nation; that a Girl child was born to me on the 16 day
 of March, 1897; that said child has been named Maggie Gurtinela Dunagan
 and is now living.

Subscribed and sworn to before me this 12 day of Sept, 1899.

John H. West
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Central District.

I, Irving J Stanton, a midwife, on oath, state that I
 attended on Mrs. Sula Dunagan, wife of D N Dunagan
 on the 16 day of March, 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 Maggie Gurtinela Dunagan

Subscribed and sworn to before me this 4 day of Sept, 1899.

Irving J Stanton
Frank Smith
 Notary Public

4500
Choc Theron J. Ryan

4500

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,
 of *Roy C. Ryan* born on the *3rd* day of *April*, 1899
 Name of father: *Theron J. Ryan* a citizen of the *Choctaw* Nation.
 Name of mother: *Hannie T. Ryan* a citizen of the *Choctaw* Nation.
 Post Office: *Savanna St*

AFFIDAVIT OF MOTHER.

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

I, *Hannie T. Ryan* 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 *Theron J. Ryan* who is a citizen, by *Blood*, of the
Choctaw Nation; that a *Boy* child was born to me on the *3rd* day
 of *April*, 1899; that said child has been named *Roy C.*
 and is now living.

Subscribed and sworn to before me this

20th day of *April*, 1899

W. H. Culbertson
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, *Lela E. Dawson* a *Midwife* on oath, state that I
 attended on Mrs *Hannie T. Ryan* wife of *Theron J. Ryan*
 on the *3rd* day of *April*, 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 *Roy C.*

Lela E. Dawson

Subscribed and sworn to before me this

20th day of *September*, 1899

W. H. Culbertson
 Notary Public.

IN RE

Application for Enrollment of

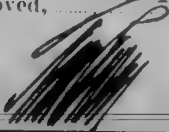
INFANT CHILD

Prillanette Ryan
as a citizen of

Choctaw

Nation.

Approved, **JUL 15 1901** 190




Commissioner.

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

FILED

JUL 15 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 Willamette, born on the 12th day of June, 1901
(here insert name of child)
Name of Father: J. Ryan, a citizen of the Choctaw Nation.
Name of Mother: Annie Ryan, a citizen of the Choctaw Nation.
Post-office: Savanna

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Annie Ryan, on oath state that I am 29
years of age and a citizen, by Blood of the Choctaw Nation;
that I am the lawful wife of J. Ryan, who is a citizen, by
Blood, of the Choctaw Nation, that a Female child was
(male or female)
born to me on the 12th day of June, 1901, that said child has been
named Willamette, and is now living.

WITNESSES TO MARK
(Must be Two Witnesses)
[Signature]

Annie Ryan

Subscribed and sworn to before me this 9th day of July, 1901.
W. S. Curberton
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, D. O. Rose, a Physician, on oath state that I
attended on Mrs. Annie Ryan, wife of J. Ryan,
on the 12 day of June, 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 Willamette.

WITNESSES TO MARK:
(Must be Two Witnesses)
[Signature]

D. O. Rose

Subscribed and sworn to before me this 9th day of July, 1901.
W. S. Curberton
NOTARY PUBLIC.

Muskogee, Indian Territory, July 15, 1901.

Mr. T. J. Ryan,

Savanna, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Williamette Ryan, the infant daughter of T. J. and Annie Ryan, born June 12, 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,

7-4500.

Acting chairman.

MEMORANDA.

J. McGehee

(Date) *Sept 21* 1899.

27

Name *John H. ...*

Choctaw? *Yes* County *Washington* Year *1892* No. *10762*

Chickasaw? County Year Page *226*

Citizen by blood? *Yes* Mother's citizenship *None*

Intermarried citizen?

Married under what law?

License filed this day,

27

Wife's name, *...*

Choctaw? *Yes* County *Washington* Year *1892* No. *10762*

Chickasaw? County Year Page *226*

Citizen by blood? *Yes* Mother's citizenship *None*

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

Names of children:	County	Year	Page	No.
<i>5 # ...</i>	<i>Washington</i>	<i>1892</i>	<i>316</i>	<i>10762</i>
<i>3 = Lela E. ...</i>	<i>Washington</i>	<i>1892</i>	<i>...</i>	<i>10762</i>
<i>4 mrs. Mary C. ...</i>	<i>Washington</i>	<i>1892</i>	<i>...</i>	<i>...</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.

v

=

Lela E. ...

4500

choc 4501 Eddie Waldron

4501

COMMISSIONERS:
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRACKENRIDGE,
W. E. STANLEY.

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

Choctaw-4501

ALLISON I. ZYLLWORTH,
SECRETARY.

ADDRESS ONLY OFFICE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 6, 1904.

Mr. Eddie Waldron,

McAlester, Indian Territory.

Dear Sir:

You are hereby notified 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 in connection with the allotment of lands of the Choctaw-Chickasaw Nations to Eddie Waldron and Alonzo D. Williams until the Commission is further instructed by the Secretary of the Interior.

Respectfully,

Commissioner in Charge.

MEMORANDA.

(Date) Sept 11 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:

5-
16^{2nd}

County Year Page No.

Williams County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.


4501

BEFORE THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Eddie Waldron and Alonzo D. Williams as citizens by blood of the Choctaw Nation, Choctaw Field No. 4501.

We hereby request, on behalf of the Choctaw and Chickasaw Nations, that no further action be taken in connection with allotment of lands to these persons until final decision by the Choctaw and Chickasaw Citizenship Court in the case of Julia London, et al., vs. Choctaw and Chickasaw Nations, No. 55 on the South McAlester Docket, in which the said court will decide the question of what compliance, by the applicants or their ancestors, with the third or the fourteenth articles of the treaty of 1830 was necessary in order to be entitled to enrollment and to participation in the distribution of tribal property of the Choctaws and Chickasaws, 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.

I, Liberty X Williams, on oath, state that I am 67 years of age and a citizen of the United States; that I am the lawful husband of Johanna Williams deceased a citizen by blood of the Choctaw Nation; that on the 25, day of March 1897 a boy child was born to us; that said child has been named Alonzo David Williams; that at the time the child was born I was unable to get a Doctor or Midwife to attend my wife; and that on the 28 day of August 1899, my wife died.

Liberty X Williams
.....

Subscribed and sworn to before me this 5, day of September, 1899.

Frank Smith.....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 Alonzo David Williams born on the 25 day of March, 1897.
 Name of father: Liberty X Williams, a citizen of the United States Nation.
 Name of mother: Johanna Williams, a citizen of the Choctaw Nation.
 Post Office: Wallerston S.S.

AFFIDAVIT OF MOTHER.

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

I, _____, on oath, state that I _____ 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 _____, 1 _____; that said child has been named _____,
 and is now living.

Subscribed and sworn to before me this _____ day of _____, 1 _____.

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 4502 COOPER Surratt

4502

Muskegee, Indian Territory, March 21, 1901.

Cooper Surratt,

Whitefield, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Julia Lee Surratt, the infant daughter of Cooper and Pauline Surratt, born August 22nd 1900, and the same is returned to you herewith for the reason that the Commission is unable to identify the mother of this child as listed for enrollment as a citizen of the Choctaw Nation.

It is stated in the affidavit of the mother that she is 37 years of age and a citizen by blood of the Choctaw Nation. If this is true you are requested to state when and where she appeared before the Commission as an applicant for enrollment, her name at that time, the names of other members of her family making application and any other information that may lead to her identification.

You are also requested to furnish the Commission with either the original or a certified copy of the marriage license and certificate between yourself and your wife as authority for the changing of her name upon our records from her maiden name to her married name of Surratt.

Upon receipt of the information requested above and the evidence of your marriage to Pauline Surratt, and the return of the

Cooper Surratt 2---

application for the enrollment of your child, the matter will
receive proper attention.

Yours truly,

Acting Chairman.

7-4502.

Enc y

Muskogee, Indian Territory, April 12, 1901.

Mr. J. H. Newbern,
Notary Public,

Whitefield, Indian Territory,

Dear Sir:-

Under date of March 21, 1901, receipt was acknowledged to Cooper Surratt, Whitefield, Indian Territory, by the Commission, of the application for enrollment of an infant child, the daughter of Cooper and Pauline Surratt, born August 22, 1900, and the same was returned to Cooper Surratt for the reason that the Commission was unable to identify the mother of the child as listed for enrollment as a citizen of the Choctaw Nation.

It was stated in the affidavit of the mother that she was 37 years of age, a citizen by blood of the Choctaw Nation, and Cooper Surratt was requested to state as to when and where said Pauline Surratt appeared before the Commission as an applicant for enrollment, giving her name at that time and the names of other members of her family and such other information as he might be in position to give that would lead to her identification. The Commission also requested that either the original of a certified copy of the marriage license between the parties be furnished, as authority to the Commission for changing her name upon the records from that of her maiden name to that of her married name of Surratt and that upon receipt of the information, as requested, and the affidavits of marriage, together with the return of the application for the

J.H.Newbern-----2

enrollment of the child the matter would receive further consideration.

The Commission is now in receipt of a letter, without date, signed "Pauline White" which reads as follows:-

"I return herewith my corrected application for enrollment of my child, Julia Lee White, with the statement that I was laboring under a misapprehension of what was required of me when I sent the first application, and had the necessary changes made by the notary public here. I have been enrolled."

From this information the Commission is now enabled to fully identify Pauline White as being listed as a citizen of the Choctaw Nation by blood, but is in doubt as to the relationship existing between her and Cooper Surratt, who it is claimed is the father of the child Julia Lee White.

The application for enrollment as a citizen of the Choctaw Nation of Julia Lee White is, therefore, returned to you for the reason that it cannot be accepted in its present condition by the Commission.

There is enclosed you herewith a blank birth certificate for the enrollment of the child, Julia Lee White, and in having the same executed be careful to see that all blanks are properly filled and all names written in full, and, if the father and mother of this child are not lawfully married, that fact should be made to appear in the affidavit of the mother to the birth of this child. Upon the return of the application properly executed, as indicated herein, the matter of enrollment of the child will receive further consideration.

Yours truly,

7-3168

7-4508

T. S. W. 107-----D. C.

Acting Chairman.

7-3168
7-5402
45

Muskogee, Indian Territory, December 11, 1902.

Pauline White,
Whitefield, Indian Territory.

Dear Madam:

On April 12, 1901, the Commission returned to J. H. Newbern of Whitefield, the application for enrollment as a citizen by blood of the Choctaw Nation of Julia Lee White, for information concerning the relationship between yourself and Cooper Surratt, the father of the child. This application has not since been received by the Commission and hence, 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 for her enrollment, and state whether or not you are the wife of Cooper Surratt, and if so you should forward evidence of your marriage, either in the form of your original marriage certificate, or a certified copy thereof.

This matter should receive your immediate attention.

Respectfully,

B.C.
Env.

Acting Chairman.

MEMORANDA.

(Date) July 11 1899.

36

Name W. A. P.

Choctaw ? County Year 96 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 :

<u> </u>	County <u> </u>	Year <u> </u>	Page <u> </u>	No. <u> </u>
<u> </u>	County <u> </u>	Year <u> </u>	Page <u> </u>	No. <u> </u>
<u> </u>	County <u> </u>	Year <u> </u>	Page <u> </u>	No. <u> </u>
<u> </u>	County <u> </u>	Year <u> </u>	Page <u> </u>	No. <u> </u>
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<u> </u>	County <u> </u>	Year <u> </u>	Page <u> </u>	No. <u> </u>
<u> </u>	County <u> </u>	Year <u> </u>	Page <u> </u>	No. <u> </u>
<u> </u>	County <u> </u>	Year <u> </u>	Page <u> </u>	No. <u> </u>
<u> </u>	County <u> </u>	Year <u> </u>	Page <u> </u>	No. <u> </u>
<u> </u>	County <u> </u>	Year <u> </u>	Page <u> </u>	No. <u> </u>

W. A. P.

Choc 4503 Anna Aduddell
Carl Aduddell

4503

John L. Aduddell transferred from
Choctaw Jacket # D-428 OCT 31, 1904

In the matter of the application for the enrollment of
John L. Muddell as a citizen by intermarriage of the Choctaw Nation.

7-D-428.

Commission to the Five Civilized Tribes,
South McAlester, Ind. Ter.

In the enrollment of John L. Aduddell as an intermarried Choctaw; being sworn and examined by com'r McKennon he states:

- Q What is your name? A John L. Aduddell.
- Q How old are you? A Twenty-five.
- Q You present here a marriage license issued by the Clerk of Tobucksy county, Choctaw Nation, dated May 15th 1899, to marry Miss Anna Frazier, were you married to her before that time?
- Q Yes sir, I was married under the United States law first.
- Q When? A That was April 10th, 1898.
- Q Were you separated or divorced from her? A No sir.
- Q This then was a second marriage? A Yes sir.
- Q Her name then was not Anna Frazier when you married her the last time, but Anna Aduddell? A Yes sir.

Department of the Interior,
Commission to the Five Civilized Tribes.
I hereby certify from my official notes
stenographer and for the Commission, that this
transcript is a true and correct translation of
my stenographic notes.

M. J. Green

2

COMMISSIONERS
HENRY L. DAWES.
TAMM BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON I. AYLESWORTH.
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES. Choctaw D-428.

Muskogee, Indian Territory, March 3, 1902.

John L. Aduddell,

Scipio, Indian Territory.

You are hereby notified that the application of Yourself
for enrollment as a citizen of the Choctaw Nation will be taken
up for final consideration by the Commission to the Five Civil-
ized Tribes, at its office in Muskogee, Indian Territory, on
the 11th day of April, 1902.

On said date you may, if you desire, appear before the Commis-
sion in person or by attorney when an opportunity will be given
you to introduce any additional testimony affecting said appli-
cation which you may think proper or necessary.

You are further notified that the representatives of the
Choctaw Nation will also, at the same time, be afforded an op-
portunity to introduce testimony affecting your right to en-
rollment, but said representatives will be required to notify
you of their intention to introduce such testimony before they
will be permitted to do so.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES,

Register.

T. B. Needles.

Commissioner in Charge.

Department of the Interior.
Commission to the Five Civilized Tribes.

In the matter of the application of
John L. Aduddell for enrollment as an
intermarried citizen of the Choctaw
Nation.

---D 488---

On the 3rd 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 notified by registered mail, that the application of John L. Aduddell 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 11th day of April, 1902, for final consideration.

Now, on this 11th 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 either in person or by attorney.

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 11th 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 12th day of April, 1902.

Charvitchell Wood
Notary Public.

Department of the Interior.
Commission to the Five Civilized Tribes.
South McAlester, I. T., December 22nd, 1902.

Choctaw D-428
Intermarried

-----oOo-----

In the matter of the application of John L. Aduddell for enrollment as an intermarried citizen of the Choctaw Nation.

John L. Aduddell being first duly sworn testified as follows:

Examination by the Commission.

- Q What is your name? A John L. Aduddell.
Q How old are you? A Twenty-eight years old.
Q What is your post office address? A Scipio.
Q How long have you resided in the Choctaw Nation? A I have been here eleven years.
Q Have you lived here continuously for the past eleven years? A Yes sir.
Q Never made your home elsewhere? A No sir.
Q You are a white man? A Yes sir.
Q An applicant for enrollment as an intermarried citizen of the Choctaw Nation? A Yes sir.
Q Was you prior to your marriage to a Choctaw woman a citizen of the United States? A Yes sir.
Q What is the name of your Choctaw wife? A Annie A. Frazier.
Q Is she a recognized citizen by blood of the Choctaw Nation? A Yes sir.
Q When were you married to her? A Married in '98.
Q Were you ever married before you married her? A No sir.
Q Was she ever married before she married you? A No sir.
Q Were you married to her in accordance with the tribal laws of the Choctaw Nation? A Yes sir.
Q Did you obtain a tribal license? A Yes sir.
Q How much did you pay for that license? A \$100.
Q Were you ever married before you married her under the Choctaw tribal license? A Yes sir, I was married to her under the United States law first, and then afterwards married under a Choctaw license.
Q How long before your Choctaw marriage? A It was just a little but over a year.
Q How long did you live with this woman after your marriage to her? A After I first married?
Q Yes sir? A Eighteen months to a day.
Q Was there any separation, desertion or divorce up to the time of her death? A No sir.
Q She is now dead is she? A Yes sir.

John L. Aduddell-----2

- Q When did she die? A October 10, '99.
Q Have you since the death of your Choctaw wife remarried? A Yes sir.
Q When? A I married a year ago last May.
Q Who did you marry? A Married a white woman.
Q Under a Choctaw license? A No, according to the United States law.
Q What was your wife's name? A Josie Conn.
Q She had no rights as a citizen by blood of the Choctaw Nation?
A No sir.
Q White woman? 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 22nd 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 10 day of February, 1903.

Charles H. Sawyer

Notary Public.

I do Solemnly Swear that I will honor
 defend and submit to the Constitution and
 laws of the Choctaw Nation and will neither
 claim nor seek from the United States
 Government or from the judicial tribunals
 thereof any protection privilege or redress incom-
 patible with the same as guaranteed to the
 Choctaw Nation by the treaty Stipulation
 Entered into between them So help me God.

J. L. Adkels

Sworn and subscribed to before me this
 15th Day of May A.D. 1899

A. M. McClure

County and probate clerk of
 Iobuckley County
 Choctaw Nation

10428
 Marriage License
 Marriage Certificate
 John L. Adkels
 to
 Anne Frazier

Filed in my office
 for Record and
 duly recorded in book
 D. page 235 of
 Iobuckley County
 Court records
 this 20th day of
 May 1899
 A. M. McClure
 Clerk of
 Iobuckley County

Marriage License.

THE CHOCTAW NATION,

Indian Territory,

TOBUCKSY COUNTY.

SS.

To any Minister of the Gospel, Judge or any person in the Choctaw Nation authorized to solemnize the rites of matrimony,
GREETING:

Whereas, John L Adudle a citizen of the United States, has duly made application to the undersigned, Clerk of the County and Probate Court, within and for the County of Tobucksy, Choctaw Nation, for a license to enter into the Bonds of Matrimony with Miss Anna Frazier a citizen of the Choctaw Nation. And the undersigned being satisfied that the said John Adudle is a suitable person to be granted license to enter into the Bonds of Matrimony with the said Miss Anna Frazier

Now, I therefore grant unto the Said John Adudle a license to marry the said Miss Anna Frazier. And any Minister of the Gospel, Judge or any person authorized to solemnize the rites of Matrimony, is hereby authorized to join in Matrimony the said John L Adudle and the said Miss Anna Frazier

In testimony whereof I, A. W. McClure County and Probate Clerk, in and for the County of Tobucksy, Choctaw Nation, have hereunto set my hand and seal of said Court, this 15th day of May A. D. 1899
A. W. McClure Clerk.

By D. C. of Tobucksy County, C. N.

CERTIFICATE OF MARRIAGE.

CHOCTAW NATION,

County.

I, S. W. Coleman

A. Minister of the Gospel

do hereby certify, that on the 16th day of May A. D. 1899. 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 16th day of May A. D. 1899.

My credentials are recorded in the office of the Clerk of the United States Court at So. Mcalister Book 13 Page 56
S. W. Coleman
A. Minister

MF

7-3-422.

A PART OF THE PROVISIONS,
OF THE ACT TO INTERMARRY WITH THE
CHOCCTAW NATION.

In the matter of the application for the enrollment of
John L. Aduddell as a citizen by intermarriage of the Choctaw
Nation.

--: D I C I O N A R Y :--

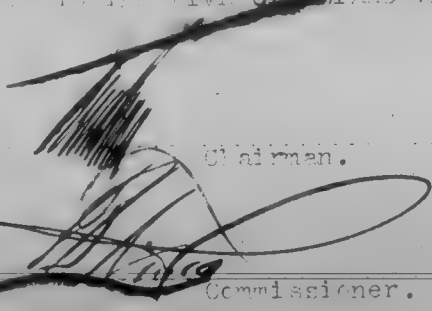
It appears from the record herein that on the 10th of
the applicant, John L. Aduddell, was married in accordance with
the laws, and customs, usages of the Choctaw Nation to Anna
Aduddell (nee Frazier), a recognized citizen by blood of the
Choctaw Nation, who is identified upon the 1898 Choctaw Census
Roll, Tobucksy County, number 4811, enrolled therein as a citizen
by blood of said nation; 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 contin-
ually from the date of said marriage until the death of the said
Anna Aduddell on October 10, 1909; that the applicant, John L.
Aduddell, was married to Josie Conn a white woman, having
no rights of Choctaw citizenship by blood; that the applicant
had been a resident in good faith of the Choctaw Nation from the
date of his said marriage with the said Anna Aduddell up to and
including September 25, 1902.

It is, therefore, the opinion of this Commission that
following the ruling of the Department in the case of Thornton L.
Pearce (I. T. D. 4060-1904), relative to the question of forfeiture,
John L. Aduddell should be enrolled as a citizen by intermarriage
of the Choctaw Nation, in accordance with the provisions of the

- 2 -

Acts of Congress approved June 28, 1898 (30 Stat., 405) and July 1, 1900 (32 Stat., 841), and it is so ordered.

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.


Chairman.

Commissioner.


Commissioner.

Fortoree, Indian Territory,

7-2-28

Fortage, Indian Territory, October 15, 1904.

John L. Russell, COPY.

Scipio, Indian Territory.

Dear Sir:

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,

Tams Dixby.

Chairman.

Registered.

Incl. 7-D-426.

7-D-428

Muskogee, Indian Territory, October 15, 1904.

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 this Commission, rendered October 15, 1904, granting the application for the enrollment of John L. Aduddell 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.

Incl. 7-D-428.

See 7-D-4 for registry receipt for this letter.

United States of America
Indian Territory
Central District
I, B. L. Adams, on oath & State that it is
impossible for J. L. Aduddell to procure the
affidavit of his Wife to the Birth of his
child. J. L. Aduddell, the Mother of
A Aduddell - having died on the 10th day
of October, 1899. I was her attending
Physician at the time of her death.

Subscribed & Sworn to before me at Ship's Indian
Territory this the 25th day of October 1899.

H. B. Williams
Notary Public.

How

IN RE
THE DEATH OF

Annie Aduddell

a citizen of the

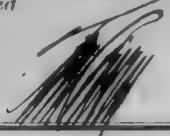
Choctaw

Nation.

Approved

MAR 25 1901

1

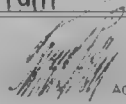


Commissioner.

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

FILED

MAR 27 1901



ACTING CHAIRMAN

CHOCTAW.

7-4503

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Annie Aduddell
(Here insert name of deceased.)
 a citizen of the Choctaw Nation, who formerly resided at or near
Scipio, Ind. Ter., and died on the 10 day of October,
1899.
(Here insert name of post office.)

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,)

INDIAN TERRITORY,)

Central District.)

I, David Choate, on oath state that I am 21
 years of age and a citizen, by Blood, of the Choctaw Nation;
 that my post office address is Topsy, Ind. Ter.; that I am
Half Brother of Annie Aduddell
(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 Annie Aduddell died on the 10 day of
October, 1899.
(Here insert name of deceased.)

WITNESSES TO MARK

David Choate

(Must be Two Witnesses.)

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

L. F. Hesk

Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,)

INDIAN TERRITORY,)

Central District.)

I, David D. Anderson, 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 Scipio, Ind. Ter.;
(Here insert name of post office.)
 that I was personally acquainted with Annie Aduddell
(Here insert name of deceased.)
 who was a citizen, by Blood, of the Choctaw Nation;
 and that said Annie Aduddell died on the 10th day of
October, 1899.
(Here insert name of deceased.)

WITNESSES TO MARK

David D. Anderson

(Must be Two Witnesses.)

Subscribed and sworn to before me this 21st day of March 1901.

R. S. Coleman

Notary Public.

MEMORANDA.

Do not delete

(Date)

Sept 11

1899.

35-Ne
X

Name *L. L. Dudderell*

Choctaw? *yes* County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship *OK*

Intermarried citizen? *yes*

Married under what law? *OK*

License filed this day, *Sept 11*

51 ✓ Wife's name, *L. L. Dudderell*

Choctaw? *yes* County *Choctaw* Year *96* No. *11*

Chickasaw? County Year Page *77*

Citizen by blood? *yes* Mother's citizenship *OK*

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

7mo

Name	County	Year	Page	No.
<i>L. L. Dudderell</i>				
	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.
	County	Year	Page	No.

*✓ Can call for ...
✓ See the ...*

*8428-90
4503*

Department of the Interior,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,
of Carl Aduddell born on the 18 day of January, 1899.
Name of father: J. L. Aduddell, a citizen of the Cherokee Nation.
Name of mother: Annie A. Aduddell, a citizen of the Cherokee Nation.
Post Office: Scipio I.T.

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 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, }
District. }

I, J. L. Adams, a Physician, on oath, state that I
attended on Mrs. Annie A. Aduddell, wife of J. L. Aduddell
on the 18 day of Jan, 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 Carl Aduddell.

Subscribed and sworn to before me this _____ day of _____, 1899

J. L. Adams M.D.
N. B. Cotton
Notary Public.

Muscogee, Indian Territory,

August 18th, 1900.

John L. Aduddell,

Scipio, 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-428.

Muskogee, Indian Territory, September 18, 1900.

John L. Aduddell,

Scipio, 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.

Muskegee, Indian Territory, March 13, 1901.

Mr. Jno. L. Aduddell,
Scipio, Indian Territory,

Dear Sir:-

The Commission has information of the death of your wife, Anna Aduddell, subsequent to the time application was made for her enrollment, September 4, 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.

Muskegee, Indian Territory, April 6, 1901.

Mr. David Cheate,
Scipio, Indian Territory.

Dear Sir:-

The Commission is in receipt of your affidavit relative to the death of your half sister Annie Adaudell, which occurred October 10, 1899, and the same being in proper form is duly filed with the records of this Commission.

Yours truly,

Acting Chairman.

7- 4503.

Muskogee, Indian Territory, July 26, 1901.

Mr. John L. Aduddell,

Scipio, Ind, Ter.

Dear Sir:

Information has been received at this office of the death of your wife, Anna Aduddell, subsequent to the time application was made for her enrollment, September 4 1899.

For the purpose of making the fact of her death a matter of record there is inclosed 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 affidavit sworn to before a notary public. Should the relative and acquaintance making affidavit, be unable to write, and their signatures are by mark, such signatures must 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. Please give this matter prompt attention.

Yours truly,

7-4503
env
D. C.

Commissioner in Charge.

Muskogee, Indian Territory, August 9, 1901.

Mr. John L. Aduddell,
Scipio, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 5th instant, in which you state that you received a letter written by this office on July 26, 1901, relative to the death of your wife, Anna Aduddell. You further state that you forwarded proof of the death of your wife to this office March 17, 1901, and request to be advised whether or not the same was received .

You are informed that proof of death of Anna Aduddell was filed in this office, March 27, 1901. Through some oversight, record of her death was not entered; hence our request of July 26th.

You are now advised that the records in the matter have been properly corrected.

Yours truly,

7-4503

Commissioner in Charge.

Choctaw D 423

Muskogee, Indian Territory, March 25, 1902.

John L. Aduddell,
Scipio, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 14th instant, in which you desire to know on what ~~ground~~ your right to enrollment as an intermarried citizen of the Choctaw Nation, is questioned.

Replying to your letter you are informed that the question raised by the legal representatives of the Choctaw Nation, is as to your right to enrollment under your second marriage, you having first married Anna Frazier under United States law and afterwards married her under a Choctaw license issued by A. W. McClure, Clerk of Tobucksy County.

As stated in our communication of the 3rd instant, the matter of your application for enrollment as a citizen of the Choctaw Nation will be taken up for final consideration by the Commission at Muskogee, Indian Territory, on April 11, 1902, at which time an opportunity will be given you to introduce any additional evidence that you deem necessary or proper.

Yours truly,

7-D-427

Muskogee, Indian Territory, November 26, 1904.

H. B. Milner,

South McAlester, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of November 21, 1904, returning a letter from the Commission to Mollie Engleman under date of November 23, 1900, and a statement of M. C. Reynolds relative to the marriage of Mollie Smith and Ed Buford, which you forward in order that we may determine the matter of evidence in the case of Mary Buford, an applicant for enrollment as a citizen of the Choctaw Nation.

The letter of the Commission enclosed with your communication is herewith returned, and you are requested to advise this office if Mollie Engleman and Mary Buford are the same person.

Respectfully,

EB 1-23

Commissioner in Charge.

Choc 4504 Nicholas Woolridge

4504

MEMORANDA.

Asnicable

(Date) *Sept 14* 1899.

25

Name *Wm. M. ...*

Choctaw? *Yes* County *De Kalb* Year *76* No. *12702*

Chickasaw? County Year Page

Citizen by blood? *Yes* Mother's citizenship *Chickasaw*

Intermarried citizen?

Married under what law?

License filed this day,

19

Wife's name, *...*

Choctaw? *Yes* County *De Kalb* Year *76* No. *12706*

Chickasaw? County Year Page *333*

Citizen by blood? *Yes* Mother's citizenship *Chickasaw*

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

12 *Henry* County *De Kalb* Year *76* Page *556* No. *12704*

11 *...* County Year Page No. *12705*

8 x *William* County Year Page No. *12707*

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

...

4564

CHOCTAW.

20

IN RE,

Application for Enrollment of

INFANT CHILD

Olson Lizzie Woolridge,

as a citizen of

Choctaw Nation.

Approved *DEC 10 1901* 190

[Signature]
Commissioner.

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

FILED

DEC 10 1901

[Signature]

ACTING CHAIRMAN

CHOCTAW.

504.

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

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
 of Flora Lizzie Woolridge, born on the 29th day of July, 1901.
(Here insert name of child.)
 Name of Father: Nicholas M. Woolridge a citizen of the Choctaw Nation.
 Name of Mother: Adeline Woolridge a citizen of the Choctaw Nation.
 Post-office Whitefield Ind. Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY
Central District.

I, Adeline Woolridge, 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 Nicholas M. Woolridge, who is a citizen, by
blood, of the Choctaw Nation; that a female child was
(male or female.)
 born to me on 29th day of July, 1901; that said child has been
 named Flora Lizzie Woolridge, and is now living.

WITNESSES TO MARK: Adeline Woolridge
 (Must be Two Witnesses.)

Subscribed and sworn to before me this 30th day of November, 1901.
J. H. Newbern
NOTARY PUBLIC
My Comm. expires 10th May, 1904.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY
Central District.

I, Asa B. Calloway, a Physician, on oath state that I
 attended on Mrs. Adeline Woolridge, wife of Nicholas M. Woolridge
 on the 29th 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 Flora Lizzie Woolridge.

WITNESSES TO MARK: Asa B. Calloway M.D.
 (Must be Two Witnesses.)

Subscribed and sworn to before me this 2nd day of December, 1901.
J. H. Newbern
NOTARY PUBLIC
My Comm. expires 10th May, 1904.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
 of Agnes Woolridge, born on the 9 day of October, 1899.
 Name of father: Nicholas Woolridge, a citizen of the Choctaw Nation.
 Name of mother: Adeline Woolridge, a citizen of the Choctaw Nation.
 Post Office: Whitefield

AFFIDAVIT OF MOTHER.

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

I, Adeline Woolridge 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 Nicholas Woolridge who is a citizen, by blood, of the
Choctaw Nation; that a Female child was born to me on the 9 day
 of October, 1899; that said child has been named Agnes Woolridge,
 and is now living.

attest, witness
N.M. Woolridge 1 Adeline Woolridge
N.M. Shiner
 Subscribed and sworn to before me this 20 day of November, 1899.
E. Hester
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, A. B. Cooney, a Physician, on oath, state that I
 attended on Mrs. Adeline Woolridge wife of Nicholas Woolridge
 on the 9 day of October, 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 Agnes Woolridge.

1 A. B. Cooney, M.D.
 Subscribed and sworn to before me this 20 day of November, 1899.
 2 E. Hester
 Notary Public.

Coin ex parte
May 5-1901

COMMISSIONERS

HENRY L. DAWES,
TAMM HIXBY,
ALEXANDER S. MCKENNON,
THOMAS B. NEEDLES,
ALFRED T. ATENBORTH, Secretary

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

Muslogee, Indian Territory, January 17, 1900.

Mr. Nicholas Woolridge,
Whitefield, Indian Territory,

Dear Sir:

There is returned to you herewith the birth certificate forwarded to the Commission in the matter of the application for the enrollment of your daughter Agnes. You will observe that the affidavit of the mother, Adeline, is not signed by her. When her signature has been attached and is attested by one additional witness, the certificate should be returned to the Commission when it will be filed.

Yours truly,

Acting Chairman.

Inclosure-14.

Muskogee, Indian Territory, December 10, 1901.

Nicholas M. Woolridge,

South McAlester, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 6th instant, enclosing the application for enrollment as a citizen of the Choctaw Nation of Flora Lizzie Woolridge, the infant daughter of Nicholas M. and Adeline Woolridge, born July 29, 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.

Yours truly,

Commissioner in Charge.

7-4504

Choctaw 4504.

Muskogee, Indian Territory, June 28, 1904.

N. H. Woolridge,

Reff, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 17, addressed to the United States Indian Agent, in which you ask relative to filing on land for your brother, who is a minor.

You are informed that if you will state the name of the brother to whom you refer, the matter of your inquiry will receive further consideration.

Respectfully,

Commissioner in Charge.

Choc 4505 James A. Boatwright

4505

CORRECTION

THIS DOCUMENT
HAS BEEN
REPHOTOGRAPHED
TO ASSURE
LEGIBILITY

Choc 4505 James A. Boatwright

4505

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--

ZENA BOATWRIGHT, 7-4505.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Pauls Valley, Indian Territory, October 24, 1902.

In the matter of the application for enrollment of Zena Boatwright as a citizen by intermarriage of the Choctaw Nation.

Said Zena Boatwright, being first duly sworn, testified as follows:

Examination by the Commission.

- Q What is your name? A Zena Boatwright.
Q How old are you? A Thirty-three years old.
Q What is your postoffice address? A Okra, Chickasaw Nation.
Q How long have you lived in the Chickasaw Nation? A Three years-- will be in January.
Q Where did you live before that? A Choctaw Nation.
Q How long did you live there? A Twenty-years.
Q Lived in the Choctaw Nation until three years ago when you moved to the Chickasaw Nation? A Yes sir.
Q You are a white woman, are you? A Yes sir.
Q An applicant for enrollment as an intermarried Choctaw? AA Yes sir.
Q What is the name of your Chickasaw husband? A J. H. Boatwright.
Q He is a recognized citizen by blood of the Choctaw tribe? A Yes sir.
Q Always has been? A Yes sir.
Q His rights have never been questioned? A No sir.
Q When did you marry him? A In '88.
Q Where? A McAlester.
Q Were you ever married before you married him? A No sir.
Q Had he ever been married before he married you? A No sir.
Q Were you married under a license? A No sir, married according to the Choctaw law--I've got my certificate.
Q You were admitted by the Dawes Commission in 1896, were you?
A Yes sir.
Q You made application and was admitted as an intermarried citizen in 1896? A Yes sir.
Q At the time you married J. H. Boatwright you were both residents of the Choctaw Nation? A Yes sir, I've been raised in the Choctaw Nation.
Q Since your marriage in 1888 have you lived with him continuously?
A Yes sir.
Q Been no separation, desertion or divorce? A No sir.
Q You and your husband are now living together as man and wife as actual, bona fide residents of the Choctaw-Chickasaw country? A Yes sir.

Ira S. Niles, being first duly sworn, states that as stenographer

Zena Boatwright-2

to the Commission to the five civilized Tribes he reported in full all proceedings had in the above entitled cause, heard at Pauls Valley Indian Territory, October 24, 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.

J. A. P. P. P.

Subscribed and sworn to before me this the 7 day of November, 1902.

C. L. Stephens
Notary Public.

7 - 4505.

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

In the matter of the application for the enrollment of Zena Boatwright as a citizen by intermarriage of the Choctaw Nation.

DECISION.

It appears from the record in this case that Zena Boatwright made personal application for enrollment as a citizen by intermarriage of the Choctaw Nation, claiming her right thereto by virtue of her marriage with James H. Boatwright, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as No. 12507 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 March 6, 1903.

It further appears from the records of the Commission that on September 8, 1896, in the case entitled "Zenia Boatwright vs. Choctaw Nation," (Choctaw Citizenship Docket, case No. 907), 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 the said James H. Boatwright, and on December 4, 1896, the said Zena Boatwright 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 Zena Boatwright 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.

JUL 1 1902

COPY

COPY.

Indian Affairs, Bureau of Indian Affairs, June 21, 1906.

Dear Madam:
Commissioner of Indian Affairs.

Enclosed herewith you will find a copy of the decision of the Commission, numbered 256, 26, 1906, granting your application for identification as a citizen 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 MFC 3/28

Choctaw 4505

Muskogee, Indian Territory, July 28, 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 28, 1903, granting the application of Zena Boatwright 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. D. Needles.
Commissioner in Charge.

Registered.

Enc MYC 4/28

MEMORANDA.

(Date) Feb 11 1899

30 ✓

Name John H. Bright

Choctaw? 48 County W. Adams Year 1886 No. 136

Chickasaw? County Year Page 24

Citizen by blood? Mother's citizenship None

Intermarried citizen?

Married under what law?

License filed this day,

30 x

Wife's name, John Bright

Choctaw? 48 County W. Adams Year 1886 No. 136

Chickasaw? County Year Page 381

Citizen by blood? Mother's citizenship

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

5

John H. Bright County W. Adams Year 1886 Page 24 No. 136

5 +

John H. Bright County W. Adams Year 1886 Page 24 No. 136

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

County Year Page No.

H 5 65

Choc 4506 Ruthy Mosely

4506

MEMORANDA.

(Date) 1899 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, W. H. ...

Choctaw ? County Year No. 3435

Chickasaw ? County Year Page 211

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.

all birth records

11506

7-4506.

IN RE
THE DEATH OF

Ruthy Mosby
a citizen of the

Choctaw Nation.

Approved  190

Commissioner.

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

FILED

OCT 24 1902



ACTING CHAIRMAN

CHOCTAW
4506.

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

In the matter of the death of Ruthy Mosby
(Here insert name of deceased.)
a citizen of the Choctaw Nation, who formerly resided at or near
Okra, Ind. Ter., and died on the 24th day of
May, 1900.
(Here insert name of post office.)

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, James H. Boatwright, on oath state that I am 33
years of age and a citizen, by blood, of the Choctaw Nation;
that my post office address is Okra, Ind. Ter.; that I am
the son of Ruthy Mosby,
(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 Ruthy Mosby died on the 24 day of
May, 1900.

WITNESSES TO MARK:

J H Boatwright

(Must be Two Witnesses.)

Subscribed and sworn to before me this 24 day of October, 1902.
C S Hamner
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, Zena Boatwright, on oath state that I am 33
years of age, and a citizen, by intermarriage of the Choctaw Nation;
that my post office address is Okra, Ind. Ter.;
that I was personally acquainted with Ruthy Mosby,
(Here insert name of deceased.)
who was a citizen, by blood, of the Choctaw Nation;
and that said Ruthy Mosby died on the 24 day of
May, 1900.

WITNESSES TO MARK:

Zena Boatwright

(Must be Two Witnesses.)

Subscribed and sworn to before me this 24 day of October, 1902.
C S Hamner
Notary Public.

Choc 4507 DAVID W. BOATWRIGHT

4507

Choc 4508 Thomas J. Boatwright

4508

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--

ALICE M. BOATWRIGHT, 7-4508.

Department of the Interior.
Commission to the Five Civilized Tribes.
South McAlester, I. T., December 24th, 1902.

Choctaw 4508
Intermarried

-----c0o-----

In the matter of the application of Alice M. Boatwright for enrollment as an intermarried citizen of the Choctaw Nation.

Alice M. Boatwright being first duly sworn testified as follows:

Examination by the Commission.

- Q What is your name? A Alice M. Boatwright.
Q How old are you? A Twenty-seven years old.
Q What is your post office address? A Coulson, I. T.
Q Choctaw Nation? A Chickasaw Nation.
Q Are you residing in the Chickasaw Nation? A Yes sir.
Q How long have you resided in the Chickasaw Nation? A About a month.
Q Where did you live before that? A Right here.
Q In the Choctaw Nation? A Yes sir.
Q How long have you lived in the Choctaw Nation? A Twelve years.
Q Lived here continuously for twelve years? A Yes sir.
Q Where were you born? A Kansas.
Q Born a citizen of the United States? A Yes sir.
Q You are an applicant for enrollment as an intermarried citizen of the Choctaw Nation? A Yes sir.
Q What is the name of your Choctaw husband? A Thomas J. Boatwright.
Q Is he a recognized and enrolled citizen by blood of the Choctaw Nation? A Yes sir.
Q When were you married to him? A 1893.
Q Was you ever married prior to that time? A No sir.
Q Was your husband ever married before he married you? A Yes sir.
Q How many times? A Once.
Q Is his first wife dead? A Yes sir.
Q You say you was married in 1893? A Yes sir.
Q Where were you living? A Savanna.
Q Husband living there to? A Yes sir.
Q Both of you had been living in the Choctaw Nation two years prior to your marriage? A Yes sir.
Q Who married you? A Mr. Treadwell.
Q You made application to the Dawes Commission to be admitted as an intermarried citizen in 1896? A Yes sir, my husband did.
Q Were you admitted? A Yes sir.
Q Any app eal taken from that decision? A No sir.
Q Have you since your marriage to Thomas J. Boatwright in 1893 lived with him continuously? A Yes sir.
Q Been no separation, desertion or divorce? A No sir.
Q Are you and your Choctaw husband now living together as man and wife and actual bona fide residents 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 24th 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.
Subscribed and sworn to before me this 10 day of February, 1903.

Charles H Sawyer

Albert G. McMillan
Notary Public.

7 - 4508.

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

In the matter of the application for the enrollment of Alice M. Boatwright as a citizen by intermarriage of the Choctaw Nation.

DECISION.

It appears from the record in this case that Alice M. Boatwright made personal application for enrollment as a citizen by intermarriage of the Choctaw Nation, claiming her right thereto by virtue of her marriage with Thomas J. Boatwright, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as No. 14432 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 April 11, 1903.

It further appears from the records of the Commission that on September 8, 1896, in the case entitled "Thomas J. Boatwright, et al. vs. Choctaw Nation," (Choctaw Citizenship Docket, case No. 892), 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 the said Thomas J. Boatwright, and on December 4, 1896, the said Alice M. Boatwright 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 Alice M. Boatwright 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,

JUL 21 1903

Muskogee, Indian Territory, July 23, 1903.

Alice L. Boatwright,

Muskogee, 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 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)

I. B. Neelley,
Commissioner in Charge.

Registered.

Enc. No 9-23

7-4508

COPY.

Muskogee, Indian Territory, July 23, 1903.

Mansfield, McHenry & Gornick,

Attorneys for the Choctaw and Chickasaw Nations,

Fort 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 Alice M. McHenry for enrollment as a citizen by int marriage of the Choctaw Nation.

You are hereby advised that you will be able to file a protest against this decision within this date to file protest against the action of the Commission in enrolling the applicant heretofore 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 10-23.

IN RE

Application for Enrollment of

INFANT CHILD

James Granville Boatwright
as a citizen of

Choctaw Nation.

Approved

~~SEP 30 1902~~

190

~~Commissioner.~~

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

SEP 30 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 James Granville, Born on the 23 day of Sept, 1902
(Here insert name of child.)
Name of Father: Thos. Boatwright a citizen of the Choctaw Nation.
Name of Mother: Allie May a citizen of the Choctaw Nation.
Post-office: Halleman Ia

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Allie May Boatwright 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 Thos. Boatwright, who is a citizen, by
Blood, of the Choctaw Nation; that a male child was
(male or female.)
born to me on 23rd day of September 1902 that said child has been
named James Granville and is now living.

(Must be Two
Witnesses.)

WITNESSES TO MARK:

Allie May Boatwright
W. G. Halleman
G. A. Halleman

Subscribed and sworn to before me this 24 day of Sept 1902
W. J. Clouston
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, A. J. Ross, a Physician, on oath state that I
attended on Mrs. Allie May Boatwright, wife of T. J. Boatwright
on the 23 day of Sept, 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 James Granville Boatwright.

(Must be Two
Witnesses.)

WITNESSES TO MARK:

A. J. Ross M.D.

Subscribed and sworn to before me this 24 day of Sept 1902
W. J. Clouston
NOTARY PUBLIC

MARRIAGE LICENSE.

STATE OF ARKANSAS.

COUNTY OF SEBASTIAN.

GREENWOOD 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.
F. J. Boatwright of the County of *Franklin*
 and State of *Arkansas* aged *Twenty five* years, and
 Mrs. *Elizabeth Easton* of the County of *Franklin*
 and State of *Arkansas* aged *Twenty three* 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 *2nd* day of
July 188*5*

J. W. McClure
 Clerk of the County Court.

By *J. A. McClure* D. C.

CERTIFICATE OF MARRIAGE.

STATE OF ARKANSAS,
 COUNTY OF SEBASTIAN

I, *B. J. H. Gaines* do hereby certify, that on the
2nd day of *July* A. D. 188*5*, 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.

My credentials are recorded in

B. J. H. Gaines
Sebastian County, Arkansas.

CERTIFICATE OF RECORD.

STATE OF ARKANSAS,
 COUNTY OF SEBASTIAN,
 GREENWOOD DISTRICT.

I, *J. W. McClure* Clerk of the County Court of said
 County, certify that the above License for, and Certificate of Marriage of *F. J. Boatwright*
 and *Elizabeth Easton* were, on the *2nd* day of *July*
 188*5*, filed in my office, and the same are now duly recorded on page *27* of book *2* of Marriage Records.

WITNESS my hand and the seal of said Court, this *2nd* day of *July*

188*5*

J. W. McClure
 Clerk of the County Court.

By *J. A. McClure* D. C.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
 of Edith Boatwright, born on the 11 day of September, 1897.
 Name of father: Joseph Boatwright, a citizen of the Choctaw Nation.
 Name of mother: Alice M. Boatwright, a citizen of the Choctaw Nation.
 Post Office: Hallman, Ill.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Illinois District.

I, Alice M. Boatwright, on oath, state that I am 24 years of age and a citizen, by marriage, of the Choctaw Nation; that I am the lawful wife of Joseph Boatwright who is a citizen, by birth, of the Choctaw Nation; that a girl child was born to me on the 11 day of Sept, 1897; that said child has been named Edith Boatwright, and is now living.

Alice M. Boatwright
 Subscribed and sworn to before me this 9 day of September, 1899.

My Comm. expires Sept 11, 1891.

Wm. H. Miller
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Central District.

I, Wm. H. Miller, a Physician, on oath, state that I attended on Mrs. Alice M. Boatwright, wife of Joseph Boatwright, on the 11 day of Sept, 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 Edith Boatwright.

Wm. H. Miller, M.D.
 Subscribed and sworn to before me this 11 day of September, 1899.

Wm. H. Miller
 Notary Public.

7-4508.

Muskogee, Indian Territory, September 30, 1902.

Thomas J. Boatwright,
Halleman, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of James Granville Boatwright, infant son of Thomas J. and Alice May Boatwright, born September 23, 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.

Choc 4509 Agnes wheat

4509

Choctaw 2406

Choctaw 4509

Muskogee, Indian Territory, February 14, 1903.

Sampson Collins,

Wilburton, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of January 19, with which was inclosed the certificate of marriage between Simpson Collins and Agnes Carr. You state that the maiden name of your wife was Carr; that she was first married to a man by the name of Merrill and afterwards to another man by the name of Wheat, from whom she was divorced before her marriage to you.

In reply to your letter you are advised that the marriage certificate has been filed with the records of the Commission.

Respectfully,

Acting Chairman.

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

FILED

FEB 11 1903


ACTING CHAIRMAN

May 29, 1901

Red Oak I.T.

Sugar Loaf C.N.

This is Certificate That
Mr. Simpson, Collins and
Mrs. Agnes Carr Married.
with Recording by
the Court, Bath
Choctaw Indian
Bath Living Service
Co. C.N. I am
a Missionary Baptist
J. S. Wright
Missionary
to the Choctaw

MEMORANDA.

(Date) Sept 11 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,

23

Wife's name, Wheah

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.

4509

Choc 4510 Nancy A. Hodges

4510

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:

NANCY A. HODGES.

7-4510.

Department of the Interior.
Commission to the Five Civilized Tribes.
Antlers, I. T., December 2nd, 1902.

Choctaw 4510
Intermarried

-----Ooo-----

In the matter of the application of Nancy A. Hodges for enrollment as an intermarried citizen of the Choctaw Nation.

Nancy A. Hodges being first duly sworn testified as follows:

Examination by the Commission.

- Q What is your name? A Nancy A. Hodges.
Q How old are you? A Thirty years old.
Q What is your post office address? A Boswell.
Q That's in the Choctaw Nation? A Yes sir.
Q How long have you been a resident of the Choctaw Nation?
A I have been here fourteen years.
Q Have you lived here continuously for the past fourteen years?
A Yes sir, I have been no place else.
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 Lee Hodges.
Q Is he a recognized and enrolled citizen of the Choctaw Nation?
A Yes sir, he is on the roll and drawed money when they drawed before.
Q Have his rights ever been disputed? A No sir.
Q When were you married to Lee Hodges? A I was married eight year ago.
Q Where was this marriage ceremony performed? A In Krebbs, Choctaw Nation.
Q At that time were both you and your husband residents of the Choctaw Nation? A Yes sir.
Q Who performed the marriage ceremony? A Moody.
Q A minister of the gospel? A Yes sir.
Q Were you married under a license? A Yes sir.
Q Where did you obtain your license? A At South McAlester.
Q United States license? A I couldn't tell you. When my name was sent to be put on the roll the license was sent to the Dawes Commission.
Q Were you ever married prior to your marriage to Lee Hodges?
A No sir.
Q Was he ever married before his marriage to you? A No sir.
Q How long did you live with him after this marriage? A Well sir, I can't tell you hardly, for we would live together a while and

Nancy A. Hodges-----2

his uncle would beg him away from me; live together a while and part a while.

- Q When was the last time you lived with him? A It's been - - - well, I can't tell just exactly how long, three or four years.
- Q Is he living at the present time? A I don't know, I haven't seen him in four years.
- Q You haven't lived with him for the past four years?
- A No sir, he said he wouldn't have any - - he wanted to live with me, but this uncle keeps him from it. He says he loves me and wants to live with me.
- Q Do you mean to say that is the only cause for your separation?
- A Yes sir, that is.
- Q Does he allow his uncle's feelings to influence him in regard to living with him? A That's what he says; he said he loved me and would stay with me if it wasn't for his uncle.
- Q When was that? A Well, I tried to get him two years ago.
- Q Did he always support you at the time you were living together?
- A Yes sir.
- Q Did he always treat you well? A Yes sir.
- Q Did you give him any cause for leaving you? A No sir, I didn't. He said he would like to stay with me if it wasn't for his uncle. He had no cause for leaving me only just his uncle; that's all he tells.
- Q You never give him any cause for his leaving you? A No sir, never heard of it.
- Q You always acted in your dealings with him as a wife should?
- A Yes sir, I did.
- Q Were you an applicant before this Commission in 1896 for admission to citizenship in the Choctaw Nation? A Well, I don't know what you mean? A
- Q Did you apply before this Commission the first time along in 1896?
- A Yes sir.
- Q What action was taken upon your application at that time?
- A I don't know, for I aint got no education.
- Q What did they do with your application at that time? A They put me on the roll when I registered; when the Dawes Commission was at South McAlester.
- Q Well the other time before that when you applied to the Commission for admission to citizenship what did they do with your case?
- A All I know is they said I was on the roll and all right.
- Q Was your case ever appealed to the United States Court?
- A No sir, I just got an attorney at South McAlester to send my name and my baby's name.
- Q Since your separation from Lee Hodges have yo u lived with any other man? A No sir.
- Q You are at present living alone? A yes sir.
-

Nancy A Hodges-----3

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 2nd 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.

Next

Ind. Ter.)
Central Dist.

Affidavit of Nancy Ann, Lodges

I Nancy Ann. Hodges on oath State
that I am about 32 years old and that
my Post office address is Bennington, Vt.
that The reason of Lee. Hodges leaving me
and refusing to live with me, to the
best of my knowledge on the account of
the child I have by Simpson whose
name is John. Baldo Simpson. from the
fact he told me sometime before he
left me that if I did not take him
to his father and make him stay there
that he (Hodges) would leave. also to
the best of my knowledge that the uncle
of Lee. Hodges has persuaded Lee
to not live with me on account of
the child I have by Simpson.
The child I had by Simpson was
about 2 years old when I was
married to Lee. Hodges

Nancy Ann. ^{er} Hodges
marks

attest

J. M. Floyd

Ind. Ter.
Ben. Dist

Subscribed and sworn to before
me on this 28th day of Nov. 1903
B. B. McCloud
Notary Public

FCB

7-4510.

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

In the matter of the application of Nancy A. Hodges
for enrollment as an intermarried citizen of the Choctaw Nation.

D E C I S I O N.

It appears from the record in this case that about the year 1894 the applicant, Nancy A. Hodges, was lawfully married to Lee Hodges, a recognized citizen of the Choctaw Nation, whose child by said marriage, Eliza Hodges, appears as number 15482 upon the lists prepared by this Commission, under the act of Congress approved July 1, 1902 (31 Stat., 641), of persons entitled to enrollment as citizens of the Choctaw Nation, and approved by the Secretary of the Interior on May 9, 1904; that at the time of said marriage both parties above mentioned were residents in good faith of the Choctaw Nation; that they lived together as husband and wife for about four years, when they separated; and that the applicant was a resident in good faith of the Choctaw Nation from the date of her marriage to the said Lee Hodges up to and including September 25, 1902, and did not re-marry.

It further appears from the records of the Commission that on September 5, 1906, in the case entitled "Nancy A. Hodges et al. vs. Choctaw Nation" (1906 Choctaw Citizens' Packet, case number 432), the applicant herein made original application to the Commission, under the provisions of the act of Congress approved June 10, 1898 (29 Stat., 391), for admission to citizenship in the Choctaw Nation, claiming her right thereto by virtue of her marriage to the said Lee Hodges, and on December 2, 1906 the applicant was, by this Commission, admitted to citizenship as an intermarried citizen of the Choctaw Nation, from which decision of the Commission an appeal was taken to the United States Court for the Central District of the Indian Territory, and on July 13, 1907 said appeal was dismissed by the said United States Court for the reason that the said appeal was not made

with the time provided by law.

It is, therefore, the opinion of this Commission that, unless the rights of the heirs of the estate of Martin D. Burns (I.D. 4060-1904), relative to the question of forfeiture, etc. A. Hedberg should be enrolled as a citizen in the service of the United States, in accordance with the provisions of the acts of Congress approved June 29, 1908 (30 Stat., 425) and July 1, 1909 (35 Stat., 341), and it is so ordered.

COMMISSION TO THE FINE CIVILIZED TRIBES.

Mustang, Indian Territory,

Nov 1904

Choctaw 4510

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 Nancy A. Hedges 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 L. Luby

Chairman.

Registered.

Incl. 7-4510.

Choctaw 4510

COPY.

Muskogee, Indian Territory, November 3, 1904.

Nancy A. Hodges,

Boswell, Indian Territory,

Dear Madam:

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 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)

Louis Bixby

Registered.

Chairman.

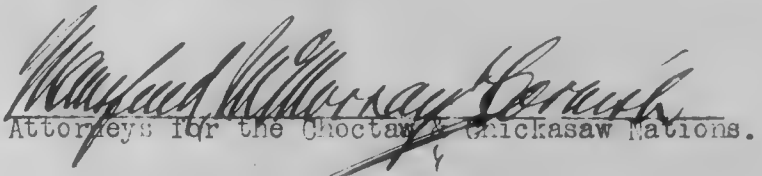
Incl. 7-4510.

BEFORE THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Nancy A. Hodges as a citizen by intermarriage of the Choctaw Nation, Choctaw Field No. 4510.

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 Preston Early, et al., vs. Choctaw and Chickasaw Nations, No. 64 on the South McAlester Docket, in which the said court will decide the question of the citizenship rights, by intermarriage, if any, of those white persons who intermarried with citizens by blood of the Choctaw Nation not in accordance with the tribal laws, 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 and Chickasaw Nations.

January 23, 1904.

BEFORE THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Elisha Hodges as a citizen by blood of the Choctaw Nation, Choctaw Field No. 4510.

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 Julia London, et al., vs. Choctaw and Chickasaw Nations, No. 55 on the South McAlester Docket, in which the said court will decide the question of what compliance, by the applicants or their ancestors, with the third or the fourteenth articles of the treaty of 1830 was necessary in order to be entitled to enrollment and to participation in the distribution of tribal property of the Choctaws and Chickasaws, 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 and Chickasaw Nations.

January 23, 1904.

Indian Territory,

Central Judicial District.

§
§
§

Exhibit "A".

Affidavit of M. Moody.

Affiant M. Moody of lawful age being duly sworn deposes and says :
I, am well acquainted with the petitioner Nancy A. Hodges, I am a minister of the Gospel and legally empowered to perform marriages ceremonies, and I performed the marriage ceremony between Nancy A. Hodges and Lee Hodges a Choctaw Indian by blood, they were legally married by me in the Month of August 1894.

M. Moody.

Subscribed and sworn to before me on this the 11th day of August 1894.

T.H. DuBois.
Notary Public.

Seal

7-4510.

Muskogee, Indian Territory, November 17, 1903.

Nancy A. Hodges,
Caddo, 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 taken before the Commission at its session at Antlers, Indian Territory, December 2, 1902, that you have not lived with your husband, Lee Hodges, through whom you claim your intermarried right in the Choctaw Nation, for the past 4 years and you were unable to give any reason for such separation from him, other than that his uncle keeps him from living with you.

You are advised that the Commission desires further evidence in regard to the circumstances attending your separation from your said husband, Lee Hodges.

Respectfully,

Chairman.

7-4510

Muskogee, Indian Territory, November 17, 1903. 2

Nancy Ann Hodges,
Caddo, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of November 11, asking why your case has not been determined.

In reply to your letter you are informed that it appears from our records that the application of Nancy Ann Hodges for enrollment as an intermarried citizen of the Choctaw Nation has not yet been determined. As soon as a decision is reached you will be notified of the action taken.

Respectfully,

Chairman.

7-4510

Muskogee, Indian Territory, December 2, 1903.

Nancy A. Hodges,
Caddo, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your affidavit, which you offer in support of your application for enrollment as an inter-married citizen of the Choctaw Nation, and the same has been filed with the record in this case.

Respectfully,

Chairman.

Choctaw 4510

Muskogee, Indian Territory, February 9, 1904.

Nancy A. Hodges,

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, and of your minor child, Elisha Hodges, as a citizen by blood of the Choctaw Nation until the Commission is further instructed by the Secretary of the Interior.

Respectfully,

Commissioner in Charge.

Choctaw 4510

Muskogee, Indian Territory, March 31, 1904.

Mrs. Nancy A. Hodges,
Boswell, Indian Territory.

Dear Madam:

Your letter of February 29, 1904, addressed to the Secretary of the Interior, has been, by him, referred to the Commission for consideration and appropriate action. You ask therein for information relative to the protest filed by the attorneys for the Choctaw and Chickasaw Nations in the matter of your application for the enrollment of yourself and your son, Elisha Hodges, as citizens of the Choctaw Nation, and, for your information there is enclosed you herewith a copy of the protest of January 23, 1904, of the attorneys for the Choctaw and Chickasaw Nations, which was filed in your case on February 6, 1904.

Under the instructions of the Secretary of the Interior of November 18, 1903, the Commission is estopped from further action in cases of this character wherein protests have been filed by the attorneys for the Choctaw and Chickasaw Nations until further directed by the Department.

Respectfully,

Enc-2-31

Commissioner in Charge.

Choctaw 4510.

Muskogee, Indian Territory, July 30, 1904.

Nancy A. Jones,

Boswell, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of July 21, in which you ask the status of your enrollment as an intermarried citizen of the Choctaw Nation, and refer to the protest of the attorneys for the Choctaw and Chickasaw Nations filed in your case.

In reply to your letter, you are advised that the Secretary of the Interior overruled the protest in the matter of your enrollment as an intermarried citizen of the Choctaw Nation, but the Commission has not yet passed upon your application for enrollment. When a decision is reached in your case, you will be notified of the action taken therein.

Respectfully,

Commissioner in Charge.

MEMORANDA.

(Date) Sept 26 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:

✓ Elisha Hodges County Year Page No.

County Year Page No.

County Year Page ✓ No.

County Year Page No.

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 Dawson Com # 432

Out on card with mother, #4510 Chas
Nancy A. Hodges

4510

Choc 4511 Lizzie Hoff

4511

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--

LIZZIE HOFF. 7-4511.

South Me. State I. G.
July 24th 1843

This is to certify that on
the 23rd day of July A.D.
1843 I did, duly and ac-
cording to the laws of the Chocoma
Nation, solemnize the
Rite and publish the
Banns of Matrimony
between Mr Charles
Peens a citizen of the
Chocoma Nation, and
Miss Lizzye Thawt.

Witness this the 23rd day
of July A.D. 1843
Witnes J. A. Sneedwell
Minister of the Gospel

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
the following notes.

Commission to the Five Civilized Tribes

South McAlester, Ind. Ter.

In the enrollment of Lizzie Beams as an intermarried Choctaw;
being sworn and examined by Com'r McKennon she states:

- Q What is your name? A Lizzie Beams.
- Q How old are you? A Twenty-two.
- Q You were married were you to Charley Beams about the 23rd day of July 1893, as shown by the certificate which you present of that date, were you? A Yes sir.
- Q How long did you live with him? A I don't know; about six months I reckon.
- Q You separated from him? A Yes sir.
- Q Have you ever lived with him any more? A No sir.
- Q What was the cause of the separation? A He just went off.
- Q You don't know where he is? A No sir.
- Q Have you ever heard of him since? A I heard of him once or twice, people saying they heard where he was.
- Q Where did you understand he was? A In the Creek Nation.
- Q You never have seen him since he left you? A I saw him once here at McAlester.
- Q How long after he left? A About four months.
- Q Did you live with him then? A No sir.
- Q Com'r Lewis: Was he still living with you when he got into trouble and run off? A He was the first time, but he come back here after then, and I just saw him and that's all.
- Q Com'r McKennon: He got into trouble about stealing something?
- A I think so; he never did tell me anything about it.
- Q Did you understand that was the cause? A Yes sir.
- Q And that is why he was running away, to evade the laws?
- A Yes sir.
- Q Com'r Lewis: You have not married again? A No sir.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Muskogee, Indian Territory,
December 11, 1903.

Choctaw 4511,
Intermarried.

In the matter of the application for the enrollment of
Lizzie Beams as a citizen by intermarriage of the Choctaw Nation.

Henry Traut, being first duly sworn, on oath, testified
as follows:

Examination by the Commission.

- Q What is your name? A Henry Traut.
Q How old are you? A Fifty-six years old.
Q What is your post-office address? A South McAlester.
Q Do you know Lizzie Beams? A Yes, sir.
Q What relation is she to you? A She is my daughter.
Q You are a white man? A Yes, sir.
Q Who was Lizzie Beams' mother? A Jane Tomlinson or Traut.
Q Was she a white woman? A She claimed part Cherokee -- my first
wife.
Q She didn't claim any rights as a Choctaw or Chickasaw? A No, sir.
Q This, your daughter, Lizzie Beams claims no rights other than by
intermarriage? A That's all, by marriage.
Q Through whom does she claim? A By Charlie Beams.
Q Through her marriage to Charlie Beams? A Yes, sir.
Q Is he a Choctaw by blood? A Yes, sir.
Q What was the name of Charles Beams' father? A No, sir, I don't
know.
Q Do you know the name of his mother? A His mother died long before
I knew him. I knew his father by the name of old man Beams.
Q How old would Charles Beams be now? A He must be about 28 or 29
or 30.
Q Where does he live? A He lives now in the Creek Nation.

Charles Beams is identified on card 4677 and is numbered
12913 upon the lists, prepared by the Commission, of persons
entitled to enrollment as citizens by blood of the Choctaw
Nation, and approved by the Secretary of the Interior on March
6, 1903.

- Q Do you know when Lizzie Traut and Charles Beams were married?
A Yes, sir, they was married at my house.
Q Was it July 23, 1893; is that right? A Somewheres along there.
Q It was in 1893 was it? A Yes, sir.
Q At that time where was Lizzie Traut living? A She lived just
about one mile of South McAlester.
Q In what Nation? A Choctaw Nation.
Q Where did Charles Beams live at that time? A Every where.

Choctaw 4511

Lizzie Beams 2

- Q Where was his home? A No place.
- Q Choctaw Nation? A Yes, sir.
- Q When you said nowheres you meant all over the Choctaw Nation?
Q Yes, sir.
- Q How long did they live together as husband and wife? A About four months.
- Q Where did they live during that time? A Part of the time in my house and part of the time in his brother's house.
- Q In the Choctaw Nation? A Yes, sir.
- Q Then what took place? A Him and her separated. He would not provide for her. Well, she was sick.
- Q Has your daughter resided and continued to reside in the Choctaw Nation from the time of her marriage to Charles Beams to the present time? A Yes, sir.
- Q How long had she been living in the Choctaw Nation at the time of her marriage to Charles Beams? A She was born in the Choctaw Nation.
-
- Q Always had her home in the Choctaw Nation? A Yes, sir.
- Q Never outside? A No, sir.
- Q At the time of this separation between Charles Beams and his wife, Lizzie Beams, where did they live in respect to where you live?
A About a half mile west.
- Q They were a half mile west of you? A Yes, sir.
- Q Now, you may state all you know about the separation between Lizzie Beams and Charles Beams? A They was warrants out for him. That was the cause of him leaving. Two warrants was out for him, one for stealing horses, one for selling whisky. He left her there sick and went off and I had other people to take care of her -- take her to the house -- paid their board and clothes.
- Q You mean to say you supported her? A Yes, sir, paid her doctor bill until she got up and then I told her she would just have to root for herself, and she did so and she was single close to six years and a half.
- Q Then what took place? A She married another man by the name of Willis Huff.
- Q What was he? A He was a white man and she lives with him. They been married now about two years.
- Q Where does she live now? A She lives about eight miles west of us.
- Q What is her post-office? A Celestine.
- Q Did she have any children by Charles Beams? A No, sir.
- Q You stated that there was two warrants out for Charles Beams at the time he disappeared -- at the time he left your daughter? Was he arrested? A I don't know. Heard he was killed once.
- Q Was he convicted and sent to jail? A Yes, sir, he was -- took him to Fort Smith.
- Q For how long a term? A I don't know.
- Q How soon after he was separated from his wife was he sent to the penitentiary. A He was sent soon -- somewheres --
- Q How soon after they separated? A About six months.
- Q Did you see Charles Beams from the time he separated from his wife up to the present time? A I seen Charles Beams at the time the Dawes Commission was at South McAlester. That's the only time I have seen him since.
- Q Four years ago? A Must have been about a year or so ago.
- Q Didn't see him from the time he separated from his wife up to that time? A No, sir.
- Q Do you know whether your daughter saw him? A No, sir, that was the first time. She was with me.

Choctaw 4511

Lizzie Beams 3

- Q You don't know whether she saw him or not? A No, sir. She told me that was the first time.
- Q Up to the time they were separated, did he provide for her? A No.
- Q Who did provide for her? A I did since she was sick and after she got well, she provided for herself -- had to work out.
- Q Was Lizzie Beams ever married before she was married to Charles Beams? A No, sir.
- Q Was Charles Beams ever married prior to that? A I don't know -- couldn't tell you.
- Q Did Lizzie Beams -- did she procure a divorce from Charles Beams? A No, sir.
- Q Did he procure one from her? A I think so. I don't know.
- Q Do you know if he is married now? A Yes, sir.
- Q To whom? A I don't know. He lives with a Creek woman.
- Q Got any children by her? A Yes, sir, his brother told me they had two or three children.
- Q How old is Lizzie Beams now? A She is about twenty-four or twenty-five.
- Q Do you know whether Charles Beams ever abused Lizzie Beams? A No, sir. She told him that she needed some attention and a doctor, and he said "I don't give a damn for you". I heard him say that myself.
- Q Well, Mr. Traut, she will have to appear here herself? A She will have to appear here? I just have to tell her to get ready.

Wirt Franklin, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported all proceedings had in the above entitled cause at Muskogee, Indian Territory, December 11, 1903 and that the above and foregoing is a full, true and correct transcript of his stenographic notes, taken in said cause.

Wirt Franklin

Subscribed and sworn to before me this 12 day of December, 1903.

Charles H. Sawyer
Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Muskogee, Indian Territory,
December 19, 1903.

Choctaw 4511, -----:
Intermarried.

In the matter of the application for the enrollment of
Lizzie Hoff as a citizen by intermarriage of the Choctaw Nation.

Lizzie Hoff, being first duly sworn, testified as follows:

Examination by the Commission.

- Q What is your name? A Lizzie Hoff.
Q H-o-f-f? A Yes, sir.
Q How old are you? A Twenty-six, going on twenty-seven.
Q Where do you live? A Celestine.
Q What nation is that in? A Choctaw.
Q How long have you lived in the Choctaw Nation? A All my life.
Q Never made your home anywhere else? A No, sir.
Q Is Celestine your post-office? A Yes, sir.
Q You are a white woman? A Yes, sir.
Q You claim no rights as an Indian by blood? A No, sir.
Q You claim only through intermarriage? A Yes, sir.
Q Through whom do you claim? A Through Beams.
Q What is his first name? A Charlie Beams.
Q Is he a recognized and enrolled citizen by blood of the Choctaw
Nation? A Yes, sir, I guess so.
Q When were you married to him? A 1893.
Q July 23, 1893, ten years ago? A Yes, sir.
Q Whom were you married by? A W. A. Treadwell.
Q A minister of the gospel? A Yes, sir.
Q At the time you were married to Charlie Beams, were you and he
both residents in good faith of the Choctaw Nation? A Yes, sir.
Q Where were you married? A South McAlester.
Q In the Choctaw Nation? A Yes, sir.

There is on file with the records of the Commission a
certificate of marriage between Charlie Beams and Miss Lizzie
Traut.

- Q Your maiden name is Traut, isn't it? A Yes, sir.
Q Were you married before you were married to Charlie Beams? A No,
sir.
Q Was he married before that? A Claimed he had not been. He said
he never was.
Q Your answer to that question is then that he was not married
before that? A Yes, sir, that is my answer.
Q How long did you live together as husband and wife, you and
Charlie Beams? A It was -- I don't know just how long. It was
four or five months. I cannot tell just how long.
Q Then what took place? A He left.

Choctaw 4511

Lizzie Hoff 2

- Q Did he leave you or did you leave him? A He left me.
- Q Why did he leave you, if you know? A Why, I don't know -- went off -- he was in some horse stealing and run off.
- Q Was there a warrant out for him at that time? A Yes, sir.
- Q Your answer to the question then as to why he left you was that there was a warrant out for him for horse stealing and he skipped out? A-Yes, sir.
- Q Didn't you see him after that? A I saw him once.
- Q How long after that? A Why, it was about a year until he was back here.
- Q What did he say? A I never -- he never said anything.
- Q Didn't you speak to him at all? A No, sir.
- Q Where did you see him? A At McAlester.
- Q Did he ever offer to come back and live with you? A No, sir.
- Q Did you offer to go live with him? A No, sir, I never.
- Q Would you have gone back with him if he had asked you? A No, sir, he would not make me a living and we couldn't both live.
- Q Did he provide for you? A No, sir, all the time we lived together we lived with somebody else and I worked for our board.
- Q Did he have a farm? A No, sir, he had nothing -- had nothing.
- Q Were you living in a rented house? A No, sir. When we lived together we lived with somebody that was keeping house and I worked for our board.
- Q Have you seen him after that? A No, sir.
- Q Did you ever get a letter from him? A No, sir.
- Q Did you ever write to him? A No, sir.
- Q You said he skipped out because there was a warrant out for him for horse stealing? A Yes, sir.
- Q Was he ever arrested after that? A They arrested him before he run off.
- Q What did they do with him? A He run off and they said that they got him and sent him to the penitentiary.
- Q After he skipped away from you? A Yes, sir.
- Q How soon after? A I don't know how soon.
- Q A short time? A I think it was some little while.
- Q What has he been doing since then, do you know? A No, sir, I do not know.
- Q Did you give him any cause at all to go away? A No, sir.
- Q Did you get a divorce from Charlie Beams? A Yes, sir, we were divorced.
- Q When were you divorced? A About four years ago.
- Q Did you get it or did he get it? A He got it.
- Q Do you know what the grounds were? A No, sir.
- Q Were any papers served on you? A No, sir.
- Q Did you appear in court? A No, sir.
- Q Is he married now? A Yes, sir.
- Q To whom? A I don't know who he is married to.
- Q How long has he been married? A His brother's wife said that he married about two years before I was married and I was married three years ago.
- Q After Charlie Beams procured a divorce from you, you married again, did you? A Yes, sir.
- Q Whom did you marry? A John Hoff.
- Q A white man? A Yes, sir.
- Q He doesn't claim to have any Indian blood, does he? A No, sir.
- Q When were you married to John Hoff? A Three years the 3rd day of December.
- Q That would be December, 1900, then? A Yes, sir.

Choctaw 4511

Lizzie Hoff 3

- Q Have you got any children by Charlie Beams? A No, sir.
Q Never had any? A No, sir.
Q Did he ever abuse you, did he ever treat you cruelly, strike you or anything of that kind? A He never took care of me when I was sick. Papa, he had me taken care of -- and he never come back when I was sick.
Q Your father's name is Henry Traut, an intermarried citizen, isn't it? A Yes, sir.
Q During the time that you and Charlie Beams were married, where did you live, both of you? A I lived at South McAlester in the Choctaw Nation with papa.
Q During your married life, where did you live? A We lived in the Choctaw Nation.
Q With whom? A Well, with Jack Phillips and lived a while with Jim Krebs. He is dead now. And we lived with his brother.
Q You say your husband's name is John Hoff? A His full name is John Willis Hoff.
Q Is there anything else you wish to say, Mrs. Hoff, with respect to the separation between you and your husband, Charlie Beams?
A No, sir.
-

Wirt Franklin, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported all proceedings had in the above entitled cause at Muskogee, Indian Territory, on December 19, 1903, and that the above and foregoing is a full, true and correct transcript of his stenographic notes, taken in said cause.

Wirt Franklin

Subscribed and sworn to before me this 7 day of January, 1904.

Charles H. Sawyer
Notary Public.

W.F.
S.W.
7-1011.

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

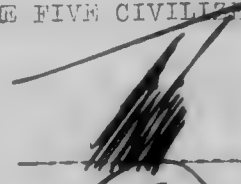
In the matter of the application for the enrollment of
Lizzie Hoff as a citizen by intermarriage of the Choctaw Nation.

---: P R O C E E D I N G S :---


It appears from the record herein that on July 23, 1893 the applicant, Lizzie Hoff (nee Traut), was lawfully married to Charles Beams, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 12913 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 March 6, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation; that they lived together continuously in said nation as husband and wife for about four months when they separated, through no fault of the applicant herein, and were subsequently divorced; that subsequent to the date of said divorce and on December 3, 1900 the applicant was lawfully married to John Willis Hoff, a non-citizen white man, and that the applicant continued to reside in the Choctaw Nation from the date of her said separation from said Charles Beams up to and including September 25, 1902.

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, Lizzie Hoff 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.

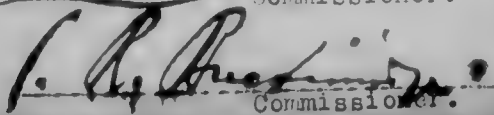
COMMISSION TO THE FIVE CIVILIZED TRIBES.



Chairman.



Commissioner.



Commissioner.

Choctaw-4511.

Muskogee, Indian Territory, September 7, 1904.

Lizzie Hoff,

Celestine, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 7, 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,

BY APPOINTMENT

Chairman.

Registered

Incl. 7-4511.

Choctaw-4511

Muskogee, Indian Territory, September 7, 1904.

Arnote & Eubanks,
Attorneys at Law,
South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that the Commission to the Five Civilized Tribes, on September 7, 1904, rendered its decision granting the application of Lizzie Hoff 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 Lizzie Hoff 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,

T. J. ...

Chairman.

Registered.

Choctaw-4511

Muskogee, Indian Territory, September 7, 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 September 7, 1904, granting the application for the enrollment of Lizzie Hoff, 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, 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.

Incl. 7-4511.

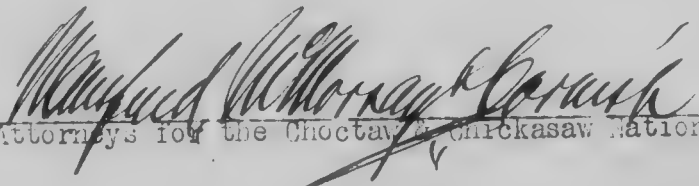
See 7-5429 for registry receipt for this letter.

BEFORE THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Lizzie Hoff (nee Lizzie Beams) as a citizen by intermarriage of the Choctaw Nation, Choctaw Field No. 4511.

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 23, 1904.

MEMORANDA.

(Date) Sept 1 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, *Lizette Brown*

Choctaw ? County *LeFlore* Year No. *14310*

Chickasaw ? County Year Page *381*

Citizen by blood ? Mother's citizenship

Intermarried citizen ?

Married under what law ? *Ch.*

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.

See her testimony in ...

11511

Muskogee, Indian Territory, May 5, 1900.

Mr. J. M. Arnold,

Celestine, Indian Territory,

Dear Sir:

The Commission is in receipt of your letter of the 1st, in which you desire to be informed if the name of Lizzie Beams appears upon the roll of the Choctaw tribe of Indians. You are informed that the records of this Commission show that Lizzie Beams, two or two years of age, of Celestine, Indian Territory, was duly listed for enrollment by this Commission, September 4th, 1899, and her testimony, given at that time, states that she was married July 23rd, 1893 to Charley Beams, a Choctaw Indian, and that her right to enrollment was as an inter-married Choctaw. The testimony shows that they lived together as husband and wife for a period of about six months, and that he abandoned her on account of some trouble that he got into, and has since been living in the Creek Nation. From the questions asked in your letter, the Commission is led to believe that you desire information as to this woman Lizzie Beams. If she has since married a white man, a non-citizen, you are requested to so inform the Commission; also as to whether her first husband, Charley Beams is living, and if so, where. Any information that you may be able to furnish the Commission will be highly appreciated, and will enable the Com-

J.H.A. 2

mission to more clearly answer the questions contained in the first part of your letter.

Yours truly,

Acting Chairman.

Muskogee, Indian Territory, May 12, 1900.

Mr. J. H. Arnold,

Celestine, Indian Territory,

Dear Sir:

The Commission is in receipt of your letter of May 10th, in which you state that you understand through Mr. Allen Archabal, that Charley Beams is living in his neighborhood, twenty miles northwest of South McAlester, near Barnett's store, and that he was alive when the said Archabal came down to court. You also state that Lizzie Beams married Tobe Huff, a white man, last November.

The records of this Commission show that Lizzie Beams was listed for enrollment, September 4th, 1899, as an intermarried white. The testimony given before the Commission at that time by her, stated that she was married to Charley Beams on the 23rd of July, 1895; that he only lived with her about six months, and that he deserted her.

Having been enrolled as an intermarried citizen, she would be entitled to the rights and privileges of a citizen of the Choctaw Nation as long as she complied with the laws of the Choctaw Nation, prohibiting her marrying a white man, having no rights of Choctaw citizenship by blood, as provided by the act of the Choctaw Council, approved November 9, 1875. If she has now violated the above act, and married a white man, non-citizen of the Choctaw Nation, her right to enrollment as a citizen of said nation would fail.

Yours truly,

In reply to this letter,
please refer to 7-4511.

7-4511

Muskogee, Indian Territory, May 12, 1902.

John Willis Huff,

South McAlester, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Robert Joseph Huff, infant son of John Willis and Lizzie Beams Huff, born April 6, 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 Lizzie Beams Huff; that she is twenty two years of age, a citizen by intermarriage of the Choctaw Nation and the lawful wife of John Willis Huff.

If this is correct you are requested to state the time and place application was made for the enrollment of Lizzie Beams Huff, as a citizen by intermarriage of the Choctaw Nation. If she is a citizen by intermarriage of the Choctaw Nation who has been married to you since she was listed for enrollment as such, you are requested to furnish the Commission with either the original or a certified copy of

A
J W R2

the marriage license and certificate between you and Lizzie Beams Huff as authority for changing 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.

Yours truly,

Enc.W.122.

Acting Chairman.

7-4511

Muskogee, Indian Territory, February 28, 1903.

Lizzie Beams,
Celestine, 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 4511

Muskogee, Indian Territory, February 9, 1904.

Lizzie Hoff (nee Beams),
Celestine, 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 an intermarried citizen of the Choctaw Nation until the Commission is further instructed by the Secretary of the Interior.

Respectfully,

Commissioner in Charge.

Choctaw-4511.

Muskogee, Indian Territory, June 17, 1904.

Arnote & Eubanks,

Attorneys at Law,

South McAlester, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of June 8th, in which you ask the status of the enrollment of Lizzie Huff, formerly Lizzie Beams, for enrollment as an intermarried citizen of the Choctaw Nation.

In reply to your letter, you are informed that the Commission is now considering the application of Lizzie Huff 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.

Choc 4512 Mary Goddard

Decision Rendered Jan 23, 1907

Refused Jan 23, 1907

see PETITION BC-13

Action approved by Secy of Interior March 1, 1907

NOTICE of DEPT ACTION forwarded ATTYs for
Choc & Chic NATIONS Apr 3, 1907

NOTICE of DEPT ACTION forwarded ATTY for
Applicant Apr 3, 1907

NOTICE of DEPT ACTION mailed applicant

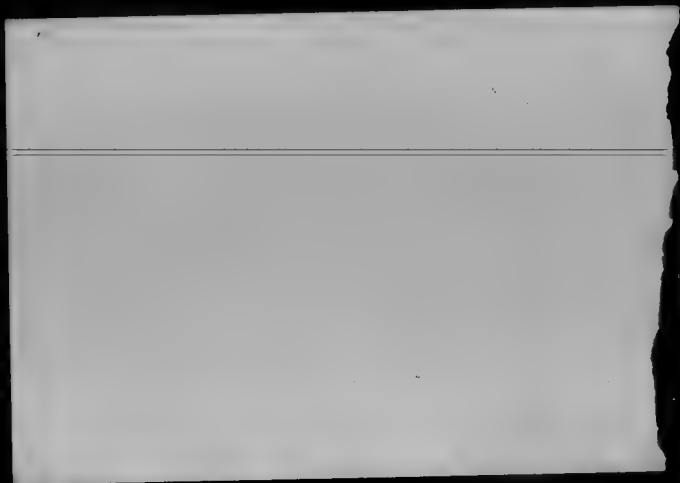
* Record of Loula West PETITION lost - Arizona Goddard

1-7-08

Choctaw 4512

* some documents found in
Choc. R. 424, John W. Baker

4512



Commission to the Five Civilized Tribes,
South McAlester, Ind. Ter.

In the enrollment of Mary Goddard and children as Choctaws;
Joshua Goddard being sworn and examined by Com'r McKennon states:

Q What is your name? A Joshua Goddard.

Q How old are you? A Sixty-eight.

Q Are you the husband of Mary Goddard, who is admitted by the
United States Court at South McAlester August 27th 1897, case #48 ?

A Yes sir.

Q Where have you been living with this family, Mary and her
children? A In the Indian Territory, since December, 1879.

Q What portion of the Indian Territory? A We settled on Red
River in the Choctaw Nation.

Q Have you been here all the while since that time? A Yes sir.

Examined by Choc Com'r Lewis: Q Your wife and these children are
all white, there is no Choctaw blood about them? A Yes sir,
there is no Choctaw blood in them.

Deputy Commissioner,
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. Miller

Department of the Interior.
Commission to the Five Civilized Tribes.
South McAlester, Indian Territory, December 24, 1902.

Choctaw 4512.
Intermarried.

In the matter of the application of Mary Goddard for enrollment as an intermarried citizen of the Choctaw Nation.

Mary Goddard, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Mary Goddard
Q How old are you? A Forty eight
Q What is your post office address? A South McAlester, Indian Territory.
Q How long have you resided in the Choctaw Nation? A Twenty seven years.
Q Are you a white woman? A Yes sir.
Q A natural born citizen of the United States? A Yes sir.
Q Do you claim to be an intermarried citizen of the Choctaw Nation? A Yes sir.
Q What is the name of your Choctaw husband? A Gabriel Grubbs.
Q Is he a recognized and enrolled citizen by blood of the Choctaw Nation? A He was recognized as a citizen by blood.
Q When did you marry him? A In 1874.
Q Were you ever married before that? A No sir.
Q Was he ever married before that? A No sir.
Q Was he at that time an enrolled citizen of the nation? A Yes sir
Q Always participated in their payments? A Yes sir.
Q You were married to him in 1874? A Yes sir.
Q Who married you? A Parson Bryce.
Q Where was he living when you married him? A At Perryville.
Q How long did you live with him? A About two years.
Q Did you live with him until he died? A No sir, we were separated
Q Were you divorced from him? A No sir, never was divorced from him; he was killed.
Q Have you married since then? A Married J. Goddard in 1879.
Q Have you any marriage certificate or evidence of your marriage to Grubbs? A Here is his sister right here.

Mariah J. Aday, called as a witness, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Mariah J. Aday.
Q How old are you? A Forty nine.
Q You are a citizen of the Choctaw Nation? A Yes sir.
Q Born here? A Yes sir.
Q Always lived here? A Yes sir.
Q Always been recognized by the tribe? A Yes sir.
Q Do you know this woman Mary Goddard? A Yes sir.
Q Is she a white woman? A Yes sir.
Q She claims to be an intermarried citizen of the Choctaw Nation by her marriage to Gabriel Grubbs in 1874? A Yes sir.
Q Did you know Gabriel Grubbs? A Yes sir.
Q What relation was he to you? A My brother.

Mary Goddard-----2.

- Q Do you know he was married to this woman? A Yes sir.
Q Were you present when they were married? A Yes sir.
Q Where were they married? A At old Perryville.
Q Who married them? A J. Y. Bryce.
Q How long did they live together after that marriage? A Somewhere about two years.
Q How long after this marriage was it before your brother died? A Somewhere near three years as near as I can recollect.
Q Did they have any trouble during the two years they lived together? A Not that I know of; she picked up and left home; he was not at home; he was down at the river working for my father on a float.
Q How long did she stay away? A She stayed away until after he was dead and buried.
Q How long after she went away until he died? A It was somewhere along towards a year any way, to the best I can recollect.
Q Were they ever divorced? A No sir, she was fixing to get a divorce when brother died. J. P. Folsom was down to my father's house a day or two before brother died and brother did not want any divorce.

Examination by J. S. Arnote, attorney for applicant:

- Q They were living down on Red River at that time? A Yes sir.
Q Mary Grubbs and her husband were living to themselves close to her father? A Yes sir.
Q Is it not true that he came up to where his relatives were and lived with his relatives? A No sir.
Q Where did she live immediately after they separated? A She went to Susan McIntosh, she went right straight there and stayed there until brother was dead and buried.
Q Your brother was killed? A Yes sir, a horse threw him.
Q He was in Texas when he was killed. A Yes sir.
Q He left her when they were on Red River? A No, he never.
Q They had a child born to them? A Yes sir.
Q Who took that child? A She did.
Q That child lived several years? A Yes sir.
Q It lived to be about seventeen years old? A Great God, no.
Q How old was it? A Four or five years old.
Q Were you present when this child died? A No sir.
Q What was the child's name, do you remember? A George Grubbs.
Q You say he was only three or four years old when he died? A No, sir; I didn't.
Q Well, what did you say? A I said that he were four or five probably.
Q Don't you know that your own brother made an affidavit that she was a citizen and he was a citizen and that they lived there and were husband and wife until his death? A No sir, I don't know any such thing.
Q What year was it that they separated? A About 1876 or 1877 along there somewhere.
Q How long did you live down there? A I lived down there for over a year after he died.

(Witness Excused)

Mary Goddard, recalled, for further examination:

Examination by J. S. Arnote:

- Q Where were you living when you and your husband separated? A On

Mary Goddard-----3.

Red River.

Q Where were you living with reference to your father in law?

A We were living in about a hundred and fifty yards of him.

Q You may state whether he left you or whether you left him?

A He left me.

Q Did you remain in the house where he left you? A Yes sir, I remained in the house where I was until I was crippled up with rheumatism, and then I went to his father's.

Q How long did you live with your father in law after he left?

A I can't state exactly how long I did stay there.

Q About how long? A About three or four months until I got able to work, and then I had to go away and go to work to support my child.

Q Did you remain in the Choctaw Nation? A Yes sir.

Q How long have you lived in the Choctaw Nation? A About twenty six or twenty seven years.

Q Lived in the nation ever since you married Gabriel Grubbs? A Yes sir, with the exception from the 13th day of February to the first day of December when I married J. Goddard, I was in Texas.

Q Why did you reside in Texas during that time? A He had rented a place and he farmed that year in Texas.

Q You lived with him until he gathered his crop and moved to the territory? A Yes sir.

Q Did you ever have any child born by Gabriel Grubbs? A Yes sir.

Q When was that child born? A December 2, 1875.

Q How long did he live? A Until he was thirteen years old.

Q Where did he die? A Died about three miles from McCain Coal county.

Q Where you now live? A Yes sir.

Q How long have you been living there? A Seventeen years the seven days of this coming January.

Q You have exercised the right of citizenship ever since you were married to Gabriel Grubbs? A Yes sir.

Q Were you enrolled by the Choctaw Commission? A Yes sir.

Q And also by the Dawes Commission? A Yes sir.

Q Is there anybody here in this neighborhood knows that your husband left you? A Yes sir, I have two witnesses the other side of old town.

Q Who are they? A Jack Fulton and his wife.

Q You could produce them before the Commission? A Yes sir, if I have time.

-----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 24th 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 19 day of January 1903.

Charles H. Sawyer

Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
SOUTH McALESTER, INDIAN TERRITORY.
December 24, 1902.

In the matter of the application of Mary Goddard for the enrollment of herself as an intermarried citizen of the Choctaw Nation. Additional testimony.

Catherine Fulton, a witness called in behalf of the applicant, being first duly sworn, on oath testifies as follows:

Examination by James S. Arnote, attorney for applicant.

- Q. What is your name ? A. Catherine Fulton.
Q. How old are you ? A. Forty nine the first of next March.
Q. Where do you reside ? A. Old McAlester.
Q. Are you a citizen of the Choctaw Nation ? A. Yes, sir.
Q. Citizen by blood ? A. Yes, sir.
Q. Do you know Mary Goddard ? A. Yes, sir.
Q. How long have you known her ? A. Twenty-four years.
Q. Have you not known her longer than that ? A. Yes, sir, a little longer.

By the Commission: Please do not ask the witness leading questions.

- Q. Did you know her when she was married to Gabriel Grubbs ?
A. Yes, sir.
Q. Did you know her while she was living with Gabriel Grubbs ?
A. Yes, sir.
Q. Where were they living ? A. About one hundred and fifty yards from my mother's.
Q. Where ? A. On Red river -- Blue County.
Q. Choctaw Nation, Indian Territory ? A. Yes, sir.
Q. Do you know when Mary Goddard and Gabriel Grubbs separated ?
A. Yes, sir.
Q. Which left the other ? A. Gabriel left her.
Q. Where did he go ? A. He come to Savanna and stayed there a while and then went to Ft. Smith, Ark.
Q. And where did his wife Mrs. Goddad stay ? A. She stayed at my house and then went to my mother's.
Q. Where was your mother living ? A. With her father-in-law. Mrs. Goddard's father-in-law. Keeping house for him.
Q. She was keeping house for Mrs. Goddard's father-in-law ? A. Yes, sir. She was sick and after she got well she went up there.
Q. She went up there after she got sick ? A. Yes, sir.
Q. And made that her home did she ? A. Yes, sir.
Q. Do you know Mariah Grubbs ? A. Who ?
Q. Do you know Mariah Grubbs, Gabriel's sister ? A. Yes, sir.
Q. Where did she live when Gabriel Grubbs left his wife ? A. At Perryville.
Q. Was not where Mrs. and Mr. Grubbs was living at all ?
A. No, sir.
Q. When Gabriel Grubbs left Mary Goddard did they have any children ? A. Yes, sir, one.
Q. About how old was it ? A. Between five and six months old.
Q. How kept the child ? A. The mother.
Q. With whom did the child live after that ? A. The mother.

7-4512-

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 testimony of Catherine Fulton in the matter of the application of Mary Goddard, at South McAlester, Indian Territory, on December 24, 1902; that the above and foregoing is a true, full and correct translation of his stenographic notes as taken in said cause.

Fred V. Kinkade

Subscribed and sworn before me this 27 of December, 1902.

Charles H. Sawyer

Notary Public.

7-4512.

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

In the matter of the application of Mary Goddard for enrollment as an intermarried citizen of the Choctaw Nation.

--: D E C I S I O N :--

It appears from the record in this case that the applicant, Mary Goddard, (formerly Grubbs), in 1874, was married to Gabriel Grubbs, a citizen by blood of the Choctaw Nation, who died about 1877; that at the time of said marriage the said Gabriel Grubbs was a resident 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 that in 1879 the applicant was married to J. Goddard, a non-citizen.

It further appears from the records in the possession of the Commission that, on September 7, 1896, in the case entitled "Mary Goddard, et. al, vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, case number 270), the applicant herein made original application to the Commission, 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, claiming her right thereto by virtue of her marriage to the said Gabriel Grubbs, and, on December 2, 1896, the Commission rendered its decision, admitting the applicant, as Mary Goddard, to citizenship in the Choctaw Nation, as a citizen by intermarriage, from which decision of the Commission no appeal was taken.

The statement in the evidence that Mary Goddard was admitted by the United States Court at South McAlester, Indian Territory, August 27, 1897, case number 48 is erroneous.

Upon an examination of the tribal rolls in the possession of the Commission, the applicant is identified upon the 1896 Choctaw Census Roll, Tobuckey County, number 14568, enrolled thereon as a citizen by intermarriage of the Choctaw Nation.

It further appears from the evidence herein that the applicant was a resident in good faith of the Choctaw Nation on June 28, 1898, and that her status as an intermarried citizen of

said Nation remained unchanged from the date of her admission, in 1896, up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Mary Goddard 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

2

Order 4512.

In the matter of the enrollment
of Mary Goddard as an intermar-
ried child of the Cherokee
Nation.

Chief of
Cherokee Nation, Cherokee, vs

*Not overruled by
Department.*

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

FILED

FEB 6 1931

[Handwritten signature]
29
CHIEF

BEFORE THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of
Mary Goddard as a citizen by intermarriage of the Choctaw Nation,
Choctaw Field No. 4512.

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 and Chickasaw Nations.

January 25, 1904.

DEPARTMENT OF THE VETERANS
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

JUL 30 1903



7-15-03

Received of the Commission to the Five Civilized
Tribes one copy of the testimony of Mary Goddard and
Mariah J. Aday, in the matter of the application of
Mary Goddard for enrollment as an intermarried citizen
of the Choctaw Nation, taken at South McAlester, Indian
Territory, December 24, 1902.

Mansfield Murray Hornish

Muskogee, Indian Territory,

July 24, 1903.

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

In the matter of the application for the enrollment as
citizens of the Choctaw Nation of

ARIZONA GODDARD, et al C-13
7-4512

Commission to the Five Civilized Tribes.

South McAlester, Ind. Ter.

In the enrollment of Mary Goddard and children as Choctaws; Joshua Goddard being sworn and examined by Com'r McKennon states:

Q What is your name? A Joshua Goddard.

Q How old are you? A Sixty-eight.

Q Are you the husband of Mary Goddard who is admitted by the United States Court at South McAlester August 27th 1897, case #48?

A Yes sir.

Q Where have you been living with this family, Mary and her children? A In the Indian Territory, since December, 1879.

Q What portion of the Indian Territory? A We settled on Red River in the Choctaw Nation.

Q Have you been here all the while since that time? A Yes sir.

Examined by Choc Com'r Lewis: Q Your wife and these children are all white, there is no Choctaw blood about them? A Yes sir, there is no Choctaw blood in them.

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.

Lee G. Grubbs, as stenographer to the Commissioner to the Five Civilized Tribes, states upon oath that the above is a true and correct copy of the testimony taken at South McAlester, Indian Territory in the matter of the enrollment of Mary Goddard, et al.

Lee G. Grubbs

Subscribed and sworn to before me this 2nd day of January, 1907.

Walter W. Chapel

(COPY)

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

IN THE MATTER OF THE APPLICATION
OF ARIZONA GODARD, ANNIE GODARD,
JAMES FRANKLIN GODARD AND OPHELIA
P. GODARD, FOR ENROLLMENT AS CIT-
IZENS OF THE CHOCTAW NATION.

PETITION FOR ENROLL-
MENT AS CITIZENS OF
THE CHOCTAW NATION.

Come now your applicants, Arizona Godard and Annie Godard for themselves, and James Franklin Godard and Ophelia P. Godard, by their sister and next friend, Arizona Godard, and state and allege:

That they are citizens of the Choctaw Nation and are entitled to be enrolled as such citizens, and claim their citizenship in said nation as follows:

That their mother, Mary Godard, is a citizen of the Choctaw Nation by intermarriage, and is enrolled as such citizen, and that her enrollment was approved by the Secretary of the Interior on the 12th day of June, 1905; that on the 10th day of December 1874, said Mary Godard, then a white woman, and a citizen of the United States, intermarried with Gabriel Grubbs, a citizen by blood of the Choctaw Nation, and that thereafter, to wit, on the 2nd day of August, 1877, said Gabriel Grubbs departed this life. That thereafter, to wit, on the 18th day of February, 1879, said Mary Godard intermarried with J. Godard, a white man, and at that time a citizen of the United States, in Fannin county, State of Texas; that the license and certificate of each marriage is now on file with the Commissioner; that at the time of the said Mary Godard's marriage with said J. Godard she was a resident of the Choctaw nation, Indian Territory, except from the date of her marriage to J. Godard until December of the same year; that the time of her marriage to the said J. Godard the said J. Godard had a crop pitched in the state of Texas, and they lived there until said crop was harvested, and then immediately moved to the Choctaw nation, and their residence thereafter was continuously in the Choctaw nation; that after the marriage of the said Mary Godard to said J. Godard your applicants were born legitimate issue of said marriage, within the Choctaw nation, Indian Territory, as follows, to wit: Arizona Godard, born January 9, 1880; Annie Godard born January 21, 1883; James Franklin Godard born July 1, 1888; and Ophelia P. Godard, born June 1, 1895; and that your applicants have continuously lived and resided in the Choctaw nation, Indian Territory, since the dates of their birth; that they attended the Choctaw Indian schools and have had land improved for them as citizens of said nation; and that for the past twenty years your applicants have resided on the same farm, about three and one half miles southwest of South McAlester, Indian Territory.

That about September, 1896, your applicants applied to the Commission to the Five Civilized Tribes to be enrolled as citizens of the Choctaw Nation, and that said cause was appealed to the United States court for the Central District of the Indian Territory, and from said court was transferred to the Choctaw and Chickasaw Citizenship court; that said cause was under the style of "Mary Godard, et al., vs. Choctaw Nation"; that the evidence taken

in support of the application of said cause of Mary Godard, et al., vs. Choctaw nation, is now on file with the Commissioner and is asked to be considered herewith.

Your applicants further state that Mary Godard, their mother, departed this life February 22, 1905.

Wherefore, your applicants pray that they be enrolled as citizens of the Choctaw Nation.

(Signed) Arnote & Bain,
Attorneys for Applicants.

We, Arizona Godard and Annie Godard, upon oath state that we are acquainted with the matters and things set forth in the foregoing petition, and that they are true.

(Signed) Arizona Godard
Annie Godard.

Subscribed and sworn to before me this the 13 day of January, 1906.

Seal. W. Hayes Fuller,
My Commission expires 31 day of Jany, 1907. Notary Public.

I, J. Godard, upon oath state that I am the father of Arizona, Annie, James Franklin and Ophelia P. Godard, mentioned in the foregoing petition, and that I am acquainted with the matters and things therein set forth and that they are true.

(Signed) J. Godard.
Subscribed and sworn to before me this the 13 day of January, 1906.

Seal. W. Hayes Fuller,
My Commission expires 31 day of Jany, 1907. Notary Public.

I, I. S. Voes, constable for the So. McAlester Commissioner's division of the Central District of the Indian Territory, upon oath state, that I served the above and foregoing petition for enrollment upon Mansfield, McMurray & Cornish, attorneys for the Choctaw & Chickasaw nations, by delivering a true and correct copy thereof to Melvin Cornish, one of the above named attorneys, in the city of So. McAlester, I.T., on this the 18 day of January, 1906; that I am not a party to and have no interest in this proceeding.

(Signed) I. S. Voes.
Sworn to and subscribed before me this the 18 day of January, 1906.

Seal. Ira N. Eubanks,
My Com. expires Dec. 1, 1909. Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
Muskogee, Indian Territory, February 26, 1906.

In the matter of the application for the enrollment of
Arizona Godard et al. as citizens of the Choctaw Nation.

Under the regulations adopted by the Commissioner to the
Five Civilized Tribes January 2, 1906, there was filed on January
19, 1906, by Arnote & Bain, attorneys for the petitioners, a
petition praying for the enrollment of Arizona Godard, Annie
Godard, James Franklin Godard and Ophelia P. Godard as citizens
of the Choctaw Nation, by reason of their being descendants
of Mary Godard, whose name appears on the final roll of citizens
by intermarriage of the Choctaw Nation approved by the Secre-
tary of the Interior opposite No. 1427.

On February 6, 1906, the petitioner, Arizona Godard,
South McAlester, Indian Territory, Arnote & Bain, attorneys for
the petitioner, South McAlester Indian Territory, Messrs. Mans-
field, McMurray & Cornish, attorneys for the Choctaw and
Chickasaw Nations, South McAlester, Indian Territory, were
advised that the Commissioner to the Five Civilized Tribes would
at his office at Muskogee, Indian Territory, on February 26, 1906,
at eleven o'clock A.M. hear such testimony and receive such other
evidence as might be submitted in support of the petition for
the enrollment of Arizona Godard et al. as citizens of the
Choctaw Nation.

Now on this 26th day of February, 1906, nine o'clock
A.M., the case being called for hearing the following appearances
were entered and proceedings had.

APPEARANCES:

Arizona Godard and Annie Godard, petitioners,
J.S. Arnote, of Arnote & Bain, attorney for petitioners,
G. Rosenwinkel, of Mansfield, McMurray & Cornish,
appearing on behalf of the Choctaw and Chickasaw Nations.

By Mr. Rosenwinkel:

The Choctaw and Chickasaw Nations object to any proceedings in this case, for the reason that the applicants are of the class of persons against whom a judgment has been rendered by the Choctaw and Chickasaw Citizenship Court acting under the provisions of the Act of July 1, 1902.

JOSHUA GODARD, being duly sworn, testified as follows:

By the Commissioner:

- Q What is your name? A Joshua Godard.
Q What is your age and post-office address? A I am a little past 74, my post-office is South McAlester.
Q Are you a citizen of the Choctaw Nation? A No sir.
Q What is your wife's name? A Mary Godard.
Q Is your wife, Mary Godard, a citizen of the Choctaw Nation?
A By intermarriage.

The name of Mary Godard appears on the final roll of citizens by intermarriage of the Choctaw Nation approved by the Secretary of the Interior opposite No. 1427.

- Q When were you married to Mary Godard? A I was married in February 1879.
Q Had Mary Godard been married previous to this marriage to you? A Yes sir.
Q To whom was she married? A Gabriel Grubbs, a Choctaw by blood.
Q Have you any children by your wife, Mary Godard? A Yes sir I have four.
Q What are their names? A Arizema, Annie, Benjamin Franklin and Ophelia F. Godard.
Q How old is Arizema? A 26 years old 9th of last June.
Q What are the ages of the other children? A Annie is 23, Franklin will be 17 the 3rd of July, Ophelia eleven the first of June.
Q Were these children born in the Choctaw Nation? A Yes sir.
Q Have continued to live in the Choctaw Nation until this time? A Never have been out.
Q When was the first time you made application for the enrollment of these children as citizens of the Choctaw Nation? A I don't know just the date of it, we all went before the Dawes Commission.
Q When? A In 1866.
Q 1866? A Yes sir.

- Q Did the Commission admit these children? A No sir, didnt enroll none of them but Mrs. Godard.
- Q Was the case appealed? A Yes sir, I appealed the case in behalf of myself and children.
- Q To where? A South Town Court, United States Court.
- Q What was the decision of the United States Court? A It gave the children the right, but denied me the right on the grounds that I was not married to her according to the Choctaw law.
- Q Was the case ever before the Choctaw and Chickasaw Citizenship Court? A Yes sir, we applied before the Citizenship Court after the judgment at South Town.
- Q What was the decision? A It ruled against.

Application was made for the enrollment of Mary Godard, her husband, J. Godard, Arizona Godard, Annie Godard, James Franklin Godard and Ophelia P. Godard to the Commission to the Five Civilized Tribes under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321), and on December 2, 1896 the Commission rendered its decision, granting the application for the enrollment of Mary Godard as an intermarried citizen of the Choctaw Nation, denying all the other applicants. From this decision an appeal was taken on the part of J. Godard, Arizona Godard, Annie Godard, James Franklin Godard and Ophelia P. Godard to the United States Court for the Central District of Indian Territory, at South McAlester, Indian Territory, which court on August 27, 1897, entered a judgment, decreeing that the plaintiffs, Arizona Godard, Annie Godard, James Franklin Godard and Ophelia Pocahontas Godard be admitted to citizenship in the Choctaw Nation. This case was appealed to the Supreme Court of the United States by the Choctaw Nation, which court did confirm the judgment of the court below.

On December 17, 1902, it was decreed by the Choctaw and Chickasaw Citizenship Court, sitting at South McAlester, that so much of the above judgment of the United States Court for the Central District of Indian Territory, as admitted persons to citizenship in the Choctaw Nation, be set aside, annulled, vacated and held for naught.

On November 29, 1904, the Choctaw and Chickasaw Citizenship Court rendered a decree in this case, in which it was ordered, adjudged and decreed that the petition of the applicants, Arizona Godard, Annie Godard, James Godard and Ophelia Godard, and J. Godard be denied, and that they be declared not citizens of the Choctaw Nation, and not entitled to enrollment as such citizens.

By Mr. Arnot:

- Q You are the husband of Mary Godard, who made the application in 1896? A Yes sir.
- Q And whose enrollment was confirmed by the Secretary of the Interior June 12, 1903? A Yes sir.

- Q And these applicants, Arizona Godard, Annie Godard, James Franklin Godard and Ophelia Godard, are the children by your marriage to Mary Godard? A Yes sir.
- Q Are these children still living, all of them? A Yes sir.
- Q Where are they living? A About Three miles and a half south-west of McAlester.
- Q McAlester where? A South McAlester.
- Q What country? A Choctaw Nation.
- Q What Territory? A Indian Territory.
- Q I believe you stated that these children were all of them born in the Choctaw Nation? A Yes sir, one word, we have never been out of the Territory, me and my little baby went over in the Chickasaw Nation last June on a visit; we have been living for twenty years there.
- Q How long have your children resided in the Choctaw Nation, Indian Territory? A All their lives, born and raised right here in the Choctaw Nation; Arizona was born in Blue County, balance born in Cele County, Choctaw Nation, Indian Territory.
- Q Is the mother of these children living? A No, passed away the 22nd day of last February.

By Mr. Rosenwinkel:

- Q The right of the mother of these children, Mary Godard, was finally determined by the Choctaw and Chickasaw Citizenship Court was it not? A No sir, she never was in the Court.
- Q She was not? A No sir.

Witness Excused.

ARIZONA GODARD, being duly sworn, testified as follows:

By the Commissioner:

- Q What is your name? A Arizona Godard.
- Q You are one of the petitioners in this case? A Yes sir.

By Mr. Armet:

- Q How old are you? A 26 years old.
- Q What is your post-office? A South McAlester.
- Q Indian Territory? A Yes sir.
- Q Did you know Mary Godard, who was enrolled as an intermarried citizen, during her lifetime? A Yes sir.

- Q What relation was she to you? A Mother.
Q Who is your father? A Joshua Godard.
Q The witness who has just left the stand? A Yes sir.
Q Have you any brothers and sisters, full-blood by your father Joshua Godard and your mother, Mary Godard? A Yes sir.
Q Name them? A Annie Godard, James Franklin and Ophelia P. Godard.
Q Are they living? A Yes sir.
Q Where do they reside? A Three miles and a half southwest of South McAlester, Indian Territory.
Q Is that in the Chectaw Nation? A Yes sir.

Witness Excused.

ANNIE GODARD, being duly sworn, testified as follows:

By the Commissioner:

- Q What is your name? A Annie Godard.
Q You are one of the petitioners herein? A Yes sir.

By Mr. Arnote:

- Q How old are you? A 23 years old.
Q What is your post-office? A South McAlester, Indian Territory.
Q Did you know Mary Godard, an intermarried citizen of the Chectaw Nation, in her lifetime? A Yes sir.
Q What relation was she to you? A Mother.
Q Do you know Joshua Godard? A Yes sir.
Q What relation is he to you? A Father.
Q Have you any brothers and sisters? A Yes sir.
Q Name them? A Arisema Godard, Frank Godard and Ophelia Godard.
Q Are they still living? A Yes sir.
Q Where do they reside? A In Indian Territory.
Q What Nation? A Chectaw Nation.
Q How long have they lived in the Chectaw Nation? A All their lives.

Witness Excused.

BENJAMIN P. GRUBBS, being first duly sworn, testified as follows:

By the Commissioner:

What is your name? A Benjamin Grubbs.

Q Where do you live? A South McAlester, Choctaw Nation, Indian Territory.

By Mr. Arnote:

Q How old are you? A 49.

Q Do you know Joshua Godard? A Yes sir.

Q Who was on the witness stand? A Yes sir.

Q Did you know his wife, Mary Godard, in her lifetime? A Yes sir.

Q Do you know the applicants, Arizona Godard, Annie Godard, James Franklin Godard and Ophelia Godard? A Yes sir.

Q How long have you known them? A All their lives.

Q Where were they born? A Three born in Tobucksy County, other one down in Blue County.

Q Tobucksy County sometimes called Cole County, is it not? A Cole County in English.

Q Are these four applicants I have named all still living? A Yes sir.

Q Where are they living? A Living about three miles from McAlester south-west.

Q What nation is that in? A Choctaw Nation.

Witness Excused.

Cora Moore, being duly sworn, states that as stenographer to the Commissioner to the Five Civilized Tribes, she reported the proceedings had in the above entitled cause on the 26th day of February, 1906, and that the above and foregoing is a full and complete transcript of her stenographic notes taken in said cause on said date.

Subscribed and sworn to before me this 26th day of February, 1906.

Cora Moore
W. H. White
Notary Public

M.S.

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

C-13
7-4512

In the matter of the application for the enrollment of
ARIZONA GODDARD, et al, as citizens of the Choctaw Nation.

D E C I S I O N .

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 September 4, 1899 by Joshua Goddard for the enrollment, among others, of Arizona Goddard, Annie Goddard, James F. Goddard and Ophelia P. Goddard as citizens of the Choctaw Nation.

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that the applicants, Arizona Goddard (as Arizona Godard), Annie Goddard (as Annie Godard), James F. Goddard (as James Franklin Godard) and Ophelia P. Goddard (as Ophelia P. Godard) were applicants to the Commission to the Five Civilized Tribes for admission to citizenship in the Choctaw Nation under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321) in 1896 Choctaw Citizenship case No. 270, entitled "Mary Godard, et al, vs. Choctaw Nation"; that on December 2, 1896, the Commission denied said application as to the applicants herein.

From this decision an appeal was taken to the United States Court for the Central District of Indian Territory, which Court on August 27, 1897, reversed the decision of the Commission as to the applicants herein and admitted said applicants to citizenship in the Choctaw Nation.

Said cause was subsequently appealed to the Supreme Court of the United States by the Choctaw Nation, which Court confirmed the judgment of the United States Court for the Central District of Indian Territory.

The judgment of the United States Court was subsequently vacated, set aside and held for naught by a decree of the Choctaw and Chickasaw Citizenship Court on December 17, 1902, in the test case of "Choctaw and Chickasaw Nations or Tribes vs. J. T. Riddle, et al".

Said cause was subsequently certified to the Choctaw - Chickasaw Citizenship Court created under the Act of Congress approved July 1, 1902 (32 Stats., 641) for a trial de novo and on November 29, 1904, in the case entitled "Mary Goddard, et al, vs. Choctaw and Chickasaw Nations" (Choctaw-Chickasaw Citizenship Court case No. 117, South McAlester docket), said Court rendered a judgment therein wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, Arizona Goddard or Godard, Annie Goddard or Godard, James Goddard or James Franklin Godard, Ophelia Goddard or Ophelia Pechontas Godard. . . be denied and that they be declared not citizens of the Choctaw Nation and not entitled to

enrollment as such citizens and not entitled to any rights whatever flowing therefrom.

The record herein further shows that on January 19, 1906, there was filed by Arnote & Bain, attorneys at law, South McAlester, Indian Territory, under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, a petition praying for the enrollment of Arizona Godard, Annie Godard, James Franklin Godard and Ophelia P. Godard as citizens of the Choctaw Nation. Said petitioners are identical with the persons for whose enrollment as citizens of the Choctaw Nation application was made on September 4, 1899.

It appears from the record herein that the applicants Arizona Godard, Annie Godard, James F. Godard and Ophelia P. Godard are the children of Joshua Godard, a non-citizen, and Mary Godard; that the said Mary Godard has been enrolled as an inter-married citizen of the Choctaw Nation, she having been married to one Gabriel Grubbs, a Choctaw citizen prior to her marriage to said Joshua Godard. Her name appears opposite No. 1427 on the approved roll of citizens by intermarriage of the Choctaw Nation.

I am of the opinion that following the ruling of the Department of April 24, 1906 (I.T.D. 4048-1906) in the case of Mary Elizabeth Martin, the applicants herein have never occupied such a status as would entitle them to enrollment as citizens of the Choctaw Nation.

I am, therefore, of the opinion that the action of the Choctaw-Chickasaw Citizenship Court of November 29, 1904, is final and that I have no authority to take any further action looking toward the enrollment of the applicants herein as citizens of the Choctaw Nation; that the application for the enrollment of Arizona Godard, Annie Godard, James F. Godard and Ophelia P. Godard as citizens of the Choctaw Nation and the petition herein should be denied under the provisions of the Act of Congress approved July 1, 1902 (32 Stat., 641), and it is so ordered.


Commissioner to the Five Civilized Tribes.

Muskogee, Indian Territory,

JAN 23 1907

C-13

7-4512.

COPY

Muskogee, Indian Territory, January 23, 1907.

Arizona Goddard,

South McAlester, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered January 23, 1907, denying the application and petition for your enrollment and for the enrollment of Annie Goddard, James P. Goddard and Ophelia P. Goddard 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,

Tame Bixby

Commissioner.

Registered.

Incl. C-13
7-4512.

C-13
7-4512.

COPY

Muskogee, Indian Territory, January 23, 1907.

Joshua Goddard,
South McAlester, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered January 23, 1907, denying the application and petition for the enrollment of Arizona Goddard, Annie Goddard, James F. Goddard and Ophelia P. Goddard 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 Bixby*

Commissioner.

Registered.

Incl. C-13
7-4512.

C-13
7-4512.

COPY

Muskogee, Indian Territory, January 23, 1907.

Arnote & Bain,

Attorneys at law.

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 23, 1907, denying the application and petition for the enrollment of Arizona Goddard, Annie Goddard, James F. Goddard and Ophelia P. Goddard 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

James Dixby

Commissioner.

Registered.

Incl. C13
7-4512.

C-13

7-4512.

COPY

Muskogee, Indian Territory, January 23, 1907.

Manfield, McMurray & Cornish,

Attorneys for the 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 23, 1907, denying the application and petition for the enrollment of Arizona Goddard, Annie Goddard, James F. Goddard and Ophelia P. Goddard as citizens of the Choctaw Nation.

The decision with therecord 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-13
7-4512.

COPY

Muskogee, Indian Territory, January 23, 1907.

The Honorable,

The Secretary of the Interior:

Sir:

There is transmitted herewith record of proceedings in the matter of the application and petition for the enrollment of Arizona Goddard, Annie Goddard, James F. Goddard and Ophelia P. Goddard as citizens of the Choctaw Nation, including the decision of the Commissioner to the Five Civilized Tribes, dated January 23, 1907, denying said application and petition.

Respectfully,

SIGNED *Tamo Bixby*

Commissioner.

2 Incl.

Through the
Commissioner of Indian Affairs.

DEPARTMENT OF THE INTERIOR
WASHINGTON

YF

S.P.

D.C. 12306-1907.
I.T.D. 5520, 5560, 5562, 5564, 5578-1907
5590, 5594, 5596, 5600, 5602- "
5606, 5608, 5622, 5630, 5636- "

March 1, 1907.

LRS

Direct.

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

Your decisions in the following Choctaw citizenship
~~cases adverse to the applicants are hereby affirmed.~~

Copies of Indian Office letters submitting your reports
and recommending that the decisions be affirmed are inclosed:

Title of Case.	Date of your letter of transmittal.
Arizona Goddard, et al.	January 23, 1907.
Ollie B. Osbirn	January 11, 1907.
John Thomas Owens, et al.	January 10, 1907.
Alfred F. Babbour,	January 11, 1907.
Newton Nail (freedman)	February 9, 1907.
Bertha May Williams, et al.	December 1, 1906.
Leroy Branchears (freedman)	February 8, 1907.
J. M. La Rue Moore	December 24, 1906.
Florence M. Reeves	January 28, 1907.
Della Ellis, et al. (Choctaw or Chick.)	January 4, 1907.
Elberta Purris (freedman)	February 8, 1907.
Eldridge Lee Kirkland	January 28, 1907.
Clarence Henry Maddox, et al.	December 24, 1906.
Retta M. Morgan	January 29, 1907.
Noel Walker	January 4, 1907.

-2-

A copy hereof and all the papers in the above mentioned cases have been sent to the Indian Office.

Respectfully,

Jesse B. Wilson,

Assistant Secretary.

15 inc. and
30 to Ind. Of.

A.F.No.
3-1-07.

COPY

Land
8466-1907

DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS
WASHINGTON

February 25, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed the record of proceedings in the matter of the application and petition for the enrollment of Arizona Goddard, Annie Goddard, James F. Goddard and Ophelia P. Goddard as citizens of the Choctaw Nation, including the decision of the Commissioner to the Five Civilized Tribes, dated January 23, 1907, adverse to the applicants.

The record shows that on January 19, 1906 there was filed by Arnote and Bain, attorneys at law of South McAlester, Indian Territory, a petition praying for the enrollment of the applicants herein as citizens of the Choctaw Nation. The record further shows that the applicants are the children of Joshua Goddard, a non-citizen, and Mary Goddard; and that Mary Goddard has been enrolled as an intermarried citizen of the Choctaw Nation, she having been married to Gabriel Grubbs, a citizen by blood of the Choctaw Nation, prior to her marriage to Joshua Goddard. Following the ruling of the Department of April 24, 1906 (I.T.D. 4048) in the case of Mary Elizabeth Martin, the applicants herein have never occupied such a status as would entitle them to enrollment as citizens of the Choctaw Nation. Therefore, by reason of the

provisions of the Act of July 1, 1902 (32 Stat. L., 641), the Office censures in the decision of Commissioner Birby denying the enrollment of the applicants herein as citizens of the Choctaw Nation.

Very respectfully,

Acting Commissioner.

EBV-D

C-13

7-4512

Muskogee, Indian Territory, April 3, 1907.

Arizona Goddard,

South McAlester, Indian Territory.

Dear Sir:

You are hereby advised that on March 1, 1907, the Secretary of the Interior affirmed the decision of this office of January 23, 1907, denying the application and petition for your enrollment and for the enrollment of Annie Goddard, James F. Goddard and Ophelia P. Goddard as citizens of the ~~Cherokee~~ Nation.

Respectfully,

Geo. D. Rodgers.

Acting Commissioner.

C-13
7-4512

Muskogee, Indian Territory, April 3, 1907.

Joshua Goddard,

South McAlester, Indian Territory.

Dear Sir:

You are hereby advised that on March 1, 1907, the Secretary of the Interior affirmed the decision of this office of January 23, 1907, denying the application and petition for the enrollment of Arizona Goddard, Annie Goddard, James F. Goddard and Ophelia P. Goddard as citizens of the Choctaw Nation.

Respectfully,

Geo. D. Rodgers.

Acting Commissioner.

C-13

7-4512

Muskogee, Indian Territory, April 3, 1907.

Arnote & Pat,

Attorneys at Law,

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on March 1, 1907, the Secretary of the Interior affirmed the decision of this office of January 28, 1907, denying the application and petition for the enrollment of Arizona Goddard, Annie Goddard, James F. Goddard and Ophelia P. Goddard as citizens of the Choctaw Nation.

Respectfully,

Geo. T. Rogers.

Acting Commissioner.

C-13

7-4512

Muskogee, Indian Territory, April 3, 1907.

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

Gentlemen:

You are hereby advised that on March 1, 1907, the Secretary of the Interior affirmed the decision of this office of January 23, 1907, denying the application and petition for the enrollment of Arizona Goddard, Annie Goddard, James F. Goddard and Ophelia P. Goddard as citizens of the Choctaw Nation.

Respectfully,

P. H. ...
Acting Commissioner.

MEMORANDA.

(Date) Feb 11 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,

40 ✓ Wife's name, Mary Goddard

Choctaw? yes County Year No.

Chickasaw? County Year Page

Citizen by blood? Mother's citizenship yes

Intermarried citizen? yes

Married under what law?

License filed this day

Names of children:

19 ✓ Arizona County Year Page No.

17 ✓ Annie County Year Page No.

11 ✓ James F County Year Page No.

4 ✓ Ophelia 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.

County Year Page No.

Admission to citizenship
97 - Case # 111 # 4 as names Franklin
Goddard, # 1 as Ophelia Locabulas
Goddard as to residence, certificate
testimony of Joshua H. H. H.

H. H. H.

7-4512

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

I, T. B. Needles, a member of the Commission to the Five Civilized Tribes, do hereby certify that it appears from our records that Mary Godard was admitted as an intermarried citizen of the Choctaw Nation by this Commission under the provisions of the act of Congress of June 10, 1896, and that no appeal was taken from such decision to the United States Court for the Indian Territory within the time prescribed by the act of Congress of June 10, 1896, above referred to.

In Testimony Whereof, I have hereunto set my hand at Muskogee, Indian Territory this December 12, 1903.

Commissioner.

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

I, T. B. Needles, a member of the Commission to the Five Civilized Tribes, do hereby certify that the name of Mary Godard is found on the 1896 census roll of the citizens of the Choctaw Nation, Tobucksy County, opposite Number 14568, as an intermarried citizen of said Nation.

I do further certify that the said Mary Goddard was admitted as an intermarried citizen of the Choctaw Nation by the Commission to the Five Civilized Tribes, under the provisions of the act of Congress of June 10, 1896, and that it appears from our records that no appeal was taken from said decision to the United States Court in Indian Territory, within the time provided by said act of Congress above referred to.

In Testimony Whereof, I have hereunto set my hand, at Muskogee, Indian Territory, this February 16, 1904.

Commissioner.

7-4512

Muskogee, Indian Territory, July 24, 1903.

Mansfield, McMurray & Cornish,

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

Gentlemen:

Receipt is hereby acknowledged of your letter of July 22, asking for a copy of the testimony of one Mrs. Aday or Ada, given before the Commission in December, 1902 in the matter of the enrollment of Mary Goddard as an intermarried citizen of the Choctaw Nation.

In compliance with your request there is inclosed you herewith a copy of the testimony taken before the Commission at South McAlester, Indian Territory, December 24, 1902, which includes the testimony of Mary Goddard and Mariah J. Aday, together with a receipt therefor, which please sign and return to this office.

Respectfully,

Inc. 2 C-24-5
 C-24-6

Commissioner in Charge.

Choctaw 4812

Muskogee, Indian Territory, February 8, 1904.

Mary Goddard,

South McAlester, 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 an intermarried citizen of the Choctaw Nation until the Commission is further instructed by the Secretary of the Interior.

Respectfully,

Commissioner in Charge.

Choctaw 4512

Muskogee, Indian Territory, February 16, 1904.

Will E. Linton,

Attorney at Law,

Muskogee, Indian Territory,

Dear Sir:

In compliance with your personal request there is inclosed you herewith a certificate showing the tribal enrollment of Mary Goddard, mother of Arizona, Annie, James F. and Ophelia P. Goddard; also showing that she was admitted as an intermarried citizen of the Choctaw Nation by this commission under the provisions of the act of Congress of June 10, 1896, and that no appeal was taken from said decision to the United States Court in Indian Territory, within the time provided by said act.

Respectfully,

Commissioner in Charge.

AB 7-16

Choctaw 4512

Muskogee, Indian Territory, March 23, 1905.

Commissioner in Charge,

Choctaw Land Office,

Atoka, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of March 20, inclosing communication from H. Augustus Guess relative to certain contest cases pending at your office against Lula Seitz and Brady Garmany, instituted by Mary Goddard, Choctaw card Number 4512. You state that it appears from the records of your office that her citizenship is still undetermined, but you call attention to that portion of the letter transmitted with your communication which states that on December 1, 1904, the Citizenship Court rendered a decision denying the application of Mary Goddard. You therefore request to be advised the status of the citizenship of Mary Goddard.

In reply to your letter you are informed that it does not appear from our records that Mary Goddard, Choctaw card Number 4512 was a party litigant before the Choctaw and Chickasaw Citizenship Court. It appears that she was admitted by the Commission to the Five Civilized Tribes in 1896 as an intermarried citizen of the Choctaw Nation, and that no appeal was taken from this decision within the time provided by the act of Congress of June 10, 1896.

Choctaw L O 2

You are further informed that the Commission is now considering the application of Mary Goddard for enrollment as an inter-married citizen of the Choctaw Nation, but no decision has yet been reached therein.

It does appear, however, that Arizona, Annie, James P. and Ophelia P. Goddard, children of Mary Goddard, were denied by the Choctaw-Chickasaw Citizenship Court, November 29, 1904, in case Number 117 on the South McAlester Docket.

The letter of H. Augustus Guess, inclosed with your communication, is herewith returned.

Respectfully,

Chairman.

AB

7-4812

COPY.

Muskogee, Indian Territory, March 29, 1905.

Mary Goddard,

South McAlester 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,

~~WGN:SE~~

Tamo Bixby

Chairman.

Registered.

Incl. 7-4812.

7-4512

COPY,

Muskogee, Indian Territory, March 29, 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 this Commission, rendered March 29, 1906, granting the application for the enrollment of Mary Goddard 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)

Tams Bixby

Chairman.

Registered.

Incl. 7-4512.

See 7-3547 for registry receipt for this letter.

COPY,
Muskogee, Indian Territory, March 29, 1905.

Will E. Linton,
Attorney at Law,
Muskogee, Indian Territory.

Dear Sir:

You are hereby notified that the Commission to the Five Civilized Tribes, on March 29, 1905, rendered its decision, granting the application for the enrollment of Mary Goudard 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, 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,

ENGINEER

Jams Bixby
Chairman.

Registered.

7-4512

COPY

Muskogee, Indian Territory, March 29, 1905.

J. S. Arnot,

Attorney at Law,

South McAlester, Indian Territory.

Dear Sir:

You are hereby notified that the Commission to the Five Civilized Tribes, on March 29, 1905, rendered its decision, granting the application for the enrollment of Mary Goddard 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, 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,

GUNZEE

Tamo Dixby

Chairman.

Registered.

Choctaw 4512

Muskogee, Indian Territory, March 30, 1905.

J. S. Arnote,

Attorney at Law,

South McAlester, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of March 23 asking if Mrs. Mary Goddard has been approved by the Commission.

In reply to your letter you are advised that on March 29, 1905, the Commission to the Five Civilized Tribes rendered its decision granting the application of Mary Goddard for enrollment as an intermarried citizen of the Choctaw Nation, and a copy of this decision was on that date forwarded her by registered mail to South McAlester and you were advised by registered mail of this decision.

Respectfully,

Chairman.

Choctaw 4512

Muskogee, Indian Territory, June 8, 1905.

McKennon & Dean,

Attorneys at Law,

South McAlester, Indian Territory,

Gentlemen:

Receipt is hereby acknowledged of your letter of May 26, asking the status of the application of Mary Goddard for enrollment as an intermarried citizen of the Choctaw Nation, and in reply you are advised that her 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. You will be notified when her enrollment is approved by the Department.

The matter of the contest referred to in your letter has been made the subject of another communication.

Respectfully,

Chairman.

Muskogee, Indian Territory, September 12, 1905.

George Fitzpatrick,

Attorney at Law,

South McAlester, Indian Territory.

Dear Sir:

Replying to your letter of August 23rd, directed to the Secretary of the Interior and by him referred to this office for consideration and appropriate action, you are advised that Mary Goddard has been enrolled as a citizen by intermarriage of the Choctaw Nation and her enrollment as such approved by the Secretary of the Interior. Her name appears upon the final roll of intermarried citizens of the Choctaw Nation opposite number 1427.

The newspaper clipping enclosed with your letter is returned herewith and you are advised that Mary Goddard was not denied citizenship in the Choctaw Nation by the decree of the Choctaw and Chickasaw Citizenship Court referred to, the persons denied by said decree being her children, Arizona, Annie, James P. and Ophelia P. Goddard, by her white husband, Joshua Goddard.

Respectfully,

7-4488

7-4512

Muskogee, Indian Territory, June 11, 1906.

Arnot & Pain,

Attorneys at Law,

South McAlester, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of May 29, 1906, in which you state that you represent Arizona Goddard et al. and the children of Mollie Engleman, who are children of enrolled citizens by intermarriage of the Choctaw Nation; that these children were all born before the ratification of the supplemental agreement and are all minors except two and seem to come within the provisions of the Act of Congress approved April 26, 1906; you ask if this office will require such applicants to make new applications under the act of Congress above referred to and if application for the enrollment of children born prior to the supplemental agreement will be received.

In reply to your letter you are advised that under the act of Congress approved April 26, 1906, this office is receiving applications for the enrollment of minor children, whose parents have applications pending for enrollment in the Choctaw and Chickasaw Nations and if you desire to submit applications for the enrollment of the children referred to under the act of Congress of April 26, 1906, above referred to the same would receive consideration.

A. & B. #2

You are informed, however, that in accordance with the views of the Attorney General recently expressed white children of intermarried citizens of the Choctaw and Chickasaw Nations are not entitled to enrolment and allotment in said nations.

Respectfully,

Commissioner.

DEPARTMENT OF THE INTERIOR
WASHINGTON

FP

S.P.

D.C. 12306-1907.
I.T.D. 5520, 5560, 5562, 5564, 5578-1907
5590, 5594, 5598, 5600, 5602-
5606, 5608, 5622, 5630, 5636-

March 1, 1907.

LRS

Direct.

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

Your decisions in the following Choctaw citizenship cases adverse to the applicants are hereby affirmed. Copies of Indian Office letters submitting your reports and recommending that the decisions be affirmed are inclosed:

Title of Case.	Date of your letter of transmittal.
Arizona Goddard, et al.	January 23, 1907.
Ollie B. Osborn	January 11, 1907.
John Thomas Owens, et al.	January 10, 1907.
Affred P. Barbour,	January 11, 1907.
Newton Nail (freedman)	February 9, 1907.
Bertha May Williams, et al.	December 1, 1906.
Leroy Brashears (freedman)	February 8, 1907.
J. M. La Rue Moore	December 24, 1906.
Florence M. Reeves	January 8, 1907.
Della Ellis, et al. (Choc. or Chick.)	January 4, 1907.
Elberta Burreis (freedman)	February 8, 1907.
Eldridge Lee Kirkland	January 28, 1907.
Clarence Henry Maddox, et al.	December 24, 1906.
Retta M. Morgan	January 29, 1907.
Noel Walker	January 4, 1907.

-2-

A copy hereof and all the papers in the above mentioned cases have been sent to the Indian Office.

Respectfully,

Jesse E. Wilson,

Assistant Secretary.

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30 to Ind. Of.

A.F.No.
3-1-07.

COPY

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8466-1907

DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS
WASHINGTON

February 25, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed the record of proceedings in the matter of the application and petition for the enrollment of Arizona Goddard, Annie Goddard, James F. Goddard and Ophelia P. Goddard as citizens of the Choctaw Nation, including the decision of the Commissioner to the Five Civilized Tribes, dated January 23, 1907, adverse to the applicants.

The record shows that on January 19, 1906 there was filed by Arnote and Bain, attorneys at law of South McAlester, Indian Territory, a petition praying for the enrollment of the applicants herein as citizens of the Choctaw Nation. The record further shows that the applicants are the children of Joshua Goddard, a non-citizen, and Mary Goddard; and that Mary Goddard has been enrolled as an intermarried citizen of the Choctaw Nation, she having been married to Gabriel Grubbs, a citizen by blood of the Choctaw Nation, prior to her marriage to Joshua Goddard. Following the ruling of the Department of April 24, 1906 (I.T.D. 4048) in the case of Mary Elizabeth Martin, the applicants herein have never occupied such a status as would entitle them to enrollment as citizens of the Choctaw Nation. Therefore, by reason of the

provisions of the Act of July 1, 1902 (32 Stat. L., 841), the Office concurs in the decision of Commissioner Dixby denying the enrollment of the applicants herein as citizens of the Choctaw Nation.

Very respectfully,

Acting Commissioner.

KEM-D

C-13
7-4512

Muskogee, Indian Territory, March 14, 1907.

Arnote & Bain,
Attorneys at Law,
South McAlester, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of January 26, 1907, in which you acknowledge receipt of a copy of the decision in the matter of the application for the enrollment of Arizona Godard et al. as citizens of the Choctaw Nation; you notice that it is stated in the decision that application for these persons were made in September 4, 1899 and you state that this date should be 1896 but you presume it is merely a clerical error, but that it occurs twice in the decision and that the statement of facts in the decision show that the application could not have been made in 1899.

In reply to your letter you are advised that it appears from the records of this office that application was made for the enrollment of Arizona Godard and others as citizens of the Choctaw Nation on September 4, 1899 and this date as set up in the decision is correct.

A. & B. #2

In another paragraph the application for citizenship of these persons in 1896 under the Act of Congress approved June 10, 1896 is shown.

Respectfully,

Commissioner.

END
OF
ROLL

