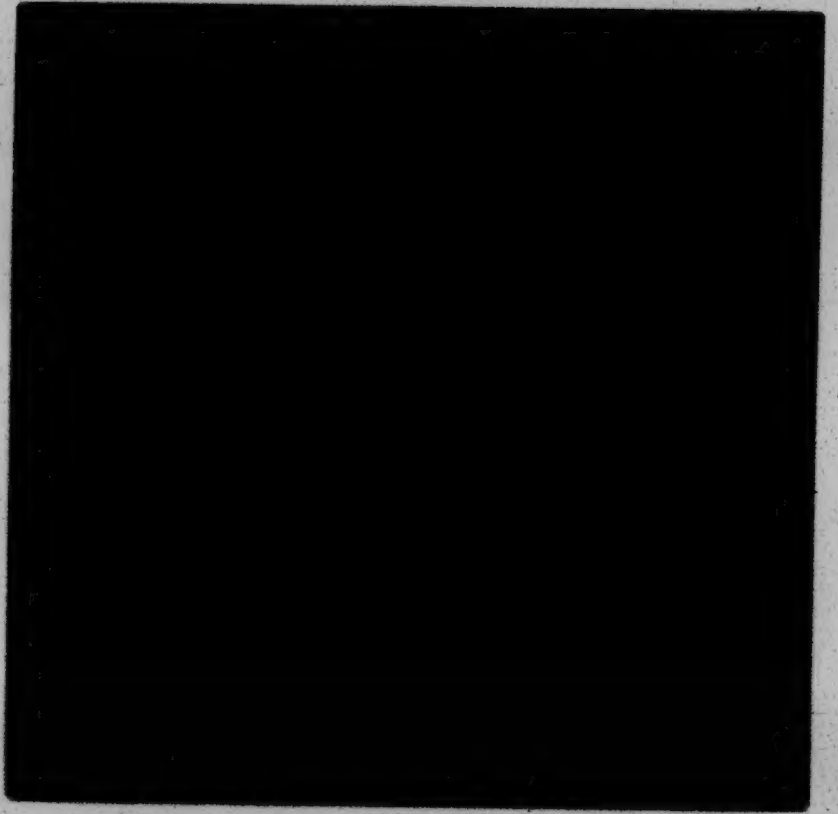
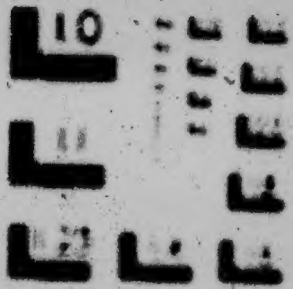
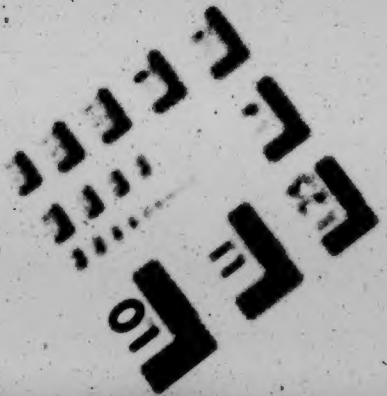
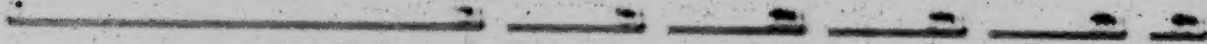


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APPLICATIONS FOR ENROLLMENT OF THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

1898 - 1914

Roll 31

Choctaw by Blood 5037-5148

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

WASHINGTON: 1983

Choc 5037 William E. Wheat

see C-31

see choc 4979 for record

5037

7-5037.

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

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

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

It appears from the census card record that on September 15, 1898, application was made to this Commission for the enrollment of Myrtle E. Wheat (7 years of age), daughter of William E. Wheat, as a citizen by blood of the Choctaw Nation.

It does not appear from the records of the Commission that the applicant has ever been enrolled by the tribal authorities of the Choctaw Nation, neither does it appear that she has ever been admitted to citizenship in the Choctaw Nation by the legally constituted authorities of said nation, nor does it appear that she has ever been admitted to citizenship in said nation by the Commission to the Five Civilized Tribes, or by the United States Court in Indian Territory, in accordance with the provisions of the Act of Congress approved June 10, 1896 (29 Stat., 321).

It appears from the records of the Commission that on September 4, 1896, in the case entitled "Dick Randolph, et al. vs. Choctaw Nation" (1896 Choctaw Citizenship docket, case No. 112) application was made to this Commission for the admission to citizenship in the Choctaw Nation of (among others), the applicant herein (as Myrtle Wheat), as a citizen by blood thereof; that on December 7, 1896, this Commission rendered its decision denying said application; that from this decision of the Commission an appeal was taken, as to certain of the applicants, to the United States Court for the Southern District of the Indian Territory, which Court on January 19, 1898, in the case entitled "Dick Randolph, et al. vs. Choctaw Nation" (Citizenship case No. 125) entered of record a judgment reversing the decision of this Commission and admitting to citizenship in the Choctaw Nation, the parties whose names are mentioned therein. The name of the applicant herein does not appear in said judgment rendered by said United States Court on January 19, 1898.

It further appears 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 Southern District of Indian Territory.

It further appears from the records of the Commission that said cause was, as to certain of the applicants therein, including said William E. Wheat, the father of the applicant herein, duly certified to said Choctaw and Chickasaw Citizenship Court for a trial de novo, within the time prescribed by the provisions of the Act of Congress approved July 1, 1902, (32 Stat., 641) and

that, as to the said William E. Wheat, said Choctaw and Chickasaw Citizenship Court, on November 29, 1904, in case No. 27 on its Tishomingo docket, entered of record a decree denying his petition for enrollment as a citizen by blood of the Choctaw Nation, and declaring that the said William E. Wheat is not a citizen of said Nation, but that, as to the applicant herein, said Choctaw and Chickasaw Citizenship Court, in and by said decree, dismissed the petition of said Myrtle Wheat for want of jurisdiction.

It is, therefore, the opinion of this Commission that Myrtle E. Wheat is not entitled to be enrolled as a citizen by blood 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.

(SIGNED),

Tamm Dixey

Chairman.

(SIGNED),

T. B. Needles.

Commissioner.

(SIGNED),

C. R. Breckinridge.

Commissioner.

Muskogee, Indian Territory,

FEB 4 - 1905

7-5037

COPY

Muskogee, Indian Territory, February 4, 1905.

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

Gentlemen:

Inclosed herewith you will find a copy of the decision of this Commission, rendered February 4, 1905, denying the application for the enrollment of Myrtle E. Wheat as a citizen by blood of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

(SIGNED)

James Bixby

Chairman.

Incl. 7-5037.

COPY.

Muskogee, Indian Territory, February 4, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record in the matter of the application of Myrtle E. Wheat for enrollment as a citizen by blood of the Choctaw Nation, including the decision of the Commission of February 4, 1905, denying said application.

Respectfully,

(SIGNED)

John D. ...
Chairman.

Through the
Commissioner of Indian Affairs.

2 Incl. 7- 2037.

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ITD.2044-1905.
LRS.

(COPY). GR. LLB.

DEPARTMENT OF THE INTERIOR,
WASHINGTON, March 14, 1905.

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

Gentlemen:

February 4, 1905, you transmitted the record of the application for the enrollment of Myrtie E. Wheat as a citizen by blood of the Choctaw Nation, including your decision dated February 4, 1905, adverse to the applicant.

February 23, 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 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.

Land.
10848-1905.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, February 23, 1905.

(COPY).

The Honorable,
The Secretary of the Interior.

Sir:

I enclose a report from the Commission to the Five Civilized Tribes, dated February 4, 1905, transmitting the record of the application for enrollment as a citizen by blood of the Choctaw Nation by Myrtie E. Wheat.

February 4, 1905, the Commission decided adversely to the applicant.

It does not appear that the applicant has ever been enrolled or admitted to Choctaw citizenship by any tribal authority of the Choctaw Nation or by any United States tribunal.

It appears from the record that on December 7, 1896, the Commission rendered a decision denying the applicant (among others) enrollment as a citizen by blood of the Choctaw Nation and that upon appeal the decision of the Commission was reversed by the United States Court, Southern District, Indian Territory on January 19, 1898, and 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 aforesaid.

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,

7-6037

Muskogee, Indian Territory, March 27, 1906.

William E. Wheat,

Pauls Valley, 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 4, 1905, denying the application for the enrollment of your minor child, Myrtle E. Wheat, as a citizen by blood of the Choctaw Nation.

Respectfully,

USIGNED

James Bixby

Chairman.

Y-5037

COPY.

Muskogee, 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 4, 1905, denying the application for the enrollment of Myrtle E. Wheat as a citizen by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Jams Bixby

Chairman.

7-5037

50176
Muskogee, Indian Territory, February 4, 1905.

William H. Wheat,
Remailed to Pauls Valley 3/27/05
Saples, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 4, 1905, denying the application for the enrollment of your minor child, Myrtle E. Wheat, as a citizen by blood of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Chairman.

Registered.
Incl. 7- 5037.

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

In the matter of the application for the enrollment of
SAMUEL C. WALL, et al., as citizens of the Choctaw Nation.

DECISION.

The record herein shows that application was made to the Commission to the Five Civilized Tribes at Paulton, Indian Territory, September 14, 1898, by Samuel C. Wall for the enrollment of himself and his minor son, Sam W. Wall, as citizens of the Choctaw Nation, and for the enrollment of his wife, Ellen Wall, as a citizen by intermarriage of the Choctaw Nation; that on the same date application was made by Thomas Wall to the Commission to the Five Civilized Tribes for the enrollment of himself and his minor children, Firms T. Wall and Berdie Lee Wall, as citizens of the Choctaw Nation; that on the same date application was made to the Commission to the Five Civilized Tribes by Thomas J. Fogg for the enrollment of Eunice Fogg and Effie Fogg as citizens of the Choctaw Nation; that on June 7, 1901, written application was filed for the enrollment of Ora Nellie Fogg, minor daughter of Thomas J. Fogg and Eunice Fogg, as a citizen of the Choctaw Nation; that on September 14, 1898, application was made to the Commission to the Five Civilized Tribes by James V. Harper for the enrollment of his wife, Daisy Harper, and his minor son, Lawrence V. Harper, as citizens of the Choctaw Nation; that on June 28, 1900, written application was filed for the enrollment of Gracie Ellen Harper, and on November 1, 1902, written application was filed for the enrollment of James Custer Harper, minor children of James V. Harper and Daisy Harper, as citizens of the Choctaw Nation; that on September 14, 1898, application was made to the Commission to the Five Civilized Tribes by Dick Randolph for the enrollment of himself as a citizen by intermarriage of the Choctaw Nation, and for the enrollment of his wife, Myrtle Randolph, and his minor children, Minnie Randolph, Deesse Randolph, Versan Randolph, Hughie Randolph and Lena R. Randolph, as citizens of the Choctaw Nation; that on November 26, 1901, written application was filed for the enrollment of Myrtle Randolph, minor daughter of Dick Randolph and Myrtle Randolph, as a citizen of the Choctaw Nation; that on February 9, 1901, written application was filed for the enrollment of Lella Blanche Ware,

and on June 28, 1902, written application was filed for the enrollment of John Boyd Myers, minor children of William Myers and Minnie Myers (formerly Randolph), as citizens of the Choctaw Nation; that on September 15, 1895, application was made to the Commission to the Five Civilized Tribes at Pauls Valley, Indian Territory, by Waldemar Thompson for the enrollment of himself and his minor daughter, Nellie Thompson, as citizens of the Choctaw Nation. Subsequent thereto, written applications were filed for the enrollment of Myrtle Thompson, Claudia Ellen Thompson and Giles Clide Thompson, minor children of Waldemar Thompson and May Thompson, as citizens of the Choctaw Nation; that application was made to the Commission to the Five Civilized Tribes at Pauls Valley, Indian Territory, September 15, 1895, by William E. Wheat for the enrollment of himself as an intermarried citizen of the Choctaw Nation, and for the enrollment of his minor children, Jesse G. Wheat and Myrtle E. Wheat, as citizens of the Choctaw Nation; that on the same date application was made to the Commission to the Five Civilized Tribes by William J. Thompson for the enrollment of himself as a citizen of the Choctaw Nation; that on November 14, 1902, written application was filed for the enrollment of Winona Thompson, minor child of said William J. Thompson and his wife, Savannah Thompson, as a citizen of the Choctaw Nation; that application was made to the Commission to the Five Civilized Tribes at Atoka, Indian Territory, December 5, 1895, by Tillier Myers for the enrollment of himself, as an intermarried citizen of the Choctaw Nation; that on September 14, 1895, application was made to the Commission to the Five Civilized Tribes at Pauls Valley, Indian Territory, for the enrollment of Neocsa Thompson and Ellen Thompson as citizens 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 September 5, 1895, in 136 Choctaw Citizenship case No. 540, for the admission to citizenship in the Choctaw Nation under the provisions of the Act of Congress approved June 16, 1896 (29 Stats., 341), of the following applicants: Samuel C. Wall (as Samuel Wall), Ellen Wall, Daisy Harper (as Daisy Wall), Eunice Hogg (as Eunice Wall), Sam F. Wall, Thomas Wall, Wren T. Wall (as Wren Wall), and Bessie L. Wall (as Bessie Wall).

Said application was denied by the Commission to the Five Civilized Tribes on December 2, 1896. From this decision of the Commission appeal was taken to the United States Court for the Southern District of Indian Territory, which court, on January 19, 1897, rendered a judgment therein reversing the decision of the Commission and enrolling said applicants as citizens of the Choctaw Nation.

Said judgment 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 provisions of 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 "Samuel Wall, et al., vs. Choctaw and Chickasaw Nations", said Citizenship Court rendered a judgment therein, wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, Samuel Wall or Samuel C. Wall, Ellen Wall, Daisy Wall or Daisy Wall, Chris Wall, Sam V. Wall, Thomas Wall or Thos. Wall, Miran Wall and Bessie Wall, be denied and that they be declared not citizens of the Choctaw Nation, and not entitled to enrollment as such, and not entitled to any rights whatever flowing therefrom".

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 September 2, 1896, in 1896 Choctaw Citizenship case No. 112, for admission to citizenship in the Choctaw Nation under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321), of the following applicants: Dick Randolph, Myrtle Randolph, Minnie Randolph, DeCosa Randolph, Erman Randolph, Fuchie Randolph (as Fuchie C. Randolph), William E. Wheat (as William Wheat), Myrtle E. Wheat (as Myrtle Wheat), Jesse G. Wheat (as Jesse Wheat), Waldemar Thompson, Dollie Thompson, William J. Thompson (as William Thompson), DeCosa Thompson, Ella Thompson and May Thompson. On December 7, 1896, the Commission to the Five Civilized Tribes denied said application. From this decision an appeal was taken to the United States Court for the Southern District of Indian Territory, which court, on January 19, 1897, in the case entitled "Dick Randolph, et al., vs. Choctaw Nation", rendered a judgment admitting all of said applicants to citizenship, except Myrtle Wheat and May Thompson, whose names were not mentioned in said judgment. Said judgment 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 case of "33 Stats. and Chickasaw Nations or Tribes vs. J. I. Pines, et al.". This case was subsequently carried to the Choctaw-Tribes Citizenship Court, created under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 141), for a trial de novo, which court, on November 29, 1904, in the case entitled "Dick Randolph, et al., vs. Choctaw and Chickasaw Nations", rendered a judgment therein, wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, Dick Randolph, Myrtle Randolph or Myrtle Randolph, Minnie Randolph, DeCosa Randolph or DeCosa Randolph, Erman Randolph, Fuchie C. Randolph or Fuchie Randolph, William E. Wheat or Wm. Wheat, Jesse Wheat or Jesse Wheat, DeCosa Thompson or DeCosa Thompson, Ellen Thompson, Waldemar Thompson, Dollie Thompson and William J. Thompson or William Thompson, 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, Myrtle Wheat and May Thompson, the Court having no jurisdiction, their petition is dismissed".

On January 21, 1905, the Commission to the Five Civilized Tribes issued an order dismissing the application for the enrollment of William Wheat as a citizen by intermarriage of the Choctaw Nation, for the reason that the right of his wife, Minnie Myers (as Minnie Randolph), to citizenship in the Choctaw Nation

had been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court on November 29, 1904.

On January 23, 1905, the Commission to the Five Civilized Tribes issued orders dismissing the applications for the enrollment of Lawrence V. Harper, Gracie Ellen Harper, James Custer Harper, Effie Hogg, Ora Nellie Hogg, Lena R. Randolph, Vivian Randolph, Lella Blanche Myers, and John Boyd Myers, and on January 24, 1905, orders were issued by the Commission to the Five Civilized Tribes dismissing the applications for the enrollment of Winona Thompson, Myrtle Thompson, Claudie Ellen Thompson and Giles Clide Thompson, said orders being based upon the fact that the rights of the persons through whom said applicant's claim their right to enrollment as citizens of the Choctaw Nation had been adversely determined by the decrees of the Choctaw and Chickasaw Citizenship Court in the cases above referred to.

On February 4, 1905, the Commission to the Five Civilized Tribes rendered a decision denying the application for the enrollment of Myrtle E. Wheat as a citizen of the Choctaw Nation.

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there was filed on January 30, 1906, by O. W. Patchell, attorney at law, Tulsa Valley, Indian Territory, a petition verified by S. C. Wall, W. J. Thompson, Will Myers, W. E. Thompson and Tom Wall, praying for the enrollment of Samuel C. Wall, Samuel Wall, Jr., Thomas Wall, Hiram Wall, Beattie Wall, Hester Wall, Elizabeth Wall, Daisy Harper, Lawrence Harper, Gracie Harper, Custer Harper, Rudella Hopper, Eunice Hogg, Effie Hogg, Nellie Hogg, Lizzie Hogg, Samuel I. Hogg, Myrtle Randolph, Decosa Randolph, Herman Randolph, Hugh C. Randolph, Lena R. Randolph, Roy Randolph, Vivian Randolph, Minnie Myers, Lella Blanche Myers, John B. Myers, Dick Myers, Jesse Wheat, Myrtle Wheat, Waldemar E. Thompson, Arthur Thompson, Dollie Thompson, Claudie Thompson, Giles Thompson, William J. Thompson, Winona Thompson and Ella Thompson as citizens of the Choctaw Nation, and for the enrollment of Dick Randolph, William E. Wheat, May Thompson, William Myers, Savannah Thompson and Ellen Wall as citizens by intermarriage of the Choctaw Nation.

The material allegations in the petition are that the petitioners are the descendants of Noah Wall, a white man, who it is alleged became a member of the Choctaw Nation about the year 1800 by intermarriage with _____ Folsom, a Choctaw woman by blood, and of Giles Thompson, also a white man, who it is alleged became a member of the Choctaw Nation by intermarriage with a Choctaw woman by the name of Charlotte Wall in the year 1824; that the petitioners have been informed and believe that Giles Thompson was formally adopted by an act of the Choctaw Council as a citizen of the Choctaw Nation, but that said petitioners have been unable to find any records containing said Act.

The petitioners, Samuel C. Wall, Ellen Wall, Sam P. Wall, Thomas Wall, Hiram Wall, Beattie Wall, Daisy Harper, Lawrence Harper, Gracie Harper, Custer Harper, Eunice Hogg, Effie Hogg, Nellie Hogg, Dick Randolph, Myrtle Randolph, Decosa Randolph, Herman Randolph, Hugh C. Randolph, Lena R. Randolph, Vivian Randolph, William Myers, Minnie Myers, Lella Blanche Myers, John B. Myers, William

E. Wheat, Jesse Wheat, Myrtle Wheat, Waldemar E. Thompson, Dollie Thompson, Claudie Thompson, Giles Thompson, William J. Thompson, Winona Thompson, and Allen Thompson, are identical with the persons for whose enrollment as citizens of the Choctaw Nation application was made to the Commission to the Five Civilized Tribes under the provisions of the Act of Congress approved June 28, 1898 (30 Stats., 495).

This office has no record of any application ever having been made for the enrollment of the petitioners, Elmer Wall, Elizabeth Wall, Rudella Hopper, Lizzie Hogg, Samuel J. Hogg, Roy Randolph, Dick Myers, May Thompson, Arthur Thompson and Savannah Thompson, as citizens of the Choctaw Nation under the provisions of the Act of Congress approved June 28, 1898, or any subsequent Act of Congress prior to the filing of the petition herein.

On April 26, 1906, written application was made for the enrollment of Lizzie Louisa Hogg, born April 7, 1903, minor daughter of Eunice Hogg and J. T. Hogg, a non-citizen, as a citizen of the Choctaw Nation. On July 18, 1906, application was received under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137), for the enrollment of Robert E. Wall, born April 24, 1903, minor child of Thomas Wall and Elizabeth Wall, as a citizen of the Choctaw Nation. Said applicants appear to be identical with Lizzie Hogg and Elmer Wall mentioned in the petition filed January 30, 1906, and for the purposes of this decision will be so considered. On July 18, 1906, application was received for the enrollment of Daisy R. Harper, born July 31, 1904, minor child of J. W. Harper and Daisy Harper, as a citizen of the Choctaw Nation.

It is not alleged in the petition filed January 30, 1906, that any of the petitioners were ever recognized and enrolled by the tribal authorities of the Choctaw Nation as citizens of said nation.

The surname "Thompson" appears several times upon the tribal rolls of the Choctaw Nation. This office is unable, however, to identify any of the applicants herein as identical with any of the persons whose names appear on said rolls.

For the purpose of determining whether Giles Thompson, the ancestor of certain petitioners herein, was ever adopted by an Act of Choctaw Council as alleged in the petition, this office on July 31, 1906, addressed a communication to Edward T. Wilson, Secretary of the Choctaw Nation, requesting to be furnished a certified copy of the Act of the Choctaw Council admitting said Giles Thompson, if said Act was ever passed. In response to said communication, said E. T. Wilson addressed a letter to the Commissioner on August 6, 1906, in which he stated that there was no such Act on file in the office of the National Secretary. Copies of said communications are made a part of the record hereof.

I am of the opinion that inasmuch as it does not appear from the records in the possession of the Commissioner to the Five Civilized Tribes that any of the applicants ever occupied such a status as would entitle them to enrollment as citizens of the Choctaw Nation, and inasmuch as it is not alleged in the petition filed January 30, 1906, that any of the said applicants ever occupied such a status, the decision of the Choctaw and Chickasaw Citizenship Court of November 29, 1904, is final, and that the application for the enrollment of such of the applicants as made application

in 1906, and the petition filed January 30, 1906, in so far as same applies to said applicants, should be denied.

I am, therefore, of the opinion that the application for the enrollment of Samuel C. Wall, Sam P. Wall, Thomas Wall, Wiram T. Wall, Bessie I. Wall, Daisy Harper, Eunice Hogg, Myrtle Randolph, Viola Myers, Decosa Randolph, Herman Randolph, Hughie Randolph, Jesse G. Wheat, Waldemar Thompson, William J. Thompson, Nellie Thompson, Decosa Thompson and Ellen Thompson as citizens of the Choctaw Nation, and the petition herein in so far as same applies to said applicants, should be denied under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), and it is so ordered.

I am further of the opinion that the application for the enrollment of Ellen Wall, Dick Randolph and William R. Wheat as citizens by intermarriage of the Choctaw Nation, and the petition herein in so far as same applies to said applicants, should be denied under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), and it is so ordered.

I am further of the opinion that the petition herein in so far as it applies to the petitioners, Lawrence Harper, Gracie Harper, Gustar Harper, Effie Hogg, Nellie Hogg, Lena R. Randolph, Vivian Randolph, Lelia Blanche Myers, John R. Myers, Claudie Thompson, Giles Thompson and Winona Thompson, whose applications for enrollment as citizens of the Choctaw Nation have heretofore been dismissed, and Myrtle E. Thomas, whose application for enrollment as a citizen of the Choctaw Nation has heretofore been denied, should be denied under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), and it is so ordered.

I am further of the opinion that the petition herein in so far as it applies to the petitioner, William Myers, whose application for enrollment as an intermarried citizen of the Choctaw Nation has heretofore been dismissed, should be denied under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), and it is so ordered.

I am further of the opinion that the petition herein in so far as same applies to the minor petitioners, Rudella Hogg, Samuel J. Hogg, Roy Randolph, Dick Myers and Arthur Thompson, should be considered as an application for the enrollment of said petitioners as citizens of the Choctaw Nation under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137), that said application should be dismissed, and it is so ordered.

I am further of the opinion that the petition herein in so far as same applies to the petitioners, Elizabeth Wall and Savannah Thompson, for whose enrollment as citizens by intermarriage of the Choctaw Nation no application was made prior to December 1, 1905, should be dismissed under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137), and it is so ordered.

I am further of the opinion that the application and petition for the enrollment of Lizzie Louisa Hogg, Robert E. Wall and Daisy R. Harper as citizens of the Choctaw Nation should be denied under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137), and it is so ordered.

I am further of the opinion that following the ruling of the Department of May 25, 1906 (I. T. D. 9114-1906), in the case of Laura E. Akin, and of October 10, 1906 (I. T. D. 18368, 18924-1906), in the case of Wayne Helms, the petition herein in so far as same applies to the petitioner, May Thompson, should be denied, and it is so ordered.

(Signed) Tans Wixby,

Commissioner.

Wuskogee, Indian Territory,

PER 4-1907

Muskogee, Oklahoma, April 7, 1909.

Report on letter of
Kappler & Merrillat in re
Choctaw enrollment cases
of William J. Thompson
and others.

The Honorable,

The Secretary of the Interior.

Sir:

March 26, 1909 (File 5-51, Choctaw), the Department transmitted to this office for report, to be forwarded through the Indian Office, a letter dated March 25, 1909, from Messrs. Kappler & Merrillat, Washington, D. C., relative to the enrollment cases of William J. Thompson, Myrtle Randolph, Dick Randolph, Samuel C. Wall, Samuel F. Wall, and other (unnamed) members of the Randolph-Thompson and Wall families.

Messrs. Kappler & Merrillat claim that the names of these persons were stricken from the approved rolls of the Five Civilized Tribes, and now demand that they be restored to the status of recognized citizens of the Choctaw Nation.

Reporting in this matter I have the honor to advise that application was made to the Commission to the Five Civilized Tribes at Pauls Valley, Indian Territory, September 14, 1898, by Samuel C. Wall for the enrollment of himself and his minor son, Sam F. Wall as citizens of the Choctaw Nation, and for the enrollment of his wife Ellen Wall, as a citizen by intermarriage of the Choctaw Nation; that on the same date application was made by Thomas Wall

for the enrollment of himself and his minor children, Hiram T. Wall and Bessie Lee Wall, as citizens of the Choctaw Nation; and by Thomas J. Hogg for the enrollment of Eunice Hogg and Effie Hogg as citizens of the Choctaw Nation; that on June 3, 1909, written application was filed for the enrollment of Ora Nellie Hogg, minor daughter of Thomas J. Hogg and Eunice Hogg, as citizens of the Choctaw Nation; that on September 14, 1898, application was made by James N. Harper for the enrollment of his wife, Daisy Harper, and his minor son, Lawrence V. Harper, as citizens of the Choctaw Nation; that on June 28, 1900, written application was filed for the enrollment of Gracie Ellen Harper, and on November 1, 1902, written application was filed for the enrollment of James Cust r Harper, minor children of James N. Harper and Daisy Harper, as citizens of the Choctaw Nation; that on September 4, 1898, application was made by Dick Randolph for enrollment as a citizen by intermarriage of the Choctaw Nation, and for the enrollment of his wife, Myrtie Randolph, and his minor children, Minnie, Decosa, Herman, Hughie, and Lena R. Randolph, as citizens of the Choctaw Nation; that on November 26, 1901, written application was filed for the enrollment of Vivian Randolph, minor daughter of Dick and Myrtie Randolph, as a citizen of the Choctaw Nation; that on February 9, 1901, written application was filed for the enrollment of Lelia Blanche Myers, and on June 28, 1902, written application was filed for the enrollment of John Boyd Myers, minor children of William Myers and Minnie

Myers (formerly Randolph), as citizens of the Choctaw Nation; that on September 15, 1898, application was made at Pauls Valley, Indian Territory, by Waldemar Thompson for the enrollment of himself and his minor daughter, Dollie Thompson, as citizens of the Choctaw Nation. Subsequent thereto, written applications were filed for the enrollment of Myrtle Thompson, Claudia Ellen Thompson and Giles Clide Thompson, minor children of Waldemar Thompson and May Thompson, as citizens of the Choctaw Nation; that application was made September 15, 1898, by William E. Wheat for the enrollment of himself as an intermarried citizen and for his minor children, Jesse G. and Myrtle E. Wheat, as citizens of the Choctaw Nation; that on the same date application was made by William J. Thompson for enrollment as a citizen of the Choctaw Nation; that on November 14, 1902, written application was filed for the enrollment of Winona Thompson, minor child of said William J. Thompson and his wife, Savannah Thompson, as a citizen of the Choctaw Nation; that application was made at Atoka, Indian Territory, December 5, 1899, by William Myers for enrollment as an intermarried citizen of the Choctaw Nation; that on September 14, 1898, at Pauls Valley, Indian Territory, application was made for the enrollment of Decosa and Ellen Thompson as citizens of the Choctaw Nation.

It further appears that application was made to the Commission to the Five Civilized Tribes on September 8, 1896, in 1896 Choctaw Citizenship case No. 540, for the admission to citizenship

4

in the Choctaw Nation under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321), of the following applicants: Samuel C. Wall (as Samuel Wall), Ellen Wall, Daisy Harper (as Daisy Wall), Eunice Hogg (as Unis Wall), Sam F. Wall, Thomas Wall, Hiram T. Wall (as Hiram Wall), and Bessie L. Wall (as Bessie Wall).

Said application was denied by the Commission to the Five Civilized Tribes on December 2, 1896. From this decision an appeal was taken to the United States Court for the Southern District of Indian Territory, which court, on January 19, 1898, rendered a judgment therein reversing the decision of the Commission and enrolling said applicants as citizens of the Choctaw Nation. This judgment 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."

This 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 November 29, 1904, in the case entitled "Samuel Wall, et al., vs. Choctaw and Chickasaw Nations," said Citizenship Court rendered a judgment therein, wherein it was "ordered, adjudge and decreed that the petition of the plaintiffs, Samuel Wall or Samuel C. Wall, Ellen Wall, Daisy Wall or Daisy Wall, Unis Wall

Sam F. Wall, Thomas Wall or Thos. Wall, Hiram Wall and Bessie Wall be denied and that they be declared not citizens of the Choctaw Nation, and not entitled to enrollment as such, and not entitled to any rights whatever flowing therefrom."

It further appears that application was made to the Commission to the Five Civilized Tribes on September 8, 1896, in 1896 Choctaw Citizenship case No. 1182, for admission to citizenship in the Choctaw Nation under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321), of the following applicants: Dick Randolph, Myrtie Randolph, Minnie Randolph, Decosa Randolph, Herman Randolph, Hughie Randolph (as Hughie C. Randolph), William E. Wheat (as William Wheat), Myrtie E. Wheat (as Myrtie Wheat, Jesse G. Wheat (as Jesse Wheat), Waldemar Thompson, Dollie Thompson, William J. Thompson (as William Thompson), Decosa Thompson, Ellen Thompson and May Thompson.

This application was denied December 7, 1896, by the Commission to the Five Civilized Tribes, and an appeal was taken to the United States Court for the Southern District of Indian Territory, which court, on January 19, 1898, in the case entitled "Dick Randolph, et al. vs. Choctaw Nation," rendered a judgment admitting all of said applicants to citizenship, except Myrtie Wheat and May Thompson, whose names were not mentioned in said judgment.

The judgment of the United States Court was subsequently vacated, set aside and held for naught by a decree of the Choctaw-

Chickasaw Citizenship Court on December 17, 1902, in the test case of "Choctaw and Chickasaw Nations or Tribes vs. J. T. Riddle, et al." Said cause was subsequently certified to the Choctaw-Chickasaw Citizenship Court for a trial de novo, which court, on November 29, 1904, in the case entitled "Dick Randolph, et al. vs. Choctaw and Chickasaw Nations," rendered a judgment therein, wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, Dick Randolph, Myrtie Randolph or Myrtle Randolph, Minnie Randolph, DeCosa Randolph or Decosa Randolph, Herman Randolph, Hughie C. Randolph or Hughie Randolph, William Wheat or Wm. Wheat, Jess Wheat, or Jesse Wheat, De Osa Thompson or Decosa Thompson, Ellen Thompson Waldemar Thompson, Dollie Thompson and William J. Thompson or William Thompson, 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, Myrtie Wheat and May Thompson, the Court having no jurisdiction, their petition is dismissed."

On January 21, 1905, the Commission to the Five Civilized Tribes issued an order dismissing the application for the enrollment of William Myers as a citizen by intermarriage of the Choctaw Nation, for the reason that the right of his wife, Minnie Myers (as Minnie Randolph), to citizenship in the Choctaw Nation had been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court on November 29, 1904.

The Commission to the Five Civilized Tribes on January 23, 1905, issued orders dismissing the applications for the enrollment of Lawrence V. Harper, Gracie Ellen Harper, James Custer Harper, Effie Hogg, Ora Nellie Hogg, Lena R. Randolph, Vivian Randolph, Lelia Blanche Myers, and John Boyd Myers, and on January 24, 1905, orders were issued dismissing the applications for the enrollment of Winona Thompson, Myrtle Thompson, Claudia Ellen Thompson and Giles Clide Thompson, said orders being based upon the fact that the rights of the persons through whom said applicants claim their right to enrollment as citizens of the Choctaw Nation had been adversely determined by the decree of the Choctaw and Chickasaw Citizenship Court in the cases above referred to.

On February 4, 1905, the Commission to the Five Civilized Tribes rendered a decision denying the application for the enrollment of Myrtle E. Wheat as a citizen of the Choctaw Nation.

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there was filed on January 30, 1906, by O. W. Patchell, attorney at law, Pauls Valley, Indian Territory, a petition verified by S. E. Wall, W. J. Thompson, Will Myers, W. E. Thompson and Tom Wall, praying for the enrollment of Samuel C. Wall, Samuel Wall, Jr., Thomas Wall, Hiram Wall, Bessie Wall, Elmer Wall, Elizabeth Wall, Daisy Harper, Lawrence Harper, Gracie Harper, Custer Harper, Rudella Hopper, Eunice Hogg, Effie Hogg, Mollie Hogg, Lizzie Hogg, Samuel J. Hogg, Myrtiel Randolph

Decosa Randolph, Herman Randolph, Hugh C. Randolph, Lena R. Randolph, Roy Randolph, Vivian Randolph, Minnie Myers, Lelia Blanche Myers, John B. Myers, Dick Myers, Jesse Wheat, Myrtie Wheat, Waldemar E. Thompson, Arthur Thompson, Dollie Thompson, Claudie Thompson, Giles Thompson, William J. Thompson, Winona Thompson and Ella Thompson as citizens of the Choctaw Nation, and for the enrollment of Dick Randolph, William E. Wheat, May Thompson, William Myers, Savannah Thompson and Ellen Wall as citizens by intermarriage of the Choctaw Nation.

The material allegations in the petition were that the petitioners were the descendants of Noah Wall, a white man, who it is alleged became a member of the Choctaw Nation about the year 1800 by intermarriage with _____ Folsom, a Choctaw woman by blood, and of Giles Thompson, also a white man, who it is alleged became a member of the Choctaw Nation by intermarriage with a Choctaw woman by the name of Charlotte Wall in the year 1824; that the petitioners were informed and believed that Giles Thompson was formally adopted by an act of the Choctaw Council as a citizen of the Choctaw Nation, but that said petitioners were unable to find any records containing said Act.

The petitioners, Samuel C. Wall, Ellen Wall, Sam F. Wall, Thomas Wall, Hiram Wall, Bessie Wall, Daisy Harper, Lawrence Harper, Gracie Harper, Custer Harper, Eunice Hogg, Effie Hogg, Nellie Hogg, Dick Randolph, Myrtie Randolph, Decosa Randolph, Herman Randolph, Hugh C. Randolph, Lena R. Randolph, Vivian Randolph, William Myers,

Minnie Myers, Lelia Blanche Myers, John B. Myers, William E. Wheat, Jesse Wheat, Myrtle Wheat, Waldemar E. Thompson, Dollie Thompson, Claudie Thompson, Giles Thompson, William J. Thompson, Winona Thompson and Ellen Thompson, are identical with the persons for whose enrollment as citizens of the Choctaw Nation application was made to the Commission to the Five Civilized Tribes under the provisions of the Act of Congress approved June 28, 1898 (30 Stat., 495).

It does not appear that there is any record in this office of any application ever having been made for the enrollment of the petitioners, Elmer Wall, Elizabeth Wall, Rudella Hopper, Lizzie Hogg, Samuel J. Hogg, Roy Randolph, Dick Myers, May Thompson, Arthur Thompson and Savannah Thompson, as citizens of the Choctaw Nation under the provisions of the Act of Congress approved June 28, 1898, or any subsequent Act of Congress prior to the filing of the petition herein.

On April 26, 1906, written application was made for the enrollment of Lizzie Louisa Hogg, born April 7, 1903, minor daughter of Eunice Hogg and J. T. Hogg, a non-citizen, as a citizen of the Choctaw Nation. On Junly 18, 1906, application was received under the provisions of the Act of Congress approved April 26, 1906 (34. Stats., 137), for the enrollment of Robert . Wall, born April 24, 1903, minor child of Thomas Wall and Elizabeth Wall, as a citizen of the Choctaw Nation. Said applicants appear to be identical with Lizzie Hogg and Elmer Wall mentioned in the petition filed January

30, 1906, and on July 18, 1906, application was received for the enrollment of Daisy R. Harper, born July 31, 1904, minor child of J. N. Harper and Daisy Harper, as a citizen of the Choctaw Nation.

It was not alleged in the petition filed January 30, 1906, that any of the petitioners were ever recognized and enrolled by the tribal authorities of the Choctaw Nation as citizens of said Nation.

For the purpose of determining whether Giles Thompson, the ancestor of certain of the petitioners above mentioned, was ever adopted by an Act of Choctaw Council as alleged in the petition, this office on July 31, 1906, addressed a communication to Edward H. Wilson, Secretary of the Choctaw Nation, requesting to be furnished a certified copy of the Act of the Choctaw Council admitting said Giles Thompson, if said Act was ever passed. In response to said communication, E. H. Wilson addressed a letter to the Commissioner on August 6, 1906, in which he stated that there was no such Act on file in the office of the National Secretary.

On February 4, 1907, the Commissioner to the Five Civilized Tribes rendered a decision denying the application and petition for the enrollment of Samuel C. Wall, Sam F. Wall, Thomas Wall, Hiram T. Wall, Bessie L. Wall, Daisy Harper, Eunice Hogg, Myrtle Randolph, Minnie Myers, Decosa Randolph, Herman Randolph, Hughie Randolph, Jesse G. Wheat, Robert E. Wall, Waldemar Thompson, William J. Thompson, Dollie Thompson, Decosa Thompson, Helen Thompson, Lizzie

persons, concludes as follows:

"This disposes of the cases of Myrtle Randolph and her brother W. J. Thompson: whatever their intrinsic merits, these claims have been finally decided adversely to the claimants by the judgment of the Citizenship Court."

In the same letter the Attorney General rendered an opinion as to the rights of Louisa (or Lulu) West et al., and stated as follows:

"This case is similar to that of Myrtle Randolph and her brother, W. J. Thompson, children of Giles Thompson, above referred to, in that it involves the question of the finality of the judgment of the Citizenship Court, it being contended that the Commission in the first instance and the Citizenship Court ultimately on appeal had no jurisdiction of the case because at the time of her application to the Commission her name was upon a tribal roll.

For the reasons heretofore stated, I think this contention is not well founded, and that the Citizenship Court had jurisdiction of such cases, and its judgments therein were final."

It does not appear that the names of any of the persons concerning whom this report is submitted were ever placed upon a schedule or roll of citizens of the Choctaw Nation by the Commission or Commissioner to the Five Civilized Tribes, nor that any of them were ever allowed to select an allotment of land as a citizen of the Choctaw Nation.

The letter of Kappeler & Merrillat of March 25, 1909, is returned herewith.

Respectfully,

Through the Commissioner
of Indian Affairs.

Acting Commissioner.

McM 7/2

MT

J.W.H.
J.W.H.
W.C.P.
T.W.L.

DEPARTMENT OF THE INTERIOR,

Address only WASHINGTON.
The Secretary of the Interior.

April 15, 1909.

File 5-51.

The Commissioner

to the Five Civilized Tribes.

Sir:

Herewith is a letter, dated April 7, 1909, from Messrs. Hapler & Merrill, attorneys at law, of this city, wherein, as a preliminary step to the institution of suit against the Secretary of the Interior, they demand that he restore the following persons to the status of recognized citizens of the Choctaw Nation:

Winona Thompson,

Henry Randolph,

Lena Randolph,

Minnie Hall,

Thomas Myers,

Deessa Randolph,

Hugh Roy Randolph,

Vivian Randolph,

Blanch Myers,

Dick Myers.

You are requested to furnish a report concerning the enrollment of said persons, following the general instructions contained in departmental letter of March 15, 1909 (File 5-51)

Very respectfully,

(Signed) Jesse E. Wilson

Assistant Secretary.

1 Enc.
(Send direct: copy
to Indian Office.)

Kappler & Merillat,
Attorneys and Counsellors at Law
Bond Building

Washington, D.C. April 7, 1909

The Honorable,

The Secretary of the Interior,
Washington, D. C.

Sir:

As attorneys for Winona Thompson, Decosa, Herman, Hugh Roy, Lena and Vivian Randolph, Minnie Hall, Blanch, Thomas and Dick Myres, Choctaw Indians who were stricken from the rolls of the Five Civilized Tribes, we hereby respectfully make demand that you cause their names to be restored to the rolls in the Five Civilized Tribes, from which they were stricken by Secretary Hitchcock.

We also give notice, as required by law, that in the event this demand be not complied with, we will be compelled to institute suit to compel their restoration to the rolls.

An early reply hereto is requested.

Yours respectfully,

(Signed) Kappler & Merillat.

NR

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

J.W.H.
J.W.H.
W.C.P.
T.W.L.

April 17, 1909.

Address only
The Secretary of the Interior.

File 5-51.

The Commissioner

to the Five Civilized Tribes.

Sir:

Herewith is a letter dated April 13, 1909, from Messrs. Kappler & Merillat, Attorneys at Law, of this city, wherein they demand, as a preliminary step to the institution of suit against the Secretary of the Interior, that he cause the names of the following persons to be restored to the rolls of citizenship of the Choctaw Tribe:

W. E. Thompson,

T. J. Hogg,

Eunice Hogg,

J. N. Harper,

Daisy Harper,

Ella Thompson.

You are requested to render a report in the matter, following the general instructions contained in department letter of March 15, 1909, file 5-51, taking particular care to state in this, as well as in other cases, whether certificates of allotment or patent have been issued to or recorded in favor of the applicants.

Very respectfully,

(Signed) Jesse E. Wilson.

1 enclosure: Send direct
copy to Indian Office.

Assistant Secretary.

Kappler & Merillat
Attorneys and Counsellors at Law
Bond Building,

Washington, D. C. April 13, 1909.

The Honorable,

The Secretary of the Interior,

Washington, D. C.

Sir:

In behalf of W. E. Thompson, T. J. Hogg, Eunice Hogg,
J. N. Harper, Daisy Harper and Ella Thompson, we hereby re-
spectfully make demand that you cause their names to be re-
stored to the rolls of the Choctaw Tribe of Indians, from which
they were stricken by the Secretary of the Interior.

At the same time, we ^{desire} respectfully to give notice that if
the demand be not acceded to we will take appropriate proceed-
ings in Court to compel their restoration to the rolls.

We make this request and demand in accordance with law,
and for the reason that we believe the Secretary of the Inte-
rior was without authority or jurisdiction to strike from the
rolls the names of persons once placed thereon, especially
where land had been allotted to the parties, as was the case
with our clients.

Yours respectfully,

(Signed) Kappler & Merillat.

D 497-1909
D 514-1909

Muskogee, Oklahoma, April 23, 1909.

Subject:

Reporting on Departmental letters of April 13, 1909 and April 17, 1909, relative to W. E. Thompson, et al. and Winona Thompson, et al.

The Honorable,

The Secretary of the Interior,

Sir:

Receipt is hereby acknowledged of Departmental letter of April 13, 1909 (File 5-51) transmitting communication of April 7, 1909, from Messrs. Kappler & Merrillat, attorneys at law, Washington, D. C., wherein, as a preliminary step to the institution of suit against the Secretary of the Interior, they demand that Winona Thompson, Decosa Randolph, Herman Randolph, Hugh Roy Randolph, Lena Randolph and Vivian Randolph, Minnie Hall, Blanch Myres, Thomas Myres and Dick Myres be restored to the status of recognized citizens of the Choctaw Nation, and requesting a report concerning the enrollment of said persons.

Receipt is also acknowledged of Departmental letter of April 17, 1909 (File 5-51), transmitting communication of April 13, 1909 from Messrs. Kappler & Merrillat, attorneys at

Secretary 2

law, Washington, D. C., wherein they demand, as a preliminary step to the institution of suit against the Secretary of the Interior, that he cause the names of the following persons to be restored to the rolls of citizenship of the Choctaw tribe: W. E. Thompson, T. J. Hogg, Eunice Hogg, J. N. Harper, Daisy Harper and Ella Thompson.

A report is requested in this matter following the general instructions contained in Departmental letter of March 15, 1909, taking particular care in this, as well as in other cases, to state whether certificates of allotment or patents have been issued to or recorded in favor of the applicants.

Reporting in this matter I have the honor to advise that the names of the persons above mentioned are included in the Choctaw enrollment case of Samuel C. Wall, et al. and the facts in this case are as follows:

It appears from the records of this office that application was made to the Commission to the Five Civilized Tribes on September 8, 1896, in Choctaw 1896 Citizenship Case Number 540, for the admission to citizenship in the Choctaw Nation under the provisions of the Act of Congress approved June 10, 1896 (29 Stat., 321), of Samuel C. Wall (as Samuel Wall), Ellen Wall, Daisy Harper (as Daisy Wall), Eunice Hogg (as

Secretary 3

Unis Wall), Sam F. Wall, Thomas Wall, Hiram T. Wall (as Hiram Wall), and Bessie L. Wall (as Bessie Wall).

This application was denied by the Commission to the Five Civilized Tribes December 2, 1896. From this decision appeal was taken to the United States Court for the Southern District of Indian Territory, which, on January 19, 1898, in case Number 126 on the citizenship docket, reversed the decision of the Commission and admitted the applicants to citizenship in the Choctaw Nation.

This judgment was subsequently annulled, 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 the Choctaw and Chickasaw Nations or Tribes of Indians versus J. T. Riddle, et al.

Subsequently said cause was certified to the Choctaw and Chickasaw Citizenship Court, created under the provisions of the Act of Congress approved July 1, 1902 (32 Stat., 641) for a trial de novo, and on November 29, 1904, in the case entitled Samuel Wall, et al. versus the Choctaw and Chickasaw Nations, Case Number 26 on the Tishomingo Docket, said Court rendered a decree wherein it was ordered, adjudged and decreed that the petition of the plaintiffs, Samuel Wall or Samuel C. Wall, Ellen Wall, Daisy Wall or Daisey Wall, Unis Wall,

Secretary 4

Sam P. Wall, Thomas Wall or Thos. Wall, Hiram Wall and Bessie Wall be denied and that they be declared not citizens of the Choctaw Nation, and not entitled to enrollment as such, and not entitled to any rights whatever flowing therefrom.*

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 September 8, 1896, in Choctaw 1896 Citizenship Case Number 1182, for admission to citizenship in the Choctaw Nation under the provisions of the Act of Congress approved June 10, 1896, of Dick Randolph, Myrtle Randolph, Minnie Randolph, Decosa Randolph, Herman Randolph, Hughie Randolph (as Hughie C. Randolph), William E. Wheat (as William Wheat) Myrtle E. Wheat (as Myrtle Wheat), Jesse G. Wheat (as Jesse Wheat) Waldemar Thompson, Dollie Thompson, William J. Thompson (as William Thompson, Decosa Thompson, Ellen Thompson and May Thompson.

On December 7, 1896, the Commission denied this application. From this decision an appeal was taken to the United States Court for the Southern District of Indian Territory, which court, on January 19, 1898, in the case entitled Dick Randolph et al. versus the Choctaw Nation, rendered a judgment admitting all of said applicants to citizenship except

Secretary 5

Myrtle Wheat and May Thompson whose names were not mentioned in the judgment.

This judgment was subsequently annulled, vacated, set aside and held for naught by a decree of the Choctaw and Chickasaw Citizenship Court of December 17, 1902, and the cause was subsequently certified to the Choctaw and Chickasaw Citizenship Court for a trial de novo, which court, on November 29, 1904, in case Number 27 on the Tishomingo Docket, entitled Dick Randolph, et al. versus the Choctaw and Chickasaw Nations, rendered a judgment wherein it was ordered, adjudged and decreed that the petition of the plaintiffs, Dick Randolph, Myrtle Randolph or Myrtle Randolph, Minnie Randolph, DeCosa Randolph or Decosa Randolph, Herman Randolph, Hughie C. Randolph or Hughie Randolph, William Wheat or Wm. Wheat, Jess Wheat or Jesse Wheat, De Cosa Thompson or Decosa Thompson, Ellen Thompson, Waldemar Thompson, Dollie Thompson and William J. Thompson or William Thompson, 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, Myrtle Wheat and May Thompson, the Court having no jurisdiction, their petition is dismissed.

January 21, 1908, the Commission to the Five Civilized Tribes issued an order dismissing the application for the

Secretary 6.

enrollment of William Myers as a citizen of the Choctaw Nation, for the reason that the marriage of his wife, Winnie Myers (as Winnie Randolph) had been annulled by the Choctaw and Chickasaw Citizenship Court.

January 24, 1905, the Commission to the Five Civilized Tribes issued orders dismissing the applications for the enrollment of Lawrence V. Harter, Gracie Ellen Harter, James Custer Harter, Effie Hogg, Ora Nellie Hogg, Lena R. Randolph, Vivian Randolph, Lelia Blanche Myers, and John Boyd Myers, and on January 24, 1905, orders were entered by the Commission to the Five Civilized Tribes dismissing the applications for the enrollment of Winona Thompson, Myrtle Thompson, Claudia Ellen Thompson and Giles Slide Thompson, for the reason that the rights of the persons through whom these applicants claimed as citizens of the Choctaw Nation had been adversely determined by the decrees of the Choctaw and Chickasaw Citizenship Court in the cases above referred to.

February 4, 1905, the Commission rendered a decision denying the application for the enrollment of Myrtle E. Wheat as a citizen of the Choctaw Nation.

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there was filed on January 30, 1906, by O. W. Patchell, attorney at law, Pauls Valley, Indian Territory, a petition praying for the enroll-

Secretary 7

ment of Samuel C. Wall, Samuel Wall Jr., Thomas Wall, Hiram Wall, Nessie Wall, Elmer Wall, Elizabeth Wall, Daisy Harper, Lawrence Harper, Gracie Harper, Custer Harper, Rudella Hopper, Eunice Hogg, Effie Hogg, Nellie Hogg, Lizzie Hogg, Samuel J. Hogg, Myrtle Randolph, Decosa Randolph, Herman Randolph, Hugh C. Randolph, Lena R. Randolph, Roy Randolph, Vivian Randolph, Minnie Myers, Lelia Blanche Myers, John B. Myers, Dick Myers, Jesse Wheat, Myrtle Wheat, Waldemar E. Thompson, Arthur Thompson, Dollie Thompson, Claudie Thompson, Giles Thompson, William J. Thompson, Winona Thompson and Ella Thompson as citizens of the Choctaw Nation, and for the enrollment of Dick Randolph, William W. Wheat, Jay Thompson, William Myers, Savannah Thompson and Ellen Wall as citizens by intermarriage of the Choctaw Nation.

This office could not identify the applicants herein as having been enrolled upon any of the tribal rolls of the Choctaw Nation in its possession.

February 4, 1907, the Commissioner to the Five Civilized Tribes rendered a decision denying the applications for enrollment of all the persons included in this decision and on the same date the record, together with the decision in this case, was forwarded to the Secretary of the Interior.

February 26, 1907 (Land 1524-1907) the Indian Office

Secretary 8

concurred in the decision of the Commissioner of February 4, 1907, denying these applicants, and on February 29, 1907 (X T D 5080, 5145, 5146, 5180, 5184, 5185, 5203, 5208, 5212, 5214, 5222, 5234, 5236, 5244, 5245, 5280, 5289, 5294, 5421-1907), the Department affirmed said decision.

I have the honor to state that no formal allotments were ever made to these persons but applications for lands were made in their behalf which were involved in allotment contests; these contests were afterward dismissed and the lands given to the contestees and patents therefor have undoubtedly been recorded and delivered.

It further appears that T. J. Hogg was the non-citizen husband of Eunice Hogg, nee Wall, and that J. M. Harper was the non-citizen husband of Daisy Harper, nee Wall, and that no application was made to the Commission or the Commissioner to the Five Civilized Tribes for their enrollment as citizens of the Choctaw Nation.

It also appears that this office has no record of any favorable decision ever having been rendered by the Department in this case.

The letters of Kappler & Merrillat of April 7, 1909 and

Secretary 9

April 13, 1909 are herewith returned.

Respectfully,

Commissioner.

Choctaw 4997

Through the Commissioner
of Indian Affairs.

AB

and:
27496-1909
31863-1909
J E D

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs, O.R.

Washington. Jun 8 1909

Enrollment case of
Samuel C. Wall, et al.

The Commissioner

to the Five Civilized Tribes,
Muskogee, Oklahoma,

Sir:

Referring to your reports of April 7 and 23, 1909, relative to the Chottaw enrollment case of Samuel C. Wall, et al., you are advised that on May 28, 1909, the Department held that the case mentioned is not analogous to that of John E. Goldsby and does not come within the principles announced by the Supreme Court of the United States in its decision of November 30, 1908, in that case (211 U. S. 249). The Department declined to take any action looking to the enrollment of any of the persons included in the case of Samuel C. Wall, et al. A copy of approved Office letter of May 4, 1909, is inclosed for your further information. You are requested to notify the proper parties of this action.

Very respectfully,

C. F. Hamke,

Chf & Clerk.

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May 4 1909

Enrollment claims of
[Name], et al.

The Secretary of the Interior.

Sir:

Referring to Department letters of March 25, April 13 and 17, 1909 (File 8-21 Choctaw), there are transmitted herewith reports of April 7 and 23 from the Commissioner to the Five Civilized Tribes, in regard to the case of Samuel C. Wall, et al., applicants for enrollment as Choctaw citizens.

The history of the case is set out fully in the reports inclosed. The records show that on February 4, 1907, the Commissioner to the Five Civilized Tribes rendered a decision denying the application and petition for the enrollment of Samuel C. Wall, Sam F. Wall, Thomas Wall, Hiram T. Wall, Bessie E. Wall, Daisy Harper, Eunice Hogg, Myrtle Randolph, Minnie Myers, Dejea Randolph, Herman Randolph, Hughie Randolph, Jesse G. Wheat, Robert E. Wall, Waldemar Thompson, William J. Thompson, Billie Thompson, Decca Thompson, Ellen Thompson, Lillie Louisa Hogg and Daisy R. Harper as citizens, for the enrollment of Ellen Wall, Dick Randolph and William E. Wheat as citizens by intermarriage, disallowing the petition for the enrollment of Klizabeth Wall and Savannah Thompson, denying the petition for the enrollment of William Myers and May Thompson as citizens by intermarriage, denying the petition for the enrollment of Lawrence Harper, Gracie Harper, Gister Har-

per, Effie Hegg, Nellie Hegg, Lena B. Randolph, Vivian Randolph, Lelia Blanche Myers, John B. Myers, Claudie Thompson, Elsie Thompson, Winona Thompson and Myrtle Wheat as citizens, and dismissing the application for the enrollment of Rudella Hepper, Samuel J. Hegg, Roy Randolph, Dick Myers and Arthur Thompson as citizens of the Choctaw Nation.

On February 26, 1907, the Department affirmed the decision of the Commissioner denying the applications.

In this connection your attention is invited to the opinion, dated February 19, 1907, of the Attorney General, in reference to the Choctaw citizenship cases of Myrtle Sandeloh and her brother, W. J. Thompson, which opinion is referred to by the Commissioner to the Five Civilized Tribes in his report. The Commissioner reports that it does not appear that the names of any of the persons mentioned were ever placed upon a schedule or roll of citizens of the Choctaw Nation by the Commission or the Commissioner to the Five Civilized Tribes, or that any of them were ever allowed to select an allotment of land as a citizen of that nation.

Moreover, it does not appear from the records of the Office that the Department ever approved any applications of these persons for enrollment as citizens of the Choctaw Nation. The Office is of the opinion that the case of Samuel C. Wall, et al. is not analogous to that of John E. Goldsby and does not come within the principles announced by the Supreme Court of the United States in its decision of November 30, 1908 in that case (211 U. S. 249).

It is therefore recommended that the Department take no

action looking to the enrollment of any of the persons included
in the case of Samuel C. Wall, et al.

The record in the case and other papers pertaining thereto
are inclosed for your further information.

Very respectfully,

(Signed) R. G. Valentine,

Acting Commissioner.

OGP-1
521

WCP

JWH

APPROVED: May 28, 1909.

Frank Pierce

First Assistant Secretary.
FVS

Choctaw 5037

Muskogee, Oklahoma, June 11, 1909.

Mr. William E. Wheat,
Pauls Valley, Oklahoma,

Sir:

You are hereby advised that on May 28, 1909, the Secretary of the Interior held that the Choctaw enrollment case of Samuel C. Wall et al. is not analogous to that of John E. Goldsby (211 U. S. 249) and that he can take no action looking to the enrollment of any of the applicants therein under the opinion of the Supreme Court of the United States of November 30, 1908, in the said Goldsby case.

Respectfully,

Acting Commissioner.

AB

Choc 5038 W^m J. Thompson

#2 Dismissed Jan 24, 1905

see C-31

see Choctaw 4979

5038

Muskogee, Indian Territory, February 19, 1901.

W. J. Thompson,

Care Patchell & Pyeatt,
Pauls Valley, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 9th instant in which you desire to be informed if you forward to the Commission your marriage certificate to your wife if she will be placed upon the rolls as an intermarried citizen of the Choctaw Nation.

You state further in your letter that you are a Choctaw by blood that your case was taken to the Court of Appeals and sustained and later appealed to the Court of Appeals of the United States and there sustained and that your name appears upon the rolls of citizens of the Choctaw Nation.

Replying to your letter you are informed that the records of the Commission show relative to your enrollment that on September 15th, 1898, Wm. J. Thompson, 22 years of age, of Whitehead, Indian Territory, was listed for enrollment as a citizen of the Choctaw Nation having been admitted to such citizenship by a judgment of the United States Court for the Southern District of the Indian Territory, rendered at Ardmore, Indian Territory, January 19, 1898 in court case No. 125.

As to your inquiry relative to having your wife enrolled by forwarding your marriage certificate, you are informed that the Commission cannot consider any application for enrollment of any

W J T 2

person except upon his or her personal appearance before the Commission for the purpose of examination under oath so that a sufficient statement may be made upon which the rights of the applicant to enrollment can be determined.

If therefore, your wife desires to make application for enrollment as a citizen by intermarriage of the Choctaw Nation, it will be necessary for her to present herself in person before the Commission and there exhibit her evidence of marriage to you. Such an appearance must be made before the Commission at its office in Muskogee, Indian Territory.

An agreement recently entered into between the Choctaw and Chickasaw Tribes of Indians and the United States, provides for the closing of the rolls of citizenship of the Choctaw and Chickasaw Nations, September 1st, 1901. This agreement is subject to ratification by the Congress of the United States and by the citizens of the Choctaw and Chickasaw Tribes of Indians.

If therefore, your wife anticipates making application for enrollment, as an intermarried citizen of the Choctaw Nation, it is suggested that she do so in the near future.

Yours truly,

Acting Chairman.

7-5038

Muskogee, Indian Territory, February 28, 1901.

William J. Thompson,

Pauls Valley, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 25th instant, in which you state that you have received a letter from the Commission stating that if your wife wishes to make application for enrollment as an intermarried citizen of the Choctaw Nation, it will be necessary for her to appear in person before the Commission.

You wish to be informed if she comes to Muskogee and shows her marriage certificate and on oath states that she married William J. Thompson, will she then be listed for enrollment.

You are informed that the Commission cannot render any opinion as to the right of any applicant to enrollment as a citizen of the Choctaw Nation either by blood or intermarriage, except upon the personal appearance of the applicant.

If your wife desires to make application for enrollment as an intermarried citizen of the Choctaw Nation, she will be heard upon her personal appearance before the Commission at Muskogee, Indian Territory, at any time prior to the forwarding of the final rolls of citizenship of the Choctaw Nation to the secretary of the Interior for his approval.

Yours truly,

7-5038.

Muskogee, Indian Territory, November 14, 1908.

William J. Thompson,

Box 447, Pauls Valley, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 10th inst., enclosing the application for enrollment as a citizen of the Choctaw Nation of Winona Thompson, infant daughter of W.J. and Savannah Thompson, born June 22, 1902; and the same being in proper form have been duly filed with the records of the Commission, and the child listed for enrollment as a citizen of the Choctaw Nation.

Receipt is also acknowledged of the marriage license and certificate of William J. Thompson and Savannah Kinnebrough; and the same have been duly filed with the records of the Commission in the matter of the application for the enrollment of the above named child.

Respectfully,

Acting Chairman.

7-5300.

DEPARTMENT OF THE INTERIOR,
COMMISSION ON THE FIVE CIVIL TRIBES.

In the matter of the application for the enrollment
of Winona Thompson as a citizen by blood of the Choctaw Na-
tion.

The applicant, Winona Thompson, claims the right to
enrollment as a citizen by blood of the Choctaw Nation
through her father, W. J. Thompson.

The right of the applicant's father, W. J.
Thompson (as William J. Thompson or William Thompson),
citizenship in the Choctaw Nation, said to be adverse, de-
termined by a decree of the Choctaw and Chickasaw Citizens' In-
Court, of November 1, 1904, in case No. 10, upon the Dis-
mince docket of said court, it is hereby ordered that the
application of Winona Thompson for enrollment as a citizen
by blood of the Choctaw Nation be dismissed.

COMMISSION ON THE FIVE CIVIL TRIBES,


Chairman.

Muskogee, Indian Territory,

JAN 1, 1906

3038

COPY,

Wagoner, Indian Territory, February 24, 1905.

Mr. J. Thompson,
Post Office Box #247,
Pauls Valley, Indian Territory,

Dear Sir:

Inclusion of the name will not be made in order of
the Commission to the Five Civilized Tribes, dated January 24,
1905, admitting the application for citizenship of your minor
child, Winona Thompson, as a citizen by blood of the Choctaw
Nation.

Respectfully,

(SIGNED)

Jame Bixey

Chairman.

Registered.

Incl. 7-5038

Chectaw 2038

COPY.

Muskege, Indian Territory, January 24, 1905.

Hanbield, McMurray & Cornish,

Attorneys for Chectaw and Chickasaw Nations,
South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the order of
this Commission dated January 24, 1905, with said application
for the enrollment of Linora Thelma Cornish as a member of
the Chectaw Nation.

Respectfully,

SIGNED,

James L. Roy
Chairman.

Incl. 7-2038

C- 31
7-4979V
7-4976V
7-4977V
7-4978V
7-5012V
7-5026V
7-5037V
7-5038V
7-D- 535
7-5013V
23-1093
23-1120
23-1274.

WCF

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

In the matter of the application for the enrollment of
SAMUEL C. WALL, et al., as citizens of the Choctaw Nation.

DECISION.

The record herein shows that application was made to the Commission to the Five Civilized Tribes at Pauls Valley, Indian Territory, September 14, 1898, by Samuel C. Wall for the enrollment of himself and his minor son, Sam W. Wall, as citizens of the Choctaw Nation, and for the enrollment of his wife, Ellen Wall, as a citizen by intermarriage of the Choctaw Nation; that on the same date application was made by Thomas Wall to the Commission to the Five Civilized Tribes for the enrollment of himself and his minor children, Hiram T. Wall and Bessie Lee Wall, as citizens of the Choctaw Nation; that on the same date application was made to the Commission to the Five Civilized Tribes by Thomas J. Hogg for the enrollment of Eunice Hogg and Effie Hogg as citizens of the Choctaw Nation; that on June 3, 1901, written application was filed for the enrollment of Ora Nellie Hogg, minor daughter of Thomas J. Hogg and Eunice Hogg, as a citizen of the Choctaw Nation; that on September 14, 1898, application was made to the Commission to the Five Civilized Tribes by James N. Harper for the enrollment of his wife, Daisy Harper, and his minor son, Lawrence V. Harper, as citizens of the Choctaw Nation; that on June 28, 1900, written application was filed for the enrollment of Gracie Ellen Harper, and on November 1, 1902, written application was filed for the enrollment of James Custer Harper, minor children of James N. Harper and Daisy Harper, as citizens of the Choctaw Nation; that on September 14, 1898, application was made to the Commission to the Five Civilized Tribes by Dick Randolph for the enrollment of himself as a citizen by intermarriage of the Choctaw Nation, and for the enrollment of his wife, Myrtie Randolph, and his minor children, Minnie Randolph, Decosa Randolph, Herman Randolph, Hughie Randolph and Lena R. Randolph, as citizens of the Choctaw Nation; that on November 26, 1901, written application was filed for the enrollment of Vivian Randolph, minor daughter of Dick Randolph and Myrtie Randolph, as a citizen of the Choctaw Nation; that on February 9, 1901, written application was filed for the enrollment of Lelia Blanche Myers,

and on June 28, 1902, written application was filed for the enrollment of John Boyd Myers, minor children of William Myers and Minnie Myers (formerly Randolph), as citizens of the Choctaw Nation; that on September 15, 1898, application was made to the Commission to the Five Civilized Tribes at Pauls Valley, Indian Territory, by Waldemar Thompson for the enrollment of himself and his minor daughter, Dollie Thompson, as citizens of the Choctaw Nation. Subsequent thereto, written applications were filed for the enrollment of Myrtle Thompson, Claudia Ellen Thompson and Giles Clide Thompson, minor children of Waldemar Thompson and May Thompson, as citizens of the Choctaw Nation; that application was made to the Commission to the Five Civilized Tribes at Pauls Valley, Indian Territory, September 15, 1898, by William E. Wheat for the enrollment of himself as an intermarried citizen of the Choctaw Nation, and for the enrollment of his minor children, Jesse G. Wheat and Myrtle E. Wheat, as citizens of the Choctaw Nation; that on the same date application was made to the Commission to the Five Civilized Tribes by William J. Thompson for the enrollment of himself as a citizen of the Choctaw Nation; that on November 14, 1902, written application was filed for the enrollment of Winona Thompson, minor child of said William J. Thompson and his wife, Savannah Thompson, as a citizen of the Choctaw Nation; that application was made to the Commission to the Five Civilized Tribes at Atoka, Indian Territory, December 5, 1899, by William Myers for the enrollment of himself, as an intermarried citizen of the Choctaw Nation; that on September 14, 1898, application was made to the Commission to the Five Civilized Tribes at Pauls Valley, Indian Territory, for the enrollment of Decosa Thompson and Ellen Thompson as citizens 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 September 8, 1896, in 1896 Choctaw Citizenship case No. 540, for the admission to citizenship in the Choctaw Nation under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 341), of the following applicants: Samuel C. Wall (as Samuel Wall), Ellen Wall, Daisy Harper (as Daisy Wall), Eunice Hogg (as Miss Wall), Sam F. Wall, Thomas Wall, Wiman T. Wall (as Wiman Wall), and Bessie L. Wall (as Bessie Wall).

Said application was denied by the Commission to the Five Civilized Tribes on December 2, 1896. From this decision of the Commission appeal was taken to the United States Court for the Southern District of Indian Territory, which court, on January 19, 1898, rendered a judgment therein reversing the decision of the Commission and enrolling said applicants as citizens of the Choctaw Nation.

Said judgment 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 case 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 November 29, 1904, in the case entitled "Samuel Wall, et al., vs. Choctaw and Chickasaw Nations", said Citizenship Court rendered a judgment therein, wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, Samuel Wall or Samuel C. Wall, Ellen Wall, Daisy Wall or Daisy Wall, Unis Wall, Sam E. Wall, Thomas Wall or Thos. Wall, Hiram Wall and Bessie Wall, be denied and that they be declared not citizens of the Choctaw Nation, and not entitled to enrollment as such, and not entitled to any rights whatever flowing therefrom".

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 September 8, 1896, in 1896 Choctaw Citizenship case No. 1182, for admission to citizenship in the Choctaw Nation under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321), of the following applicants: Dick Randolph, Myrtle Randolph, Minnie Randolph, Decosa Randolph, Ferman Randolph, Hughie Randolph (as Hughie C. Randolph), William E. Wheat (as William Wheat), Myrtle E. Wheat (as Myrtle Wheat), Jesse G. Wheat (as Jesse Wheat), Waldemar Thompson, Dollie Thompson, William J. Thompson (as William Thompson), Decosa Thompson, Ellen Thompson and May Thompson. On December 7, 1896, the Commission to the Five Civilized Tribes denied said application. From this decision an appeal was taken to the United States Court for the Southern District of Indian Territory, which court, on January 19, 1898, in the case entitled "Dick Randolph, et al., vs. Choctaw Nation", rendered a judgment admitting all of said applicants to citizenship, except Myrtle Wheat and May Thompson, whose names were not mentioned in said judgment. Said judgment 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 provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), for a trial de novo, which court, on November 29, 1904, in the case entitled "Dick Randolph, et al., vs. Choctaw and Chickasaw Nations", rendered a judgment therein, wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, Dick Randolph, Myrtle Randolph or Myrtle Randolph, Minnie Randolph, Decosa Randolph or Decosa Randolph, Ferman Randolph, Hughie C. Randolph or Hughie Randolph, William Wheat or Wm. Wheat, Jess. Wheat or Jesse Wheat, De Cosa Thompson or Decosa Thompson, Ellen Thompson, Waldemar Thompson, Dollie Thompson and William J. Thompson or William Thompson, 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, Myrtle Wheat and May Thompson, the Court having no jurisdiction, their petition is dismissed".

On January 21, 1905, the Commission to the Five Civilized Tribes issued an order dismissing the application for the enrollment of William Myers as a citizen by intermarriage of the Choctaw Nation, for the reason that the right of his wife, Minnie Myers (as Minnie Randolph), to citizenship in the Choctaw Nation

had been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court on November 29, 1904.

On January 23, 1905, the Commission to the Five Civilized Tribes issued orders dismissing the applications for the enrollment of Lawrence V. Harper, Gracie Ellen Harper, James Custer Harper, Effie Hogg, Ora Nellie Hogg, Lena R. Randolph, Vivian Randolph, Lelia Blanche Myers, and John Royd Myers, and on January 24, 1905, orders were issued by the Commission to the Five Civilized Tribes dismissing the applications for the enrollment of Winona Thompson, Myrle Thompson, Claudia Ellen Thompson and Giles Clise Thompson, said orders being based upon the fact that the rights of the persons through whom said applicants claim their right to enrollment as citizens of the Choctaw Nation had been adversely determined by the decrees of the Choctaw and Chickasaw Citizenship Court in the cases above referred to.

On February 4, 1905, the Commission to the Five Civilized Tribes rendered a decision denying the application for the enrollment of Myrtle E. Wheat as a citizen of the Choctaw Nation.

Under the regulations approved by the Commissioner to the Five Civilized Tribes January 2, 1906, there was filed on January 30, 1906, by O. W. Patchall, attorney at law, Paul's Valley, Indian Territory, a petition verified by S. C. Wall, W. L. Thompson, Will Myers, W. E. Thompson and Tom Wall, praying for the enrollment of Samuel C. Wall, Samuel Wall, Jr., Thomas Wall, Mirar Wall, Bessie Wall, Elmer Wall, Elizabeth Wall, Daisy Harper, Lawrence Harper, Gracie Harper, Custer Harper, Rudella Hogg, Eunice Hogg, Effie Hogg, Nellie Hogg, Lizzie Hogg, Samuel J. Hogg, Myrle Randolph, Decosa Randolph, Herman Randolph, Hugh C. Randolph, Lena R. Randolph, Roy Randolph, Vivian Randolph, Winnie Myers, Lelia Blanche Myers, John R. Myers, Dick Myers, Jesse Wheat, Myrtle Wheat, Waldemar E. Thompson, Arthur Thompson, Dobbie Thompson, Claudie Thompson, Giles Thompson, William J. Thompson, Winona Thompson and Ella Thompson as citizens of the Choctaw Nation, and for the enrollment of Dick Randolph, William E. Wheat, May Thompson, William Myers, Savannah Thompson and Ellen Wall as citizens by intermarriage of the Choctaw Nation.

The material allegations in the petition are that the petitioners are the descendants of Noah Wall, a white man, who it is alleged became a member of the Choctaw Nation about the year 1800 by intermarriage with _____ Folsom, a Choctaw woman by blood, and of Giles Thompson, also a white man, who it is alleged became a member of the Choctaw Nation by intermarriage with a Choctaw woman by the name of Charlotte Wall in the year 1824; that the petitioners have been informed and believe that Giles Thompson was formally adopted by an act of the Choctaw Council as a citizen of the Choctaw Nation, but that said petitioners have been unable to find any records containing said act.

The petitioners, Samuel C. Wall, Ellen Wall, Sam E. Wall, Thomas Wall, Mirar Wall, Bessie Wall, Daisy Harper, Lawrence Harper, Gracie Harper, Custer Harper, Eunice Hogg, Effie Hogg, Nellie Hogg, Dick Randolph, Myrtle Randolph, Decosa Randolph, Herman Randolph, Hugh C. Randolph, Lena R. Randolph, Vivian Randolph, William Myers, Winnie Myers, Lelia Blanche Myers, John B. Myers, William

E. Wheat, Jesse Wheat, Myrtle Wheat, Waldemar E. Thompson, Nellie Thompson, Claudie Thompson, Giles Thompson, William J. Thompson, Winona Thompson, and Ellen Thompson, are identical with the persons for whose enrollment as citizens of the Choctaw Nation application was made to the Commission to the Five Civilized Tribes under the provisions of the Act of Congress approved June 25, 1898 (30 Stats., 495).

This office has no record of any application ever having been made for the enrollment of the petitioners, Elmer Wall, Elizabeth Wall, Rudella Hopper, Lizzie Hogg, Samuel J. Hogg, Roy Randolph, Dick Myers, May Thompson, Arthur Thompson and Savannah Thompson, as citizens of the Choctaw Nation under the provisions of the Act of Congress approved June 25, 1898, or any subsequent Act of Congress prior to the filing of the petition herein.

On April 27, 1906, written application was made for the enrollment of Lizzie Louisa Hogg, born April 7, 1903, minor daughter of Emice Hogg and J. T. Hogg, a non-citizen, as a citizen of the Choctaw Nation. On July 17, 1906, application was received under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137), for the enrollment of Robert E. Wall, born April 24, 1903, minor child of Thomas Wall and Elizabeth Wall, as a citizen of the Choctaw Nation. Said applicants appear to be identical with Lizzie Hogg and Elmer Wall mentioned in the petition filed January 30, 1906, and for the purpose of this decision will be so considered. On July 19, 1906, application was received for the enrollment of Daisy R. Harper, born July 31, 1904, minor child of J. N. Harper and Daisy Harper, as a citizen of the Choctaw Nation.

It is not alleged in the application file January 30, 1906, that any of the petitioners were ever recognized and enrolled by the tribal authorities of the Choctaw Nation as citizens of said nation.

The surname "Thompson" appears several times upon the tribal rolls of the Choctaw Nation. This office is unable, however, to identify any of the applicants herein as identical with any of the persons whose names appear on said rolls.

For the purpose of determining whether Giles Thompson, the ancestor of certain petitioners herein, was ever adopted by an Act of Choctaw Council as alleged in the petition, this office on July 31, 1906, addressed a communication to Edward T. Wilson, Secretary of the Choctaw Nation, requesting to be furnished a certified copy of the Act of the Choctaw Council admitting said Giles Thompson, if said Act was ever passed. In response to said communication, said E. T. Wilson addressed a letter to the Commissioner on August 6, 1906, in which he stated that there was no such Act on file in the office of the National Secretary. Copies of said communications are made a part of the record hereof.

I am of the opinion that inasmuch as it does not appear from the records in the possession of the Commissioner to the Five Civilized Tribes that any of the applicants ever occupied such a status as would entitle them to enrollment as citizens of the Choctaw Nation, and inasmuch as it is not alleged in the petition filed January 30, 1906, that any of the said applicants ever occupied such a status, the decision of the Choctaw and Chickasaw Citizenship Court of November 29, 1904, is final, and that the application for the enrollment of such of the applicants as made application

in 1898, and the petition of January 30, 1906, in so far as same applies to said applicants, should be denied.

I am, therefore, of the opinion that the application for the enrollment of Samuel C. Wall, Sam P. Wall, Thomas Wall, Hiram T. Wall, Bessie L. Wall, Daisy Harper, Eunice Hogg, Myrtie Randolph, Vinnie Myers, Decosa Randolph, Herman Randolph, Hughie Randolph, Jesse G. Wheat, Waldemar Thompson, William J. Thompson, Dollie Thompson, Decosa Thompson and Ellen Thompson as citizens of the Choctaw Nation, and the petition herein in so far as same applies to said applicants, should be denied under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), and it is so ordered.

I am further of the opinion that the application for the enrollment of Ellen Wall, Dick Randolph and William E. Wheat as citizens by intermarriage of the Choctaw Nation, and the petition herein in so far as same applies to said applicants, should be denied under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), and it is so ordered.

I am further of the opinion that the petition herein in so far as it applies to the petitioners, Lawrence Harper, Gladie Harper, Carter Harper, Eddie Hogg, Nellie Hogg, Lena R. Randolph, Vivian Randolph, Lizzie Blanche Myers, John B. Myers, Gladie Thompson, Giles Thompson and Winona Thompson, whose applications for enrollment as citizens of the Choctaw Nation have heretofore been dismissed, and Marie E. Wheat, whose application for enrollment as a citizen of the Choctaw Nation has heretofore been denied, should be denied under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), and it is so ordered.

I am further of the opinion that the petition herein in so far as it applies to the petitioners, William Myers, whose application for enrollment as an intermarried citizen of the Choctaw Nation has heretofore been denied, should be denied under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), and it is so ordered.

I am further of the opinion that the petition herein in so far as same applies to the petitioners, Radella Hogg, Samuel J. Hogg, Roy Randolph, Dick Myers and Arthur Thompson, should be considered as an application for the enrollment of said petitioners as citizens of the Choctaw Nation under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137), that said application should be dismissed, and it is so ordered.

I am further of the opinion that the petition herein in so far as same applies to the petitioners, Elizabeth Wall and Savannah Thompson, for whose enrollment as citizens by intermarriage of the Choctaw Nation no application was made prior to December 1, 1905, should be dismissed under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137), and it is so ordered.

I am further of the opinion that the application and petition for the enrollment of Lizzie Louisa Hogg, Robert E. Wall and Daisy R. Harper as citizens of the Choctaw Nation should be denied under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137), and it is so ordered.

I am further of the opinion that following the ruling of the Department of May 25, 1906 (I. T. D. 9114-1906), in the case of Laura E. Akin, and of October 10, 1906 (I. T. D. 15388, 18926-1906), in the case of Hayne Nelms, the petition herein in so far as same applies to the petitioner, May Thompson, should be denied, and it is so ordered.

(Signed) Tams Dixby,

Commissioner.

Muskogee, Indian Territory,

FEB 4-1907

COPY

DEPARTMENT OF JUSTICE.

WASHINGTON.

February 19, 1907.

The Secretary of the Interior.

Sir:

I have the honor to communicate to you my opinion in certain Choctaw Indian citizenship cases, the first two submitted by your letter of May 29, 1906, and the others by the direction of the President under date of January 19, 1907.

1. The first case is that of Myrtie Randolph and her brother W. J. Thompson, in regard to which you say:

Myrtie Randolph and W. J. Thompson are children of Giles Thompson, white, intermarried in the Choctaw Nation in Mississippi prior to the treaty of September 27, 1830 (7 Stat., 333), and was one of the parties named by supplementary article II (ib.340,) as entitled to a section and a half, reserved to him from the ceded lands, to be so selected as "to include their present residence and improvement." His first and second wives were Choctaws. His name appears on page 64, volume 7, American State Papers (Public Lands), as a beneficiary of Article XIX of the treaty of September 27, 1830, and on page 28, volume 1 of the record in suit of the Choctaw Nation v. United States, Court of Claims. He was registered under the treaty as citizen of the Choctaw Nation, Mushulatubbee's District, and with his family was transported under the treaty as Choctaws at expense of the United States, from Mississippi to the Choctaw Nation, west, prior to October 24, 1833, when he petitioned the President, from Doakesville, near the Red River, in the southern part of the Choctaw Nation, to approve sale of his Mississippi lands to James Gay, of Mississippi, and for issue of patent therefor (copy A enclosed). In the Choctaw Nation, west, in Indian Territory, in 1863, in accordance to Choctaw law, he married a white woman, citizen of the United States, of whom the applicants were born. He was living October 19, 1865, and was paid by the Choctaw Nation for beaves furnished June 1865. (Copy of Act of Council of October 19, 1865, is enclosed, B). He continued to live

in the Nation, and was recognized as a citizen, until his death, aged seventy-six years, and his estate was administered in the Choctaw Courts as that of an Indian and within their jurisdiction. The applicants--his children--were born in the Choctaw Nation, were admitted to and attended the Choctaw schools as Choctaws, and in all respects enjoyed and were accorded the privileges of native born Choctaws. The applicants were enrolled by the Choctaw Committee on Citizenship in 1892, as Choctaw citizens. The Department is not yet advised whether they are borne on any other of the Choctaw rolls. They settled and improved tribal lands, as the father before had done in Mississippi, as Choctaws, erected homes, and were never ousted or objected to or regarded as intruders.

September 8, 1896, these applicants and others applied to the Commission to the Five Civilized Tribes for enrollment under the Act of June 10, 1896 (29 Stat., 321, 339), and December 7, 1896, were denied. Applicants appealed to the United States Court, Southern District, Indian Territory, which, January 18, 1898, reversed the Commission, and admitted the applicants. From this judgment the Nation appealed and the judgment was affirmed (reported as *Stephens v. Cherokee Nation and Choctaw Nation v. Robinson*, 174 U.S., 445, foot-note page 469, case No. 587; same *v. Randolph et al.*). Subsequently, under the act of July 1, 1902 (32 Stat., 641, 646-9), the matter was brought by appeal of the nations to the Choctaw-Chickasaw Citizenship Court, which, November 29, 1904, denied the application--copy of opinion wherein and in *Wall v. Choctaw Nation et al.*, and in *E. H. Bounds v. Choctaw and Chickasaw Nations*, whereon both were founded are enclosed (C,D,E.).

The validity and finality of the Citizenship Court are therefore a vital feature of this case. In regard to its judgment you say in your letter:

Bearing upon the validity of this judgment, your attention is called to the fact that the act of June 10, 1896 gave no power to the Commission to the Five Civilized Tribes to purge the tribal rolls, which were by the act confirmed. Power to purge the rolls was first conferred on the Commission by the Act of June 7, 1897 (30 Stat., 84), and further by Section 21, act of June 28, 1898 (30 Stat., 495, 502). Wherefore this Department holds that no jurisdiction was given the Commission, or to the Courts on appeal therefrom, to exclude persons having tribal recognition and borne on the tribal rolls, but that such persons, notwithstanding prior adverse action by the Commission, or the courts, are entitled to enrollment under the act of 1898 and supplementary acts,

unless their inscription on the tribal rolls was procured by fraud or was without authority of law. Such has been the rule of this Department since decision in the case of Wiley Adams May 21, 1903, discussed and concurred in by the Assistant Attorney-General, Interior Department (opinions of March 24, 1905, in cases of Benjamin J. Vaughn and Mary Elizabeth Martin. In Vaughn's case counsel for the nations acceded to it as the proper rule.

To determine the validity and finality of the judgment of the Citizenship Court, as well as other questions arising in these cases, it is necessary to consider carefully the entire legislation of the Congress on this subject.

The act of June 10, 1896 (29 Stat. 321, 339), directed the Commission to the Five Civilized Tribes in the Indian Territory to continue the exercise of the authority theretofore conferred upon them to negotiate with such tribes for the extinguishment of the tribal title to their lands, by the cession of the same or a part thereof to the United States, or their allotment in severalty to the members of such tribes, with a view to the ultimate creation of a State or States embracing such lands.

That act also provided:

That said commission is further authorized and directed to proceed at once to hear and determine the application of all persons who may apply to them for citizenship in any of said nations, and after such hearing they shall determine the right of such applicant to be so admitted and enrolled; Provided, however, That such application shall be made to such Commissioners within three months after the passage of this Act. The said Commission shall decide all such applications within ninety days after the same shall be made. That in determining all such applications said commission shall respect all laws of the several nations or tribes, not inconsistent with the laws of the United States, and all

treaties with either of said nations or tribes, and shall give due force and effect to the rolls, usages, and customs of each of said nations or tribes. And provided, further, That the rolls of citizenship of the several tribes as now existing are hereby confirmed, and any person who shall claim to be entitled to be added to said rolls as a citizen of either of said tribes and whose right thereto has either been denied or not acted upon, or any citizen who may within three months from and after the passage of this Act desire such citizenship, may apply to the legally constituted court or committee designated by the several tribes for such citizenship, and such court or committee shall determine such application within thirty days from the date thereof.

In the performance of such duties said commission shall have power and authority to administer oaths, to issue process for and compel the attendance of witnesses, and to send for persons and papers, and all depositions and affidavits and other evidence in any form whatsoever heretofore taken where the witnesses giving such testimony are dead or now residing beyond the limits of said Territory, and to use every fair and reasonable means within their reach for the purpose of determining the rights of persons claiming such citizenship, or to protect any of said nations from fraud or wrong, and the rolls so prepared by them shall be hereafter held and considered to be the true and correct rolls of persons entitled to the rights of citizenship in said several tribes: Provided, That if the tribe, or any person, be aggrieved with the decision of the tribal authorities or the commission provided for in this Act, it or he may appeal from such decision to the United States district court; Provided, however, That the appeal shall be taken within sixty days, and the judgment of the court shall be final.

That the said commission, after the expiration of six months, shall cause a complete roll of citizenship of each of said nations to be made up from their records, and add thereto the names of citizens whose right may be conferred under this Act, and said rolls shall be, and are hereby, made rolls of citizenship of said nations or tribes, subject, however, to the determination of the United States courts, as provided herein.

The commission is hereby required to file the lists of members as they finally approve them with the Commissioner of Indian Affairs to remain there for use as the final judgment of the duly constituted authorities.

The act of June 7, 1897 (30 Stat. 62,84) contained this provision:

That said commission shall continue to exercise all authority heretofore conferred on it by law to negotiate

with the Five Tribes, and any agreement made by it with any one of said tribes, when ratified, shall operate to suspend any provisions of this Act if in conflict therewith as to said nation; Provided, That the words "rolls of citizenship", as used in the act of June tenth, eighteen hundred and ninety-six, making appropriations for current and contingent expenses of the Indian Department and fulfilling treaty stipulations with various Indian Tribes for the fiscal year ending June thirtieth, Eighteen hundred and ninety-seven, shall be construed to mean the last authenticated rolls of each tribe which have been approved by the council of the nation, and the descendants of those appearing on such rolls, and such additional names and their descendants as have been subsequently added, either by the council of such nation, the duly authorized Courts thereof, or the commission under the act of June tenth, eighteen hundred and ninety-six. And all other names appearing upon such rolls shall be open to investigation by such commission for a period of six months after the passage of this Act. And any name appearing on such rolls and not confirmed by the Act of June tenth, eighteen hundred and ninety-six, as herein construed, may be stricken therefrom by such commission where the party affected shall have ten days previous notice that said commission will investigate and determine the right of such party to remain upon such roll as a citizen of such nation; Provided, also, That any one whose name shall be stricken from the roll by such commission shall have the right of appeal, as provided in the Act of June tenth, eighteen hundred and ninety-six.

The act of June 28, 1898 (30 Stat. 495, 502-3), provided:

Sec. 21. That in making rolls of citizenship of the several tribes as required by law, the Commission to the Five Civilized Tribes is authorized and directed to take the roll of Cherokee citizens of eighteen hundred and eighty (not including freedmen) as the only roll intended to be confirmed by this and preceding acts of Congress, and to enroll all persons now living whose names are found on said roll, and all descendants born since the date of said roll to persons whose names are found thereon; and all persons who have been enrolled by the tribal authorities who have heretofore made permanent settlement in the Cherokee Nation whose parents, by reason of their Cherokee blood, have been lawfully admitted to citizenship by the tribal authorities, and who were minors when their parents were so admitted; and they shall investigate the right of all other persons whose

names are found on any other rolls and omit all such as may have been placed thereon by fraud or without authority of law, enrolling only such as may have lawful right thereto, and their descendants born since such rolls were made, with such inter-married white persons as may be entitled to citizenship under Cherokee laws.

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Said commission is authorized and directed to make correct rolls of the citizens by blood of all the other tribes, eliminating from the tribal rolls such names as may have been placed thereon by fraud or without authority of law, enrolling such only as may have lawful right thereto, and their descendants born since such rolls were made, with such inter-married white persons as may be entitled to Choctaw and Chickasaw citizenship under the treaties and the laws of said tribes.

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The rolls so made, when approved by the Secretary of the Interior, shall be final, and the persons whose names are found thereon, with their descendants thereafter born to them, with such persons as may intermarry according to tribal laws, shall alone constitute the several tribes which they represent.

The act of May 31, 1900 (31 Stat. 221, 236), provided:

That said commission shall continue to exercise all authority heretofore conferred upon it by law. But it shall not receive, consider, or make any record of any application of any person for enrollment as a member of any tribe in the Indian Territory who has not been a recognized citizen thereof, and duly and lawfully enrolled or admitted as such, and its refusal of such application shall be final when approved by the Secretary of the Interior.

The act of March 3, 1901 (31 Stat., 1058, 1077), contained this provision:

The rolls made by the Commission to the Five Civilized Tribes, when approved by the Secretary of the Interior, shall be final, and the persons whose names are found thereon shall alone constitute the several tribes which they represent; and the Secretary of the Interior is authorized and directed to fix a time by agreement with said tribes or either of them for closing said rolls, but upon failure or refusal of said tribes or any of them to agree thereto, then the Secretary of the Interior shall fix a time for closing said rolls, after which no name shall be added thereto.

The Secretary of the Interior -

7.

The act of July 1, 1902 (32 Stat. 641) ratified an agreement made by the Commission to the Five Civilized Tribes with the Commission representing the Choctaw and Chickasaw Tribes. This agreement was subsequently ratified by these two nations as required therein. In regard to rolls of citizenship it provided:

27. The rolls of the Choctaw and Chickasaw citizens and Choctaw and Chickasaw freedmen shall be made by the Commission to the Five Civilized Tribes, in strict compliance with the act of Congress approved June 28, 1898 (30 Stat., 495), and the act of Congress approved May 31, 1900 (31 Stat., 221), except as herein otherwise provided: Provided, That no person claiming right to enrollment and allotment and distribution of tribal property, by virtue of a judgment of the United States court in the Indian Territory, under the act of June 10, 1896 (29 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.

28. The names of all persons living on the date of the final ratification of this agreement entitled to be enrolled as provided in section 27 hereof shall be placed upon the rolls made by said Commission; and no child born thereafter to a citizen or freedman and no person intermarried thereafter to a citizen shall be entitled to enrollment or to participate in the distribution of the tribal property of the Choctaws and Chickasaws.

29. No person whose name appears upon the rolls made by the Commission to the Five Civilized Tribes as a citizen or freedman of any other tribe shall be enrolled as a citizen or freedman of the Choctaw or Chickasaw nations.

30. For the purpose of expediting the enrollment of the Choctaw and Chickasaw citizens and Choctaw and Chickasaw freedmen, the said Commission shall, from time to time, and as early as practicable, forward to the Secretary of the Interior lists upon which shall be placed the names of those persons found by the Commission to be entitled to enrollment. The lists thus prepared, when approved by the Secretary of the Interior, shall constitute a part and parcel of the final roll of citizens of the Choctaw and Chickasaw tribes and of

Choctaw and Chickasaw freedmen, upon which allotment of land and distribution of other tribal property shall be made as herein provided. Lists shall be made up and forwarded when contests of whatever character shall have been determined, and when there shall have been submitted to and approved by the Secretary of the Interior lists embracing names of all those lawfully entitled to enrollment, the rolls shall be deemed complete. The rolls so prepared shall be made in quintuplicate, one to be deposited with the Secretary of the Interior, one with the Commissioner of Indian Affairs, one with the principal chief of the Choctaw Nation, one with the governor of the Chickasaw Nation, and one to remain with the Commission to the Five Civilized Tribes.

31. It being claimed and insisted by the Choctaw and Chickasaw nations that the United States courts in the Indian Territory acting under the Act of Congress approved June 10, 1896, have admitted persons to citizenship or to enrollment as such citizens in the Choctaw and Chickasaw nations, respectively, without notice of the proceedings in such courts being given to each of said nations; and it being insisted by said nations that, in such proceedings, notice to each of said nations was indispensable, and it being claimed and insisted by said nations that the proceedings in the United States courts in the Indian Territory, under the said Act of June 10, 1896, should have been confined to a review of the action of the Commission to the Five Civilized Tribes, upon the papers and evidence submitted to such commission, and should not have extended to a trial de novo of the question of citizenship; and it being desirable to finally determine these questions, the two nations, jointly, or either of said nations acting separately and making the other a party defendant, may, within ninety days after this agreement becomes effective, by a bill in equity filed in the Choctaw and Chickasaw citizenship court hereinafter named, seek the annulment and vacation of all such decisions by said courts. Ten persons so admitted to citizenship or enrollment by said courts, with notice to one but not to both of said nations, shall be made defendants to said suit as representatives of the entire class of persons similarly situated, the number of such persons being too numerous to require all of them to be made individual parties to the suit; but any person so situated may, upon his application, be made a party defendant to the suit. Notice of the institution of said suit shall be personally served upon the chief executive of the defendant nation, if either nation be made a party defendant as aforesaid, and upon each of said ten representative defendants,

and shall also be published for a period of four weeks in at least two weekly newspapers having general circulation in the Choctaw and Chickasaw Nations. Such notice shall set forth the nature and prayer of the bill, with the time for answering the same, which shall not be less than thirty days after the last publication. Said suit shall be determined at the earliest practicable time, shall be confined to a final determination of the questions of law here named, and shall be without prejudice to the determination of any charge or claim that the admission of such persons to citizenship or enrollment by said United States courts in the Indian Territory was wrongfully obtained as provided in the next section. In the event said citizenship judgments or decisions are annulled or vacated in the test suit hereinbefore authorized, because of either or both of the irregularities claimed and insisted upon by said nations as aforesaid, then the files, papers, and proceedings in any citizenship case in which the judgment or decision is so annulled or vacated, shall, upon written application therefor, made within ninety days thereafter by any party thereto, who is thus deprived of a favorable judgment upon his claimed citizenship, be transferred and certified to said citizenship court by the court having custody and control of such files, papers and proceedings, and upon the filing in such citizenship court of the files, papers and proceedings in any such citizenship case, accompanied by due proof that notice in writing of the transfer and certification thereof has been given to the chief executive officer of each of said nations, said citizenship case shall be docketed in said citizenship court, and such further proceedings shall be had therein in that court as ought to have been had in the court to which the same was taken on appeal from the Commission to the Five Civilized Tribes, and as if no judgment or decision had been rendered therein.

32. Said citizenship court shall also have appellate jurisdiction over all judgments of the courts in Indian Territory rendered under said Act of Congress of June tenth, eighteen hundred and ninety six, admitting persons to citizenship or to enrollment as citizens in either of said nations. The right of appeal may be exercised by said nations jointly or by either of them acting separately at any time within six months after this agreement is finally ratified. In the exercise of such appellate jurisdiction said citizenship court shall be authorized to consider, review, and revise all such judgments, both as to findings of fact and conclusions of

law, and may, whenever in its judgment substantial justice will thereby be subserved, permit either party to any such appeal to take and present such further evidence as may be necessary to enable said court to determine the very right of the controversy. And said court shall have power to make all needful rules and regulations prescribing the manner of taking and conducting said appeals and of taking additional evidence therein. Such citizenship courts shall also have like appellate jurisdiction and authority over judgments rendered by such courts under the said act denying claims to citizenship or to enrollment as citizens in either of said nations. Such appeals shall be taken within the time hereinbefore specified and shall be taken, conducted and disposed of in the same manner as appeals by the said nations, save that notice of appeals by citizenship claimants shall be served upon the chief executive officer of both nations; Provided, That paragraphs thirty-one, thirty-two and thirty-three hereof shall go into effect immediately after the passage of this Act by Congress.

33. A court is hereby created to be known as the Choctaw and Chickasaw Citizenship Court, the existence of which shall terminate upon the final determination of the suits and proceedings named in the last two preceding sections, but in no event later than the thirty-first day of December, nineteen hundred and three. Said court shall have all authority and power necessary to the hearing and determination of the suits and proceedings so committed to its jurisdiction, including the authority to issue and enforce all requisite writs, process and orders, and to prescribe rules and regulations for the transaction of its business. It shall also have all the powers of a circuit court of the United States in compelling the production of books, papers and documents, the attendance of witnesses, and in punishing contempt. Except where herein otherwise expressly provided, the pleadings, practice and proceedings in said court shall conform, as near as may be, to the pleadings, practice and proceedings in equity causes in the Circuit Courts of the United States. The testimony shall be taken in court or before one of the judges, so far as practicable. Each judge shall be authorized to grant, in vacation or recess, interlocutory orders and to hear and dispose of interlocutory motions not affecting the substantial merits of the case. Said court shall have a chief judge and two associate judges, a clerk, a stenographer, who shall be deputy clerk, and a bailiff. The judges shall be appointed by the President, by and with the advice and consent of the Senate, and shall each receive a compensation

of five thousand dollars per annum, and his necessary and actual traveling and personal expenses while engaged in the performance of his duties. The clerk, stenographer, and bailiff shall be appointed by the judges, or a majority of them, and shall receive the following yearly compensation: Clerk, two thousand four hundred dollars; stenographer, twelve hundred dollars; bailiff, nine hundred dollars. The compensation of all these officers shall be paid by the United States in monthly installments. The moneys to pay said compensation are hereby appropriated, and there is also appropriated the sum of five thousand dollars, or so much thereof as may be necessary, to be expended under the direction of the Secretary of the Interior, to pay such contingent expenses of said court and its officers as to such Secretary may seem proper. Said court shall have a seal, shall sit at such place or places in the Choctaw and Chickasaw nations as the judges may designate, and shall hold public sessions, beginning the first Monday in each month, so far as may be practicable or necessary. Each judge and the clerk and deputy clerk shall be authorized to administer oaths. All writs and process issued by said court shall be served by the United States marshal for the district in which the service is to be had. The fees for serving process and the fees of witnesses shall be paid by the party at whose instance such process is issued or such witnesses are subpoenaed, and the rate or amount of such fees shall be the same as is allowed in civil causes in the circuit court of the United States for the western district of Arkansas. No fees shall be charged by the clerk or other officers of said court. The clerk of the United States Court in Indian Territory, having custody and control of the files, papers, and proceedings in the original citizenship cases, shall receive a fee of two dollars and fifty cents for transferring and certifying to the citizenship court the files, papers, and proceedings in each case, without regard to the number of persons whose citizenship is involved therein, and said fee shall be paid by the person applying for such transfer and certification. The judgment of the citizenship court in any or all of the suits or proceedings so committed to its jurisdiction shall be final. All expenses necessary to the proper conduct, on behalf of the nations, of the suits and proceedings provided for in this and the two preceding sections shall be incurred under the direction of the executives of the two nations, and the Secretary of the Interior is hereby authorized, upon certificate of said executives, to pay such expenses as in his judgment are reasonable and necessary out of any of the joint funds of said nations in the Treasury of the United States.

It appears that the agreement in these paragraphs provides for the establishment of the Choctaw and Chickasaw Citizenship Court, and gives it jurisdiction of a test suit to annul and vacate the decisions of the United States courts in the Indian Territory admitting persons to citizenship and enrollment as citizens of the Choctaw and Chickasaw nations, respectively, on the ground of want of notice to both of said nations and because the United States courts tried such cases de novo, with a right in the event such judgments should be annulled because of either or both of the irregularities mentioned, on the part of any party thus deprived of a favorable judgment to remove his case to the Citizenship Court, where such further proceedings were to be had therein "as ought to have been had in the court to which the same was taken on appeal from the Commission to the Five Civilized Tribes, as if no judgment or decision had been rendered therein; and also "appellate jurisdiction over all judgments of the courts in Indian Territory, rendered under said act of Congress of June tenth, eighteen hundred and ninety-six, admitting persons to citizenship or to enrollment in either of said nations." In the exercise of such appellate jurisdiction the citizenship court was "authorized to consider, review, and revise all such judgments, both as to findings of fact and conclusions of law, and may, whenever in its judgment substantial justice will thereby be subserved, permit either party to any such appeal to take and pre-

sent such further evidence as may be necessary to enable said court to determine the very right of the controversy."

It will be noted that the agreement further provides (paragraph 33) that "the judgment of the citizenship court in any or all of the suits or proceedings so committed to its jurisdiction shall be final."

The agreement also contained this provision:

34. During the ninety days first following the date of the final ratification of this agreement, the Commission to the Five Civilized Tribes may receive applications for enrollment only of persons whose names are on the tribal rolls, but who have not heretofore been enrolled by said Commission, commonly known as "delinquents", and such intermarried white persons as may have married recognized citizens of the Choctaw and Chickasaw Nations in accordance with the tribal laws, customs and usages on or before the date of the passage of this Act of Congress, and such infant children as may have been born to recognized and enrolled citizens on or before the date of the final ratification of this agreement; but the application of no person whomsoever for enrollment shall be received after the expiration of the said ninety days; Provided, That nothing in this section shall apply to any person or persons making application for enrollment as Mississippi Choctaws, for whom provision has herein otherwise been made.

By the Act of April 21, 1904 (33 Stat. 189,204), it was provided that the Commission to the Five Civilized Tribes should conclude its work and terminate on or before July 1, 1905, and cease to exist on that date, the powers theretofore conferred upon it being continued.

By the Act of March 3, 1905 (33 Stat. 1048,1060), it was provided "that the work of completing the unfinished business,

if any, of the Commission to the Five Civilized Tribes shall devolve upon the Secretary of the Interior, and that all the powers heretofore granted to the said Commission to the Five Civilized Tribes are hereby conferred upon the said Secretary on and after the first of July, nineteen hundred and five."

By the act of April 26, 1906 (34 Stat. 137), it was provided:

That after the approval of this Act no person shall be enrolled as a citizen or freedman of the Choctaw, Chickasaw, Cherokee, Creek, or Seminole tribes of Indians in the Indian Territory, except as herein otherwise provided, unless application for enrollment was made prior to December first, nineteen hundred and five, and the records in charge of the Commissioner to the Five Civilized Tribes shall be conclusive in evidence as to the fact of such application; and no motion to reopen or reconsider any citizenship case, in any of said tribes, shall be entertained unless filed with the Commissioner to the Five Civilized Tribes within sixty days after the date of the order or decision sought to be reconsidered except as to decisions made prior to the passage of this act, in which cases such motion shall be made within sixty days after the passage of this act. x x x

By that act the rolls of citizenship of the several tribes were required to be completed March 4, 1907.

After very carefully considering this legislation, in the light of the circumstances under which it was enacted, I am constrained to the conclusion that the Citizenship Court had jurisdiction of the cases now under consideration, and that its judgment therein is final.

By the act of June 10, 1896, the Commission to the Five Civilized Tribes was "authorized and directed to proceed at once

The Secretary of the Interior -

15.

to hear and determine the application of all persons who may apply to them for citizenship in any of said nations." It is true that this act also confirmed the then existing rolls of the several tribes, but the question whether an applicant was, as matter of fact, already duly enrolled upon one of the rolls so confirmed constituted, in my opinion, an issue upon which the Commission was authorized and required to pass: the applicant may be fairly held to have waived by his application the conclusiveness of the confirmation of the rolls in his case.

Independently of any such waiver, I do not see how the proposition that the Commission did not have jurisdiction of the case of a person whose name was upon a tribal roll can be maintained, in the face of the provision of the act of June 10, 1896, that "in determining all such applications said Commission shall x x x give due force and effect to the rolls, usages and customs of each of said nations or tribes." I think that act left it to the Commission to determine whether or not the applicant was upon a roll which was confirmed, and evidently it did not so hold in these cases.

It is unnecessary, however, to determine what might have been the effect of an adverse judgment in the case of an applicant whose name was upon a roll so confirmed for such confirmation was certainly and very materially modified by the act of June 7, 1897, and apparently altogether withdrawn by the act of June 28, 1898. The act of June 7, 1897, provided that the words "rolls of citizenship" as used in the act of June 10, 1896, should be con-

strued to mean the "last authenticated rolls of each tribe which Have been approved by the council of the nation". I am informed that there never was any such an authenticated roll of the Choctaw Tribe, either at the time of the passage of the act of June 10, 1896, or subsequently thereto. Moreover, by the act of June 28, 1898, it was provided that in making rolls of citizenship of the several tribes, the Commission should take the Cherokee roll of 1880 as the only roll intended to be confined by that and preceding acts of Congress: it seems to be clear from the further provisions of the Act that the Congress did not here refer to the Cherokee rolls only but had in mind those of all the Tribes.

To my mind, however, the decisive consideration is that Congress, knowing there were certain cases of contested citizenship in the Choctaw and Chickasaw Nations, referred these cases, under carefully defined conditions, to the Citizenship Court and made the determination of that Court in those cases final. This provision of law repealed, as to cases in this category, any inconsistent provisions (if any there were) in the Act of 1896 or any other prior act. These cases were unquestionably within the terms of the law: the claimants had been admitted to citizenship by decisions of the United States courts, and it seems clear that, under the agreement with the Choctaw and Chickasaw Nations ratified by the act of July 1, 1902, it was intended that the Citizenship Court should have a revisory jurisdiction of judgments of the

United States courts in the Indian Territory in citizenship cases, irrespective of the grounds on which these suits had been entertained by the said courts. That agreement was made after the confirmation given to the tribal rolls had been qualified if not withdrawn, and, we must presume with a knowledge of the fact that the Commission, under the act of June 10, 1896, had exercised jurisdiction in the case of persons whose names appeared upon some of the rolls of the tribes. Its action seems to show that Congress did not intend to confirm any roll of the Choctaw and Chickasaw tribes, but, however that may be when, with a knowledge of all that had gone before, it created the Citizenship Court, this was done, in my opinion, with the evident purpose of giving it jurisdiction of all citizenship cases which had been decided by the United States courts for the Indian Territory on appeal from the judgments of the Commission. As neither Congress nor the Nations made any distinction in the act and agreement referred to as to the cases of persons whose names were on a tribal roll which might have been confirmed by the act of June 10, 1896, if Congress had not decided otherwise I do not think any other authority can make this distinction. Indeed, as I have suggested, the applicants themselves, having voluntarily submitted to the jurisdiction of the Commission, might be fairly held estopped to now deny it.

I understand that it is not contended, nor do I think it could be successfully maintained that any authority to review the

judgments of the Citizenship Court was intended to be conferred upon you by Congress when it made the rolls, as finally compiled, subject to your approval (see paragraph 30 of the agreement ratified by the act of July 1, 1902.) Neither do I think that the provision in the act of April 26, 1906, above quoted, as to enrolling persons and entertaining motions to reopen or reconsider citizenship cases, was intended to recognize or confer any such authority, the purpose of that provision being simply to limit the time in which the authority previously conferred might be exercised. To hold thus would be to treat the later act as a repeal of so much of the former as expressly declared the judgments of the Citizenship Court to be final, which seems to me untenable.

This disposes of the cases of Myrtle Randolph and her brother W. J. Thompson: whatever their intrinsic merits, these claims have been finally decided adversely to the claimants by the judgment of the Citizenship Court.

2. The second case is that of Cyrus H. Kingsbury and Lucy E. Littlepage, in regard to whom you say:

Cyrus H. Kingsbury and Lucy E. Littlepage are children of John Parker-Kingsbury and wife, Hannah Mariah, white, affiliated by act of the Choctaw Council of November 15, 1854, which enacted:

That all rights, privileges and immunities of Choctaw citizens are hereby granted unto John Parker-Kingsbury and to his wife Hannah Mariah, and they shall enjoy all the benefits to which the citizens of this nation may hereafter be entitled, except in the participation of any sum of money which may now be due the nation under treaty stipulations heretofore made.

Both applicants were born in the Choctaw Nation and have always resided there as its recognized citizens. Both are on the tribal Choctaw 1885 census roll, Atoka County, Nos. 819, 821. September 7, 1896; they applied to the Commission to the Five Civilized Tribes under the act of June 10, 1896, were enrolled, and no appeal was taken. Cyrus H. Kingsbury is on the 1896 Choctaw census roll. Lucy H. Littlepage is on the partial roll of Choctaw citizens by blood, and her husband, Patrick H. Littlepage, on the roll of intermarried citizens--both rolls approved by the Secretary of the Interior, October 21, 1904. Patent, signed and executed by the principal chief of the Choctaw nation, conveying to Cyrus H. Kingsbury allotted tribal lands as a citizen by blood, is now before the Secretary of the Interior for approval, but is not yet approved, or delivered. No objection to occupation of tribal lands was ever made against either applicant as an intruder.

Paragraph 27 of the agreement with the Choctaw and Chickasaw Nations ratified by the act of July 1, 1902, provides that the rolls of Choctaw and Chickasaw citizens shall be made by the Commission to the Five Civilized Tribes "in strict compliance" with the acts of June 28, 1898, and May 31, 1900.

Section 21 of the act of June 28, 1898, after providing that in making rolls of citizenship of the several tribes the Commission shall take the roll of Cherokee citizens of 1880 as the only roll intended to be confirmed by that and preceding acts of Congress, and providing for the enrollment of the Cherokees, authorizes and directs the Commission "to make correct rolls of the citizens by blood of all the other tribes, eliminating from the tribal rolls such names as may have been placed thereon by fraud or without authority of law, enrolling such only as may have lawful right thereto, and their descendants born since such rolls were

made, with such intermarried white persons as may be entitled to Choctaw and Chickasaw citizenship under the treaties and the laws of said tribes."

It might be held that the only white person intended to be enrolled by this Act were such intermarried ones as were entitled to citizenship under the treaties and laws of the tribes, if it were not for the reference to the tribal rolls, -on which, as appears from your statement as to these parties, there were undoubtedly the names of adopted whites. The only names which the Act declares shall be ^{eliminated} from the tribal rolls are those placed thereon by fraud or without authority of law, and it is not suggested that the names of these parties were open to either of those objections.

Light, it seems to me, is thrown on this matter by the Act of May 31, 1900, which was also directed to be strictly complied with in making the rolls of citizenship of these tribes. That act is plainly intended to be of a restrictive nature, yet a fair construction of it would seem to authorize the enrollment of these parties. It provides that the Commission shall continue to exercise all authority theretofore conferred upon it by law, "but it shall not receive, consider, or make any record of any application of any person for enrollment as a member of any tribe in the Indian Territory who has not been a recognized citizen thereof, and duly and lawfully enrolled or admitted as

The Secretary of the Interior -

21.

such, and its refusal of any such application shall be final when approved by the Secretary of the Interior."

This act recognizes the authority of the Commission to receive, consider and record the application of a recognized citizen of any of the tribes referred to who has been duly and lawfully enrolled or admitted as such, its refusal of the application of any person not so qualified being made final when approved by the Secretary of the Interior.

These applicants appear to possess all of these qualifications. Your letter states that they were born and have always resided in the Choctaw Nation as its recognized citizens; that their names appear upon various tribal rolls, and that they were admitted by the Commission in 1896 as citizens, no appeal from the decision of the Commission being taken by the Nation. That their were duly and lawfully enrolled by the tribal authorities would seem to result from the fact that both of their parents had been adopted into the tribe, and the failure to contest the action of the Commission in admitting them would indicate that their citizenship rights were regarded as indisputable.

You say that you would not have doubt that these applicants, born to the allegiance of the Choctaw Nation, are entitled to be enrolled, but for the report of my predecessor to the President of February 24, 1906, in the case of persons without Indian blood,

and the order to you of February 27, 1906, that "in the President's judgment, without reference to the act of Congress, it is perfectly clear equity demands that the son of white parents, who has no Indian blood in his veins, even though one of these parents has been adopted into the tribe, should not be treated as an Indian".

The report of Mr. Moody and the order of the President thereon, had reference to the case of children of white persons, one of whom had previously acquired Indian citizenship by virtue of his marriage into the Choctaw tribe, but had afterwards, upon the death of his Indian spouse, married a white person. Mr. Moody was of opinion that the right of citizenship acquired by an inter-married white was a personal right, and could not be conferred upon children by such subsequent marriage, which is also the view taken by the Citizenship Court.

I see no reason to question the soundness of that conclusion, assuming that the matter is still open for consideration. It is expressly provided by the Choctaw act of November 9, 1875, providing for the intermarriage of whites with Choctaws, that a white person intermarrying into the tribe in pursuance of that act should forfeit his rights of citizenship acquired thereunder if upon the death of his Indian Spouse he married "a white man or woman, or person, as the case may be, having no rights of Choctaw citizenship by blood."

I am aware that it has been held by one of the United States Courts in the Indian Territory that this law is inconsistent with

the treaty of April 28, 1866, but with great respect for the said Court, I do not so consider it. That treaty provides:

Article 23. Every white person who, having married a Choctaw or Chickasaw, resides in the said Choctaw or Chickasaw Nation, or who has been adopted by the legislative authorities, is to be deemed a member of said nation and shall be subject to the laws of the Choctaws and Chickasaw Nations according to his domicile, and to prosecution and trial before their tribunals, and to punishment according to their laws in all respects as though he was a native Choctaw.

This article merely recognizes a pre-existing custom of the Choctaw and Chickasaw Nations as to the intermarriage and adoption of white persons, and cannot fairly be said to have been intended to prevent them from decitizenizing an intermarried person for good cause: and what better cause could there be than that the tie which bound him to the tribe, and because of which alone citizenship was granted, was broken?

An act of the Choctaw Nation, approved October 30, 1896, providing for the enrollment of Choctaw citizens, provided that "the Commission shall enroll as citizens all who come under any one of the following heads, and all such persons are hereby declared citizens of the Choctaw Nation:"

X X X X X X X X

V. All white men who have married Choctaw women by blood in strict conformity to the laws of the Choctaw Nation of 1875 regulating inter-marriage, or the Chickasaw law of 1876 regulating inter-marriage, and have not been divorced from same nor married any other than a Choctaw woman by blood since said marriage.

X X X X X X X X

VIII. All white women who have married Choctaws by blood legally and have not been divorced from them nor since married any other than a Choctaw by blood, a recognized citizen and resident of the Choctaw or Chickasaw Nation.

X X X X X X X

That act further provided that "the Commissions are especially prohibited from enrolling as citizens any persons coming under the following heads:"

X X X X X X

II. The children of any marriage where neither the father nor mother are Choctaws by blood, though one or both of said childrens' parents may have enjoyed intermarried rights.

III. All persons who, though they had at one time intermarried rights, afterwards married a person not a Choctaw by blood (being the father or mother of Choctaw children shall not save a person from this clause.)

X X X X X X

VI. All white persons who have been admitted to citizenship with their wife or husband by the General Council and afterward the wife of husband, Choctaw by blood, dying, the surviving party, being a white person, has intermarried with a person not a Choctaw by blood.

X X X X X X

It is clear that, at least since 1875, the Choctaw Nation never intended that a white person, intermarrying into the tribe, should have power to confer citizenship upon his children by a subsequent marriage to other than a citizen by blood. The informal opinion of Attorney General Moody unquestionably had reference to cases of this character.

The case of the present applicants is quite different from that just referred to. Here both parents were adopted into the tribe. It must have been contemplated that they might have

children, and if so, what was to be their citizenship if not that of their parents?

The facts in the present case answer this inquiry. Your letter states that these applicants have always been recognized as citizens of the Choctaw Nation, that their names appear on the tribal census roll of 1885, as well as upon the rolls prepared in pursuance of the Choctaw act of October 30, 1896. It seems clear, therefore, irrespective of the action of the Commission in admitting them as citizens in pursuance of the authority granted to it by the act of June 10, 1896, that they are clearly entitled to be enrolled for allotment purposes.

3. The Case of Loula (or Lulu) West, et al.

It appears from the papers in this case that Loula West applied to the Commission to the Five Civilized Tribes, pursuant to the Act of June 10, 1896, for admission to citizenship in the Choctaw Nation, and was admitted as a citizen by blood; that the Choctaw Nation appealed to the United States court for the Central District of the Indian Territory, which affirmed the judgment of the Commission; that this judgment was annulled and vacated by the judgment of the Citizenship Court in the test case provided for by the Act of July 1, 1902, (32 Stat. 641, 647); and thereupon she removed her case to that court, which denied her application.

This case is similar to that of Myrtie Randolph and her brother W. J. Thompson, children of Giles Thompson, above referred

to, in that it involves the question of the finality of the judgment of the Citizenship Court, it being contended that the Commission in the first instance and the Citizenship Court ultimately on appeal had no jurisdiction of the case because at the time of her application to the Commission her name was upon a tribal roll.

For the reasons heretofore stated, I think this contention is not well founded, and that the Citizenship Court had jurisdiction of such cases, and its judgments therein were final.

4. The Case of William C. Thompson et al.

In this case the record shows that Thompson applied to the Commission to the Five Civilized Tribes, pursuant to the act of June 10, 1896, for the enrollment of himself, his wife, and children with the exception of a daughter Mary W. McNeese, who made a separate application for herself, her husband, a white man, and their children. The Commission denied Thompson's application, and also that of his daughter. No appeal was taken from these judgments, and it is contended, on behalf of the Nation, that under the act of June 10, 1896, they were final and conclusive against the right of these parties to be enrolled.

The claimants, however, rely upon the fact that their names appear upon the tribal roll prepared in pursuance of the Choctaw acts of September 18 and October 30, 1896.

In my judgment, the action of the Commission, under the act of June 10, 1896, not having been appealed from, was final and conclusive against the right of these parties to be admitted to citizenship, and the Choctaw Nation, even if it attempted to do so, had no right thereafter to admit them. It will be observed that the act of June 10, 1896, provided that applications should be made to the Commission within three months after the passage of the act, and that the Commission should decide all such applications within ninety days after they were made; that the rolls of citizenship of the several tribes as then existing were confirmed, and "any person who shall claim to be entitled to be added to said rolls as a citizen of either of said tribes and whose right thereto has either been denied or not acted upon, or any citizen who may within three months after the passage of this Act desire such citizenship, may apply to the legally constituted court or committee designated by the several tribes for such citizenship, and such court or committee shall determine such application within thirty days from the date thereof:" and that "if the tribe, or any person be aggrieved with the decision of the tribal authorities or the Commission provided for in this Act, it or he may appeal from such decision to the United States District Court: Provided, however, That the appeal shall be taken within sixty days, and the judgment of the court shall be final.

As I read this Act, it authorized application to be made either to the Commission to the Five Civilized Tribes or the

"legally constituted court or committee" of such tribes, with a right of appeal by the party aggrieved by the decision of either to the United States court. Therefore, and in view also of the fact that the act contemplated contemporaneous action by the Commission and the tribal courts, I think it clear that the provision that "any person who shall claim to be entitled to be added to said rolls (the existing rolls of the tribe) as a citizen of either of said tribes whose right thereto has either been denied or not acted upon, "had reference to a previous denial or failure to act of the tribal authorities, and not to the subsequent action or non-action of the Commission, the tense of the verbs-"has either been denied or not acted upon", not "shall be denied or not acted upon"-indicating that past action or non-action was referred to. Prior to the passage of this act the Commission had no jurisdiction of these citizenship matters.

When, therefore, as here, the claimant had applied to the Commission to be admitted and enrolled, and his application denied, his only remedy, under the act in question, lay in an appeal to the United States court. It is true Thompson claims to have received no notice of the denial of his application by the Commission, but that is not a valid excuse.

But aside from this question of jurisdiction in the Choctaw Nation to admit persons to citizenship who had been denied by the Commission, it appears that the Nation never undertook to au-

thorize the admission or enrollment of these parties, and that, in any aspect of the case, they were enrolled without authority of law and their names should, in pursuance of the mandate in the act of Congress of June 28, 1898, be eliminated from the tribal rolls.

The Choctaw Nation does not appear to have proceeded under the authority of the act of Congress of June 10, 1896, authorizing the establishment by the several tribes of a court or committee for the purpose of passing upon applications for citizenship as provided therein. It was not until September 18, 1896, ten days after the expiration of the period in which applications for citizenship were to be submitted to the "legally constituted court or committee" of the tribes under the act of June 10, 1896, that the Choctaw Council passed the act above referred to. That act provided for the appointment of census commissioners in each county, with authority "to enroll all recognized citizens of the Choctaw Nation by blood, intermarriage and adoption who are recognized as citizens of the Choctaw Nation under the treaties, constitution and law of the said nation." It further provided that "the rolls when completed by said commissioners shall be certified to by said commissioners and delivered to the Principal chief of the Choctaw Nation on or before the twentieth day of October, 1896, to be revised and approved by the next General Council of the Choctaw Nation."

It is manifest that this act conferred no power upon such commissioners to admit any person to citizenship, but only to enroll "recognized citizens." Yet in virtue thereof one of the county committees assumed to pass upon a petition prepared by Thompson's attorney, under date of August 1, 1896, and addressed to the General Council of the Choctaw Nation, "at its regular session October 1896," praying that "all rights, privileges and immunities of the Choctaw Nation" be granted to himself, his wife, family and certain other relatives," and they be enrolled with the legal citizenship of said Nation."

This petition does not appear ever to have been presented to the Choctaw Council or referred by any competent authority to the committee which assumed to pass upon it. Upon its back is the following endorsement:

William C. Thompson together with the names appearing on the face of the within application, lineal descendants of Margaret McGey are hereby recognized and admitted to the citizenship of the Choctaw Nation or Tribe of Indians, by the legally constituted Choctaw Census Commission duly assembled at Kiowa, I. T. this the 8th day of October, 1896, upon the testimony of Henry Perkins, Mrs. Lavinia Franklin, they being enrolled Choctaw Indians by blood. The within names parties not being present were passed for further enrollment.

A. G. Folsom,

Secretary of Census Committee.

This was a manifest attempt to exercise an authority not delegated to the committee.

On October 30, 1896, the Choctaw Council, at its regular session, passed an act creating three commissions, one from each District, one member of each of which to be designated as "Chief

The Secretary of the Interior -

31.

Commissioner", "to make a complete roll of the citizens of the Choctaw Nation." By that act it was made the duty of said commissions "to examine the rolls made by the commissions under the act of September 18, 1896, and also to expunge from said rolls of September 18, 1896, the names of all persons whom they shall adjudge not to be citizens." It was further provided:

The Commission shall enroll as citizens all who come under any of the following heads, and all such persons are hereby declared citizens of the Choctaw Nation:

1. All Choctaws by blood born and raised in the Choctaw Nation.

11. All Choctaws by blood who have been admitted to citizenship by the General Council, and now residents of the Nation.

X X X X X X

It was provided that "at the expiration of the time allowed the commissions in each District, the Chief Commissioner shall meet at Tushka Homma at their earliest convenience and not later than the first Monday in December 1896, and shall revise the Rolls made by their respective District Commissions during the succeeding ten days after they meet". The Chief Commissioners were authorized to "enroll the name of any citizen who for any good cause failed to appear before the District Commissions". It was further provided that "the Roll as completed and signed by the Chief Commissioners, when approved by the Principal Chief, shall be the legal and authorized Roll of citizens of the Choctaw Nation".

These parties were enrolled by the revisory board, but that their enrollment was unauthorized is clear. The act just referred

to only authorized the enrollment of Choctaws by blood who were "born and raised" in the Choctaw Nation or had "been admitted to citizenship by the General Council." The applicants possessed neither of these qualifications. According to his own statement, William C. Thompson was not raised in the Choctaw Nation, having been taken to Mississippi shortly after his birth, and returning only once during his boyhood for about a year. It is further stated that he remained in Mississippi until the war, when he went to Texas, not returning again to the Choctaw Nation until 1887. He had never been "admitted to citizenship by the General Council". His wife and children could claim no greater rights than he possessed. The other applicants named in his petition were descendants of his brother, who was born in Mississippi and whose record appears to be otherwise about the same as William C. Thompson's.

Moreover, it appears from the opinion of the Assistant Attorney General for the Interior Department of March 24, 1905, in the case of Mary Elizabeth Martin, that on July 17, 1897, the Principal Chief of the Choctaw Nation advised the Commission to the Five Civilized Tribes that he had refused to approve the last revised roll made in accordance with the act of October 30, 1896, because he was satisfied there were some names thereon "that have been registered through fraud or misrepresentation." As such approval was necessary in order to make the roll so prepared "the

legal and authorized roll of citizens of the Choctaw Nation," it would seem that in no aspect of the case could these parties be said to be lawfully admitted and enrolled.

It further appears that these applicants, or some of them, including William C. Thompson, applied in 1900 to the Commission for the Five Civilized Tribes for identification as "Mississippi Choctaws" under the following revision of section 21 of the act of June 28, 1898:

Said commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation concluded September twenty-seventh, eighteen hundred and thirty and to that end they may administer oaths, examine witnesses, and prepare all other acts necessary thereto and make report to the Secretary of the Interior.

Article 14 of the treaty of September 27, 1830, provided:

ARTICLE XIV. Each head of a family being desirous to remain and become a citizen of the States shall be permitted to do so, by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land, to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under 10 years of age, to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family, or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity.

The only evidence adduced in any way tending to show a compliance with the terms of this article were statements to the ef-

fact that William C. Thompson's grandfather applied for land under the treaty of 1830 but was refused by the Indian agent. Congress, however, by the acts of March 3, 1837, and August 23, 1842, (5 Stat.180, 513), appointed Commissioners for the purpose of adjusting claims of this kind, and there was no evidence to the effect that the ancestors of the claimants had endeavored to comply with the provisions of those acts, or received patents or certificates for land as therein provided for. The Commission properly held, therefore, that it was impossible to identify the applicants as Mississippi Choctaws.

Upon the whole case, it seems to me clear that these applicants, and those claiming intermarried rights with them, should be denied enrollment.

The other cases consolidated with this are of a similar nature, and under the views above stated the parties referred to therein are, in my judgment, not entitled to be enrolled.

5. The Case of Richard B. Coleman et al.

The enrollment of the parties referred to in this case depends upon the effect to be given to the following act of the General Council of the Choctaw Nation passed November 8, 1889:

An Act to establish the citizenship of R. B. Coleman, his wife and their children.
Sec.1. Be it enacted by the General Council of the Choctaw Nation Assembled, That Richard Benjamin Coleman, and their children as follows: Richard St. Clair, age 15 years, Ida Clay, age 13, Bennetta, age 11, Bettie Withers, age 9, Henry

Alen, age 6, Willie Norma Coleman, age 4 years, are hereby admitted to citizenship in the Choctaw Nation with its rights, privileges, and immunities, and that this act shall take effect and be in force from and after its passage.

It is contended that this act was procured by fraud and bribery, and that, therefore, the names of Coleman and his family should be eliminated from the tribal rolls upon which they appear, under the act of Congress of June 28, 1898, which provides:

Said Commission is authorized and directed to make correct rolls of citizens by blood of all the other tribes, eliminating from the tribal rolls such names as may have been placed thereon by fraud or without authority of law, enrolling such only as may have lawful right thereto x x x.

The Commission held that they had no authority to go behind the act of the Choctaw Council referred to, but in an informal opinion rendered you December 7, 1904, Acting Attorney General Day, after quoting the above provision, said:

It appears to me the above quoted provisions of the statute impose upon the Commission to the Five Civilized Tribes the duty and gave it the power to determine whether any name appearing upon a tribal roll was placed there by fraud or without authority of law, and that the mere fact that such enrollment was by virtue of an act of the National Council is not sufficient to preclude an inquiry. An act of the Council should be treated with respect as prima facie valid and efficacious, and nothing done as the result thereof should be lightly set aside; but if it clearly appears that the act was procured by deliberate fraud and perjury I do not think that Congress intended that benefits thereunder should be enjoyed.

Mr. Day did not pass upon the facts of this case. Subsequently, the Assistant Attorney General for the Interior Department, upon a consideration of the record, held that it did not clearly appear therefrom that the act in question had been fraudu-

lently procured.

In my judgment the record in this case clearly shows deliberate fraud on the part of Richard B. Coleman in procuring the passage of the act admitting him to citizenship. It appears that Coleman came into the Choctaw Nation about 1860. In 1867 he made application to the citizenship committee of the Choctaw Council for admission as a citizen by blood, representing by himself and witnesses he brought before the committee that his father was a Choctaw boy named Frank Coleman, the son of a John Coleman and Chapponia, a full blood Choctaw, who had lived in Mississippi with his parents prior to the migration in 1830. The boy Frank it was testified, had been sent to Kentucky to school and nothing afterwards heard of him.

The testimony adduced on behalf of the Nation before the Commission to the Five Civilized Tribes shows that the father of Coleman was Francis S. Coleman, a son of a Francis Coleman, who was born and raised in Orange County, Virginia, and was not a Choctaw. This testimony was given in the form of a deposition by Mrs. Harriet Henry, a sister of Francis S. Coleman, and A. L. Coleman a nephew, residing at Columbia, Missouri. The identity of Francis S. Coleman with the father of the applicant appears from the fact, testified to by the applicant as well as the two witnesses just referred to, that he married Ann Elizabeth Bedford, the daughter of John Bedford, in Kentucky, and the testimony of all parties that

Francis S. Coleman went to Denton, Texas, and died there. Although duly advised as to the intention of the attorneys for the Choctaw Nation to take this testimony, no effort was made by Coleman or his attorney to file cross interrogatories or in any way rebut it, but they confined themselves to an endeavor to have the testimony stricken from the records as not having been taken in accordance with law. The authority of the Commission to take the testimony in this way is clear, under the act of June 28, 1898 (30 Stat. 495), which provides:

Said commission shall make such rolls descriptive of the persons thereon, so that they may be thereby identified, and it is authorized to take a census of each of said tribes, or to adopt any other means by them deemed necessary to enable them to make such rolls.

This testimony was further enforced by another deposition of said R. L. Coleman, taken by Commissioner Tams Bixby, in which R. L. Coleman stated further that he knew the applicant Richard B. Coleman, that he was his cousin. A motion was likewise made to strike this testimony from the record, because taken without notice to the applicant, but it was overruled by the Commission, who held that under the authority of the above act they could take such measures as they deemed necessary to satisfy themselves as to the justice of the applicant's claim. I do not think it is shown that they abused their discretion in this matter.

It appears that the application of Richard B. Coleman to be enrolled as a citizen by blood of the Nation, upon the grounds

above stated, was passed over by the citizenship committee of the Council in 1887; taken up again in 1888 and a bill of rejection passed by the committee or the Council; renewed at the session of 1889, and a bill of admission introduced into the House of Representatives which was rejected, and then a new bill introduced and enacted into the law above quoted.

I think it sufficiently appears from the testimony in this case, particularly that given by and on behalf of the applicant himself, that the Council in admitting him and his family to citizenship did so upon the strength of the testimony adduced by him before the Committee on Citizenship, that he was a Choctaw by blood, descended as he represented. It is to be observed that he and his family all claim that he was admitted as a Choctaw by blood.

Some testimony was introduced for the purpose of showing that Coleman had bribed one Roebuck, the member of the Council who introduced the second bill, but the evidence on that point is not sufficient to establish the fact.

In October, 1898, the General Council of the Choctaw Nation passed an act repealing the act of November 8, 1889, admitting Coleman and his family to citizenship. This act was, however, disapproved by President McKinley, upon the recommendation of the Secretary of the Interior, under the authority of the act of Congress of June 28, 1898, which required the approval of the President to all acts of the Choctaw and Chickasaw Nations in any manner affecting the lands of the tribes.

Although this act was thus invalidated, it may fairly be taken to indicate the sense of the Nation at that time that Cole-

man was improperly admitted. The reason for its disapproval does not appear, but it might reasonably have been rejected on the ground that by the act of June 28, 1898, the work of making up the rolls of citizenship and eliminating therefrom those placed thereon by fraud was committed entirely to the Commission to the Five Civilized Tribes.

It is to be observed that Commissioner Bixby, who was the only Commissioner who considered this case on its merits, was "clearly of the opinion from such evidence as has been presented to this Commission that the evidence presented to and acted upon by the Citizenship Committee of the Choctaw General Council, which passed upon the petition of these applicants, and upon which evidence their admission to Choctaw Citizenship was based, was fraudulent, false and misleading."

In my opinion, these parties should be stricken from the rolls.

6. The Case of Ethel Pierson.

This case presents the question of your authority to enroll the children of Choctaw freedmen who were minors living March 4, 1906. The decision of this question turns upon the construction to be given to section 2 of the Act of April 26, 1906 (34 Stat. 137), as amended by the act of June 21, 1906 (34 Stat. 342). The act referred to originally provided:

Sec. 2. That for ninety days after approval hereof

applications shall be received for enrollment of children who were minors living March fourth, nineteen hundred and six, whose parents have been enrolled as members of the Choctaw, Chickasaw, Cherokee, or Creek tribes, or have applications for enrollment pending at the approval hereof, and for the purpose of enrollment under this section illegitimate children shall take the status of the mother, and allotments shall be made to children so enrolled. If any citizen of the Cherokee tribe shall fail to receive the full quantity of land to which he is entitled as an allotment, he shall be paid out of any of the funds of such tribe a sum equal to twice the appraised value of the amount of land thus deficient. The provisions of section nine of the Creek agreement ratified by Act approved March first, nineteen hundred and one, authorizing the use of funds of the Creek tribe for equalizing allotments, are hereby restored and reenacted, and after the expiration of nine months from the date of the original selection of an allotment of land in the Choctaw, Chickasaw, Cherokee, Creek, or Seminole tribes, and after the expiration of six months from the passage of this Act as to allotments heretofore made, no contest shall be instituted against such allotment: Provided, That the rolls of the tribes affected by this Act shall be fully completed on or before the fourth day of March, nineteen hundred and seven, and the Secretary of the Interior shall have no jurisdiction to approve the enrollment of any person after said date: Provided further, That nothing herein shall be construed so as to hereafter permit any person to file an application for enrollment in any tribe where the date for filing application has been fixed by agreement between said tribe and the United States: Provided, That nothing herein shall apply to the intermarried whites in the Cherokee Nation, whose cases are now pending in the Supreme Court of the United States.

The amendatory act provided, (34 Stat. 341-2):

That section two of the Act entitled "An Act to provide for the final disposition of the affairs of the Five Civilized Tribes in the Indian Territory, and for other purposes," approved April twenty-sixth, nineteen hundred and six, be, and the same is hereby, amended by striking out thereof the words "Provided further, That nothing herein shall be construed so as to hereafter permit any person to file an application for enrollment in any tribe where the date for filing application has been fixed by agreement between said tribe and the United States: Provided further, That nothing herein shall apply to the intermarried whites in the Cherokee Nation whose cases are now pending in the Supreme Court of the United States." And insert in said Act in lieu of the mat-

ter repealed, the following: Provided further, That nothing herein shall be construed so as hereafter to permit any person to file an application for enrollment or to be entitled to enrollment in any of said tribes, except for minors the children of Indians by blood, or of freedmen members of said tribes, or of Mississippi Choctaws identified under the fourteenth article of the treaty of eighteen hundred and thirty, as herein otherwise provided, and the fact that the name of a person appears on the tribal roll of any of said tribes shall not be construed to be an application for enrollment.

In the agreement with the Choctaw and Chickasaw Nation ratified by the act of July 1, 1902 (32 Stat. 541), it was provided (paragraphs 1 and 3) that the words "member" or "members" and "citizen" or "citizens", "whenever used in this agreement", shall be held to mean members or citizens of the Choctaw or Chickasaw tribe of Indians in Indian Territory, not including freedmen."

The Commissioner to the Five Civilized Tribes in passing upon this case held that, in view of the above definition, the act of April 26, 1906, as amended, was not intended to apply to the children of freedmen in the Choctaw and Chickasaw Nations, but only to those of the Cherokee and Creek Nations.

There would be some force in the argument that minors, the children of freedmen members of the Choctaw Nation were not included in the act of April 26, 1906, if it were not for the proviso substituted by the amendatory act of June 21, 1906. That proviso was, as the Commissioner said, "in the nature of a construction by Congress of the meaning intended to be conveyed by the section as originally enacted." It says, in so many words, that minors the children of freedmen members of said tribes (referring

to all of the tribes, which are separately named in the preceding part of section 2, among them the Choctaw and Chickasaw tribes) may be enrolled. This definition settles the doubt that otherwise might have arisen as to the children of freedmen members of said tribes, as well as the children of Mississippi Choctaws. If, therefore, the Choctaw freedmen are members of said nation, the right of their children to be enrolled cannot be questioned.

The Choctaw freedmen were adopted by an act of the General Council of the Nation approved May 21, 1880, entitled "An Act to adopt the freedmen of the Choctaw nation", which provided (Report of Commissioner of Indian Affairs, 1884, p. XLV):

Whereas by the third and fourth articles of the treaty between the United States and the Choctaw and Chickasaw Nations, concluded April 28, 1866, provision was made for the adoption of laws, rules, and regulations necessary to give all persons of African descent resident in said nation at the date of the treaty of Fort Smith, September 13, 1866, and their descendants, formerly held in slavery among said nations, all the rights, privileges, and immunities, including the right of suffrage, of citizens of said nations, except in the annuities, moneys, and public domain claimed by or belonging to said nations respectively; and also to give to such persons who were residents as aforesaid, and their descendants, 40 acres each of the lands of said nations on the same terms as Choctaws and Chickasaws, to be selected on the survey of said lands; until which said freedmen shall be entitled to as much land as they may cultivate for the support of themselves and families; and

Whereas the Choctaw Nation adopted legislation in the form of a memorial to the United States Government in regard to adopting freedmen to be citizens of the Choctaw Nation, which was approved by the principal chief November 2, 1880, setting forth the status of said freedmen and the inability of the Choctaw Nation to prevail upon the Chickasaws to adopt any joint plan for adopting said freedmen, and notifying the United States Government of their willingness to accept said freedmen as citizens of the Choctaw Nation in accordance with the third and fourth articles of the treaty of 1866 as

a basis; and

Whereas a resolution was passed and approved November 5, 1880, authorizing the principal chief to submit the aforesaid proposition of the Choctaw Nation to adopt their freedmen to the United States Government; and

Whereas a resolution was passed and approved November 6, 1880, to provide for the registration of freedmen in the Choctaw Nation, authorizing the principal chief to appoint three competent persons in each district, citizens of the nation, whose duty it shall be to register all freedmen referred to in said third article of the treaty of 1866 who desire to become citizens of the nation in accordance with said treaty, and upon proper notification that the Government of the United States had acted favorably upon the proposition to adopt the freedmen as citizens, to issue his proclamation notifying all such freedmen as desire to become citizens of the Choctaw Nation to appear before said commissioner for identification and registration; and--

Whereas in the Indian appropriation act of Congress May 17, 1882, it is provided that either of said tribes may adopt and provide for the freedom in said article in accordance with said third article: Now, therefore,

Be it enacted by the general council of the Choctaw Nation, That all persons of African descent resident in the Choctaw Nation at the date of the treaty of Fort Smith, September 13, 1866, and their descendants, formerly held in slavery by the Choctaws or Chickasaws, are hereby declared to be entitled to, and invested with all the rights, privileges, and immunities, including the right of suffrage, of citizens of the Choctaw Nation, except in the moneys, moneys and the public domain of the nation.

Sec.3. Be it further enacted, That all said persons are hereby declared to be entitled to forty acres each of the lands of the nation, to be selected and held by them under the same title and upon the same terms as the Choctaws.

It appears that this act was accepted by the Secretary of the Interior on behalf of the United States as a substantial compliance with the terms of the treaty of 1866, and the moneys authorized to be paid by that treaty upon a compliance therewith were turned over to the Nation.

The Secretary of the Interior -

44.

I am of opinion, therefore, that the ^{Assistant} Attorney General for the Interior Department was right in his conclusion that minors, the children of Choctaw freedmen living March 4, 1906, are entitled to be enrolled. .

This disposes of the several cases submitted. The papers therein are herewith returned.

Respectfully,

Attorney General.



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Muskogee, Oklahoma, April 7, 1909.

Report on letter of
Kappler & Merrillat in re
Choctaw enrollment cases
of William J. Thompson
and others.

The Honorable,

The Secretary of the Interior.

Sir:

March 26, 1909 (File 5-51, Choctaw), the Department transmitted to this office for report, to be forwarded through the Indian Office, a letter dated March 25, 1909, from Messrs. Kappler & Merrillat, Washington, D. C., relative to the enrollment cases of William J. Thompson, Myrtle Randolph, Dick Randolph, Samuel C. Wall, Samuel F. Wall, and other (unnamed) members of the Randolph-Thompson and Wall families.

Messrs. Kappler & Merrillat claim that the names of these persons were stricken from the approved rolls of the Five Civilized Tribes, and now demand that they be restored to the status of recognized citizens of the Choctaw Nation.

Reporting in this matter I have the honor to advise that application was made to the Commission to the Five Civilized Tribes at Pauls Valley, Indian Territory, September 14, 1898, by Samuel C. Wall for the enrollment of himself and his minor son, Sam F. Wall, citizens of the Choctaw Nation, and for the enrollment of his son, Allen Wall, as a citizen by intermarriage of the Choctaw Nation. On the same date application was made by Thomas Wall

for the enrollment of himself and his minor children, Hiram T. Wall and Bessie Lee Wall, as citizens of the Choctaw Nation; and by Thomas J. Hogg for the enrollment of Eunice Hogg and Effie Hogg as citizens of the Choctaw Nation; that on June 3, 1901, written application was filed for the enrollment of Ora Nellie Hogg, minor daughter of Thomas J. Hogg and Eunice Hogg, as citizens of the Choctaw Nation; that on September 14, 1898, application was made by James W. Harper for the enrollment of his wife, Daisy Harper, and his minor son, Lawrence V. Harper, as citizens of the Choctaw Nation; that on June 28, 1900, written application was filed for the enrollment of Gracie Ellen Harper, and on November 1, 1902, written application was filed for the enrollment of James Custer Harper, minor children of James W. Harper and Daisy Harper, as citizens of the Choctaw Nation; that on September 14, 1898, application was made by Dick Randolph for enrollment as a citizen by intermarriage of the Choctaw Nation, and for the enrollment of his wife, Myrtie Randolph, and his minor children, Minnie, Deona, Herman, Hughie, and Lena R. Randolph, as citizens of the Choctaw Nation; that on November 26, 1901, written application was filed for the enrollment of Vivian Randolph, minor daughter of Dick and Myrtie Randolph, as a citizen of the Choctaw Nation; that on February 9, 1901, written application was filed for the enrollment of Lelia Blanche Myers, and on June 28, 1902, written application was filed for the enrollment of John Boyd Myers, minor children of William Myers and Minnie

Myers (formerly Randolph), as citizens of the Choctaw Nation; that on September 15, 1898, application was made at Paul's Valley, Indian Territory, by Waldemar Thompson for the enrollment of himself and his minor daughter, Dollie Thompson, as citizens of the Choctaw Nation. Subsequent thereto, written applications were filed for the enrollment of Myrtle Thompson, Claudia Ellen Thompson and Giles Glide Thompson, minor children of Waldemar Thompson and May Thompson, as citizens of the Choctaw Nation; that application was made September 15, 1898, by William E. Wheat for the enrollment of himself as an intermarried citizen and for his minor children, Jesse G. and Myrtle E. Wheat, as citizens of the Choctaw Nation; that on the same date application was made by William J. Thompson for enrollment as a citizen of the Choctaw Nation; that on November 14, 1898, written application was filed for the enrollment of Winona Thompson, minor child of said William J. Thompson and his wife, Savannah Thompson, as a citizen of the Choctaw Nation; that application was made at Moka, Indian Territory, December 5, 1899, by William Myers for enrollment as an intermarried citizen of the Choctaw Nation; that on September 14, 1898, at Paul's Valley, Indian Territory, application was made for the enrollment of Beosa and Ellen Thompson as citizens of the Choctaw Nation.

It further appears that application was made to the Commission to the Five Civilized Tribes on September 8, 1896, in 1896 Choctaw Citizenship case No. 540, for the admission to citizenship

in the Choctaw Nation under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321) of the following applicants:

Samuel C. Wall (as Samuel Wall), Ellen Wall, Daisy Harter (as Daisy Wall), Eunice Hogg (as Unis Wall), Sam P. Wall, Thomas Wall, Hiram T. Wall (as Hiram Wall) and Bessie . Wall (as Bessie Wall).

Said application was denied by the Commission to the Five Civilized Tribes on December 2, 1896. From this decision an appeal was taken to the United States Court for the Southern District of Indian Territory, which court, on January 13, 1898, rendered a judgment therein reversing the decision of the Commission and enrolling said applicants as citizens of the Choctaw Nation. This judgment 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."

This cause was subsequently certified to the Choctaw-Chickasaw Citizenship Court created under the provisions of the Act of Congress approved July 1, 1901 (32 Stats., 641), for a trial de novo, and on November 20, 1904, in the case entitled "Samuel Wall, et al., vs. Choctaw and Chickasaw Nations," said Citizenship Court rendered a judgment therein, wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, Samuel Wall or Samuel C. Wall, Ellen Wall, Daisy Wall or Daisy Wall, Unis Wall,

Sam P. Wall, Thomas Wall or Thos. Wall, Hiram Wall and Bessie Wall, be denied and that they be declared not citizens of the Choctaw Nation, and not entitled to enrollment as such, and not entitled to any rights whatever flowing therefrom."

It further appears that application was made to the Commission to the Five Civilized Tribes on September 2, 1896, in 1896 Choctaw Citizenship Case No. 1180, for admission to citizenship in the Choctaw Nation under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321), of the following applicants: Dick Randolph, Myrtle Randolph, Minnie Randolph, Decosa Randolph, Herman Randolph, Fuchie Randolph (as Hughie C. Randolph), William E. Wheat (as William Wheat), Myrtle E. Wheat (as Myrtle Wheat), Jesse E. Wheat (as Jesse Wheat), Waldemar Thompson, William Thompson, William J. Thompson (as William Thompson), Decosa Thompson, Ellen Thompson and May Thompson.

This application was denied December 7, 1896, by the Commission to the Five Civilized Tribes, and an appeal was taken to the United States Court for the Southern District of Indian Territory, which court, on January 19, 1898, in the case entitled "Dick Randolph, et al. vs. Choctaw Nation," rendered a judgment admitting all of said applicants to citizenship, except Myrtle Wheat and May Thompson, whose names were not mentioned in said judgment.

The judgment of the United States Court was subsequently vacated, set aside and held for naught by a decree of the Choctaw-

Chickasaw Citizenship Court on December 17, 1902, in the test case of "Choctaw and Chickasaw Nations or Tribes vs. J. T. Riddle, et al." Said case was subsequently certified to the Choctaw-Chickasaw Citizenship Court for a trial de novo, which court, on November 29, 1904, in the case entitled "Dick Randolph, et al. vs Choctaw and Chickasaw Nations," rendered a judgment therein, wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, Dick Randolph, Myrtle Randolph or Myrtle Randolph, Minnie Randolph, DeCosa Randolph or Decosa Randolph, Herman Randolph, Hughie Randolph or Hughie Randolph, William Wheat or Wm. Wheat, Jess Wheat or Jesse Wheat, DeCosa Thompson or Decosa Thompson, Ellen Thompson, Waldemar Thompson, Edna Thompson and William J. Thompson or William Thompson, 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, Myrtle Wheat and May Thompson, the Court having no jurisdiction, their petition is dismissed."

On January 12, 1905, the Commission to the Five Civilized Tribes issued an order dismissing the application for the enrollment of William Myers as a citizen by intermarriage of the Choctaw Nation, for the reason that the right of his wife, Minnie Myers (as Minnie Randolph), to citizenship in the Choctaw Nation had been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court on November 29, 1904.

The Commission to the Five Civilized Tribes on January 23, 1905, issued orders dismissing the applications for the enrollment of Lawrence V. Harper, Gracie Ellen Harper, James Custer Harper, Effie Hogg, Ora Nellie Hogg, Lena R. Randolph, Vivian Randolph, Lelia Blanche Myers and John Boyd Myers, and on January 24, 1905, orders were issued dismissing the applications for the enrollment of Winona Thompson, Myrtle Thompson, Claudia Ellen Thompson and Giles Clide Thompson, said orders being based upon the fact that the rights of the persons through whom said applicants claim their right to enrollment as citizens of the Choctaw Nation had been adversely determined by the decree of the Choctaw and Chickasaw Citizenship Court in the cases above referred to.

On February 4, 1905, the Commission to the Five Civilized Tribes rendered a decision denying the application for the enrollment of Myrtle E. Wheat as a citizen of the Choctaw Nation.

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there was filed on January 30, 1906, by O. W. Patchell, attorney at law, Paul's Valley, Indian Territory, a petition verified by S. E. Wall, W. J. Thompson, Will Myers, W. E. Thompson and Tom Wall, praying for the enrollment of Samuel C. Wall, Samuel Wall Jr., Thomas Wall, Hiram Wall, Bessie Wall, Elmer Wall, Elizabeth Wall, Daisy Harper, Lawrence Harper, Gracie Harper, Custer Harper, Rudelna Hepper, Eunice Hogg, Effie Hogg, Nellie Hogg, Lizzie Hogg, Samuel J. Hogg, Myrtle Randolph,

Decosa Randolph, Herman Randolph, Hugh C. Randolph, Lena R. Randolph, Roy Randolph, Vivian Randolph, Winnie Myers, Lelia Blanche Myers, John B. Myers, Dick Myers, Jesse Wheat, Myrtle Wheat, Waldemar K. Thompson, Arthur Thompson, Della Thompson, Claudie Thompson, Giles Thompson, William J. Thompson, Winona Thompson and Ella Thompson as citizens of the Choctaw Nation, and for the enrollment of Dick Randolph, William K. Wheat, My Thompson, William Myer, Savannah Thompson and Ellen Wall as citizens by intermarriage of the Choctaw Nation.

The material allegations in the petition were that the petitioners were the descendants of Noah Wall, a white man, who it is alleged became a member of the Choctaw Nation about the year 1800 by intermarriage with _____ Tolson, a Choctaw woman by blood, and of Giles Thompson, also a white man, who it is alleged became a member of the Choctaw Nation by intermarriage with a Choctaw woman by the name of Charlotte Wall in the year 1804; that the petitioners were informed and believed that Giles Thompson was formally adopted by an act of the Choctaw Council as a citizen of the Choctaw Nation, but that petitioners were unable to find any records containing said Act.

The petitioners, Samuel C. Wall, Ellen Wall, Sam C. Wall, Thomas Wall, Hiram Wall, Ressie Wall, Daisy Harper, Lawrence Harper, Gracie Harper, Custer Harper, Eunice Hogg, Effie Hogg, Vellie Hogg, Dick Randolph, Myrtle Randolph, Decosa Randolph, Herman Randolph, Hugh C. Randolph, Lena R. Randolph, Vivian Randolph, William Myers,

Minnie Myers, Lelia Blanche Myers, John B. Myers, William E. Wheat, Jesse Wheat, Myrtle Wheat, Waldemar E. Thompson, Delle Thompson, Claudie Thompson, Giles Thompson, William J. Thompson, Winona Thompson and Ellen Thompson, are identical with the persons for whose enrollment as citizens of the Choctaw Nation application was made to the Commission to the Five Civilized Tribes under the provisions of the Act of Congress approved June 26, 1898 (30 Stats., 495).

It does not appear that there is any record in this office of any application ever having been made for the enrollment of the petitioners, Elmer Wall, Elizabeth Wall, Rudella Hopper, Lizzie Hogg, Samuel J. Hogg, Roy Randolph, Dick Myers, Vay Thompson, Arthur Thompson and Savannah Thompson, as citizens of the Choctaw Nation under the provisions of the Act of Congress approved June 26, 1898, or any subsequent Act of Congress prior to the filing of the petition herein.

On April 26, 1906, written application was made for the enrollment of Lizzie Louisa Hogg, born April 7, 1903, minor daughter of Eunice Hogg and J. T. Hogg, a non-citizen, as a citizen of the Choctaw Nation. On July 18, 1906, application was received under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137), for the enrollment of Robert E. Wall, born April 24, 1903, minor child of Thomas Wall and Elizabeth Wall as a citizen of the Choctaw Nation. Said applicants appear to be identical with Lizzie Hogg and Elmer Wall mentioned in the petition filed January

30, 1906, and on July 18, 1906, application was received for the enrollment of Daisy R. Harper, born July 31, 1904, minor child of J. H. Harper and Daisy Harper, as a citizen of the Choctaw Nation.

It was not alleged in the petition filed January 30, 1906 that any of the petitioners were ever recognized and enrolled by the tribal authorities of the Choctaw Nation as citizens of said Nation.

For the purpose of determining whether Giles Thompson, the ancestor of certain of the petitioners above mentioned, was ever adopted by an Act of Choctaw Council as alleged in the petition, this office on July 31, 1906, addressed a communication to Edward H. Wilson, Secretary of the Choctaw Nation, requesting to be furnished a certified copy of the Act of the Choctaw Council admitting said Giles Thompson, if said Act was ever passed. In response to said communication, E. H. Wilson addressed a letter to the Commissioner on August 6, 1906, in which he stated that there was no such Act on file in the office of the National Secretary.

On February 4, 1907, the Commissioner to the Five Civilized Tribes rendered a decision denying the application and petition for the enrollment of Samuel C. Wall, Sam P. Wall, Thomas Wall, Hiram T. Wall, Essie L. Wall, Daisy Harper, Eunice Hogg, Myrtle Randolph, Minnie Myers, Decosa Randolph, Herman Randolph, Hughie Randolph, Jesse G. Wheat, Robert E. Wall, Waldemar Thompson, William J. Thompson, Dollie Thompson, Decosa Thompson, Elen Thompson, Lizzie

Louisa Hogg and Daisy R. Harber as citizens, for the enrollment of Elen Wall, Dick Randolph and William B. Wheat as citizens by intermarriage, dismissing the petition for the enrollment of Elizabeth Wall and Savannah Thompson, denying the petition for the enrollment of William Myers and May Thompson as citizens by intermarriage, denying the petition for the enrollment of Lawrence Harber, Gracie Harber, Gustav Harber, Effie Hogg, Nellie Hogg, Lena R. Randolph, Vivian Randolph, Melia Blanche Myers, John B. Myers, Claudie Thompson, Eliza Thompson, Winona Thompson and Myrtle Wheat as citizens and dismissing the application for the enrollment of Rudella Hopper, Samuel J. Hogg, Roy Randolph, Dick Myers and Arthur Thompson as citizens of the Choctaw Nation.

The decision, with the record of proceedings in the case, was, on February 4, 1907, transmitted to the Secretary of the Interior for review.

On February 28, 1907, the Department affirmed the decision of the Commissioner to the Five Civilized Tribes of February 4, 1907, in this case.

In reporting on this matter the attention of the Department is respectfully invited to a letter dated February 19, 1907, communicating the opinion of the Attorney General to the Secretary of the Interior in certain Choctaw Indian citizenship cases, among which were the cases of Myrtle Randolph and her brother W. J. Thompson. The opinion of the Attorney General as to these two

persons, concludes as follows:

"This disposes of the cases of Myrtle Randolph and her brother W. J. Thompson: whatever their intrinsic merits these claims have been finally decided adversely to the claimants by the judgment of the Citizenship Court."

In the same letter the Attorney General rendered an opinion as to the rights of Lola (or Lolla) West et al., and stated as follows:

"This case is similar to that of Myrtle Randolph and her brother W. J. Thompson, children of Giles Thompson, above referred to, in that it involves the question of the finality of the judgment of the Citizenship Court, it being contended that the Commission in the first instance and the Citizenship Court ultimately on appeal had no jurisdiction of the case because at the time of her application to the Commission her name was upon a tribal roll. For the reasons heretofore stated, I think this contention is not well founded, and that the Citizenship Court had jurisdiction of such cases, and its judgments therein were final."

It does not appear that the names of any of the persons concerning whom this report is submitted were ever placed upon a schedule or roll of citizens of the Choctaw Nation by the Commission or Commissioner to the Five Civilized Tribes, nor that any of them were ever allowed to select an allotment of land as a citizen of the Choctaw Nation.

The letter of Kappler & Merrillat of March 25, 1909, is returned herewith.

Respectfully,

Through the Commissioner
of Indian Affairs.

McM 7/2

Acting Commissioner.

MT

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

J.W.H.
J.W.H.
W.C.P.
T W L

April 13, 1909.

Address only
The Secretary of the Interior.

File 5-51.

The Commissioner

to the Five Civilized Tribes.

Sir:

Herewith is a letter, dated April 7, 1909, from Messrs. Kappeler & Verillat, attorneys at law of this city, wherein, as a preliminary step to the institution of suit against the Secretary of the Interior, they demand that he restore the following persons to the status of recognized citizens of the Choctaw Nation:

Winona Thompson,

Decosa Randolph,

Herman Randolph,

Hugh Roy Randolph,

Lena Randolph,

Vivian Randolph,

Minnie Hall,

Blanch Myers,

Thomas Myers,

Dick Myers.

You are requested to furnish a report concerning the enrollment of said persons, following the general instructions contained in departmental letter of March 15, 1909 (File 5-51)

Very respectfully,

(Signed) Jesse H. Wilson

Assistant Secretary.

2 Enc.
(Send direct: Copy
to Indian Office).

Kappler & Merrillat,
Attorneys and Counsellors at Law
Bond Building

Washington, D.C. April 7, 1909

The Honorable,

The Secretary of the Interior,

Washington, D. C.

Sir:

As attorneys for Winona Thompson, Decosa, Herman, Hugh Roy, Lena and Vivian Randolph, Minnie Hall, Blanch, Thomas and Dick Myers, Choctaw Indians who were stricken from the rolls of the Five Civilized Tribes, we hereby respectfully make demand that you cause their names to be restored to the rolls in the Five Civilized Tribes, from which they were stricken by Secretary Hitchcock.

We also give notice, as required by law, that in the event this demand be not complied with, we will be compelled to institute suit to compel their restoration to the rolls.

An early reply hereto is requested.

Yours respectfully,

(Signed) Kappler & Merrillat.

MR

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

J.W.H.
J.W.H.
W.C.P.
T.W.L.

April 17, 1909.

Address only
The Secretary of the Interior.

File 5-51.

The Commissioner

to the Five Civilized Tribes.

Sir:

Herewith is a letter dated April 15, 1909, from Messrs. Kappler & Merillat, Attorneys at Law, of this city, wherein they demand, as a preliminary step to the institution of suit against the Secretary of the Interior, that he cause the names of the following persons to be restored to the rolls of citizenship of the Choctaw Tribe:

W. E. Thompson,

T. J. Hogg,

Renice Hogg,

J. N. Harper,

Daisy Harper,

Ella Thompson.

You are requested to render a report in the matter, following the general instructions contained in department letter of March 15, 1909, file 5-11, taking particular care to state in this, as well as in other cases, whether certificates of allotment or patent have been issued to or recorded in favor of the applicants.

Very respectfully,

(Signed) Jesse E. Wilson.

1 enclosure: Send direct
copy to Indian Office.

Assistant Secretary.

Kappler & Merrillat
Attorneys and Counsellors at Law
Bond Building,

Washington, D. C. April 13, 1909.

The Honorable,
The Secretary of the Interior,
Washington, D. C.

Sir:

In behalf of W. E. Thompson, T. J. Hogg, Eunice Hogg,
J. N. Harper, Daisy Harper and Ella Thompson, we hereby re-
spectfully make demand that you cause their names to be re-
stored to the rolls of the Choctaw Tribe of Indians, from which
they were stricken by the Secretary of the Interior.

At the same time, we respectfully ^{desire} to give notice that if
the demand be not acceded to we will take appropriate proceed-
ings in Court to compel their restoration to the rolls.

We make this request and demand in accordance with law,
and for the reason that we believe the Secretary of the Inte-
rior was without authority or jurisdiction to strike from the
rolls the names of persons once placed thereon, especially
where land had been allotted to the parties, as was the case
with our clients.

Yours respectfully,

(Signed) Kappler & Merrillat.

D 489-1909
D 514-1909

Muskogee, Oklahoma, April 23, 1909.

Subject:

Reporting on Departmental letters of April 13, 1909 and April 17, 1909, relative to W. E. Thompson, et al. and Winona Thompson, et al.

The Honorable,

The Secretary of the Interior,

Sir:

Receipt is hereby acknowledged of Departmental letter of April 13, 1909 (File 5-51) transmitting communication of April 7, 1909, from Messrs. Kappler & Merrillat, attorneys at law, Washington, D. C., wherein, as a preliminary step to the institution of suit against the Secretary of the Interior, they demand that Winona Thompson, Decosa Randolph, Herman Randolph, Hugh Roy Randolph, Lena Randolph and Vivian Randolph, Minnie Hall, Blanch Myres, Thomas Myres and Dick Myres be restored to the status of recognized citizens of the Choctaw Nation, and requesting a report concerning the enrollment of said persons.

Receipt is also acknowledged of Departmental letter of April 17, 1909 (File 5-51), transmitting communication of April 13, 1909 from Messrs. Kappler & Merrillat, attorneys at

Secretary 2

law, Washington, D. C., wherein they demand, as a preliminary step to the institution of suit against the Secretary of the Interior, that he cause the names of the following persons to be restored to the rolls of citizenship of the Choctaw tribe: W. B. Thompson, T. J. Hogg, Eunice Hogg, J. N. Harper, Daisy Harper and Ella Thompson.

A report is requested in this matter following the general instructions contained in Departmental letter of March 15, 1909, taking particular care in this, as well as in other cases, to state whether certificates of allotment or patents have been issued to or recorded in favor of the applicants.

Reporting in this matter I have the honor to advise that the names of the persons above mentioned are included in the Choctaw enrollment case of Samuel C. Wall, et al. and the facts in this case are as follows:

It appears from the records of this office that application was made to the Commission to the Five Civilized Tribes on September 8, 1896 in Choctaw 1896 Citizenship Case Number 540 for the admission to citizenship in the Choctaw Nation under the provisions of the Act of Congress approved June 10, 1896 (29 Stat., 321), of Samuel C. Wall (as Samuel Wall), Ellen Wall, Daisy Harper (as Daisy Wall), Eunice Hogg (as

Secretary 3

Unis Wall), Sam P. Wall, Thomas Wall, Hiram T. Wall (as Hiram Wall), and Bessie L. Wall (as Bessie Wall).

This application was denied by the Commission to the Five Civilized Tribes December 2, 1896. From this decision appeal was taken to the United States Court for the Southern District of Indian Territory, which, on January 19, 1898 in case Number 126 on the citizenship docket, reversed the decision of the Commission and admitted the applicants to citizenship in the Choctaw Nation.

This judgment was subsequently annulled, 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 the Choctaw and Chickasaw Nations or Tribes of Indians versus J. T. Riddle, et al.

Subsequently said cause was certified to the Choctaw and Chickasaw Citizenship Court, created under the provisions of the Act of Congress approved July 1, 1902 (32 Stat., 641) for a trial de novo, and on November 29, 1904, in the case entitled Samuel Wall et al. versus the Choctaw and Chickasaw Nations, Case Number 26 on the Tishomingo Docket, said Court rendered a decree wherein it was ordered, adjudged and decreed that the petition of the plaintiffs, Samuel Wall or Samuel C. Wall, Ellen Wall, Daisy Wall or Daisey Wall, Unis Wall,

Secretary 4

Sam F. Wall, Thomas Wall or Thos. Wall, Hiram Wall and Bessie Wall be denied and that they be declared not citizens of the Choctaw Nation, and not entitled to enrollment as such, and not entitled to any rights whatever flowing therefrom."

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 September 8, 1896, in Choctaw 1896 Citizenship Case Number 1182, for admission to citizenship in the Choctaw Nation under the provisions of the Act of Congress approved June 10, 1896, of Dick Randolph, Myrtie Randolph, Minnie Randolph, Decosa Randolph, Herman Randolph, Hughie Randolph (as Hughie C. Randolph), William E. Wheat (as William Wheat), Myrtie E. Wheat (as Myrtie Wheat), Jesse G. Wheat (as Jesse Wheat) Waldemar Thompson, Dollie Thompson, William J. Thompson (as William Thompson), Decosa Thompson, Ellen Thompson and May Thompson.

On December 7, 1896, the Commission denied this application. From this decision an appeal was taken to the United States Court for the Southern District of Indian Territory, which court, on January 19, 1898, in the case entitled Dick Randolph, et al. versus the Choctaw Nation, rendered a judgment admitting all of said applicants to citizenship except

Secretary 5

Myrtle Wheat and May Thompson whose names were not mentioned in the judgment.

This judgment was subsequently annulled, vacated, set aside and held for naught by a decree of the Choctaw and Chickasaw Citizenship Court of December 17, 1902, and the cause was subsequently certified to the Choctaw and Chickasaw Citizenship Court for a trial de novo, which court, on November 29, 1904, in case Number 27 on the Tishomingo Docket, entitled Dick Randolph, et al. versus the Choctaw and Chickasaw Nations, rendered a judgment wherein it was ordered, adjudged and decreed that the petition of the plaintiffs, Dick Randolph, Myrtle Randolph or Myrtle Randolph, Minnie Randolph, DeCosa Randolph or Decosa Randolph, Herman Randolph, Hughie C. Randolph or Hughie Randolph, William Wheat or Wm. Wheat, Jess Wheat or Jesse Wheat, De Cosa Thompson or Decosa Thompson, Ellen Thompson, Waldemar Thompson, Dollie Thompson and William J. Thompson or William Thompson, 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, Myrtle Wheat and May Thompson, the Court having no jurisdiction, their petition is dismissed.

January 21, 1905, the Commission to the Five Civilized Tribes issued an order dismissing the application for the

Secretary 6

enrollment of William Myers as a citizen by intermarriage of the Choctaw Nation, for the reason that the right of his wife, Minnie Myers (as Minnie Randolph) had been denied by the Choctaw and Chickasaw Citizenship Court.

January 23, 1905, the Commission to the Five Civilized Tribes issued orders dismissing the applications for the enrollment of Lawrence V. Harper, Gracie Ellen Harper, James Custer Harper, Effie Hogg, Ora Nellie Hogg, Lena R. Randolph, Vivian Randolph, Lelia Blanche Myers and John Boyd Myers, and on January 24, 1905, orders were entered by the Commission to the Five Civilized Tribes dismissing the applications for the enrollment of Winona Thompson, Myrtle Thompson, Claudia Ellen Thompson and Giles Clide Thompson, for the reason that the rights of the persons through whom these applicants claimed as citizens of the Choctaw Nation had been adversely determined by the decrees of the Choctaw and Chickasaw Citizenship Court in the cases above referred to.

February 4, 1905, the Commission rendered a decision denying the application for the enrollment of Myrtle E. Wheat as a citizen of the Choctaw Nation.

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there was filed on January 30, 1906, by O. W. Patchell, attorney at law, Pauls Valley, Indian Territory, a petition praying for the enroll-

Secretary 7

ment of Samuel C. Wall, Samuel Wall Jr., Thomas Wall, Hiram Wall, Pessie Wall, Elmer Wall, Elizabeth Wall, Daisy Harper, Lawrence Harper, Gracie Harper, Custer Harper, Rudella Hopper, Eunice Hogg, Effie Hogg, Nellie Hogg, Lizzie Hogg, Samuel J. Hogg, Myrtie Randolph, Decosa Randolph, Herman Randolph, Hugh C. Randolph, Lena R. Randolph, Roy Randolph, Vivian Randolph, Minnie Myers, Lelia Blanche Myers, John B. Myers, Dick Myers, Jesse Wheat, Myrtie Wheat, Waldemar E. Thompson, Arthur Thompson, Dollie Thompson, Claudie Thompson, Giles Thompson, William J. Thompson, Winona Thompson and Ella Thompson as citizens of the Choctaw Nation, and for the enrollment of Dick Randolph, William E. Wheat, May Thompson, William Myers, Savannah Thompson and Ellen Wall as citizens by intermarriage of the Choctaw Nation.

This office could not identify the applicants herein as having been enrolled upon any of the tribal rolls of the Choctaw Nation in its possession.

February 4, 1907, the Commissioner to the Five Civilized Tribes rendered a decision denying the applications for enrollment of all the persons included in this decision and on the same date the record, together with the decision in this case, was forwarded to the Secretary of the Interior.

February 26, 1907 (Land 13244-1907) the Indian Office

Secretary 8

concurring in the decision of the Commissioner of February 4, 1907, denying these applicants, and on February 28, 1907 (I T D 5080, 5146, 5148, 5190, 5194, 5196, 5200, 5203, 5212, 5214, 5322, 5334, 5336, 5344, 5346, 5350, 5353, 5394, 5442-1907), the Department affirmed said decision.

I have the honor to state that no formal allotments were ever made to these persons but applications for lands were made in their behalf which were involved in allotment contests; these contests were afterward dismissed and the lands given to the contestees and patents therefor have undoubtedly been recorded and delivered.

It further appears that T. J. Hogg was the non-citizen husband of Eunice Hogg, nee Wall, and that J. N. Harper was the non-citizen husband of Daisy Harper, nee Wall, and that no application was made to the Commission or the Commissioner to the Five Civilized Tribes for their enrollment as citizens of the Choctaw Nation.

It also appears that this office has no record of any favorable decision ever having been rendered by the Department in this case.

The letters of Kappler & Merrillat of April 7, 1909 and April 13, 1909, are herewith returned.

Respectfully,

(Choctaw 4997

Through the Commissioner
of Indian Affairs.

Commissioner.

AB

Land:
27496-1909
31863-1909
J W D

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS, D. C.

Enrollment case of
Samuel C. Wall, et al.

Washington, Jun 4 1909

The Commissioner

to the Five Civilized Tribes,
Muskegee, Oklahoma,

Sir:

Referring to your reports of April 7 and 13, 1909, relative to the Choctaw enrollment case of Samuel C. Wall, et al., you are advised that on May 25, 1909, the Department held that the case mentioned is not analogous to that of John E. Goldsby and does not come within the principles announced by the Supreme Court of the United States in its decision of November 30, 1908, in that case (211 U. S. 249). The Department declined to take any action looking to the enrollment of any of the persons included in the case of Samuel C. Wall et al. A copy of approved Office letter of May 1, 1909, is inclosed for your further information. You are requested to notify the proper parties of this action.

Very respectfully,

C. F. Hauke,

Chief Clerk.

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Land
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J K D

May 4, 1909

Enrollment claims of
Samuel C. Wall et al.

The Honorable,

The Secretary of the Interior.

Sir:

Referring to Department letters of March 25, April 13 and 17, 1909 (File 5-51 Choctaw), there are transmitted herewith reports of April 7 and 23 from the Commissioner to the Five Civilized Tribes, in regard to the case of Samuel C. Wall, et al., applicants for enrollment as Choctaw citizens.

The history of the case is set out fully in the reports inclosed. The records show that on February 4, 1907, the Commissioner to the Five Civilized Tribes rendered a decision denying the application and petition for the enrollment of Samuel C. Wall, Sam F. Wall, Thomas Wall, Hiram T. Wall, Bessie L. Wall, Daisy Harper, Eunice Hogg, Myrtle Randolph, Minnie Myers, Decosa Randolph, Herman Randolph, Hughie Randolph, Jesse S. Wheat, Robert E. Wall, Waldemar Thompson, William J. Thompson, Dollie Thompson, Decosa Thompson, Ellen Thompson, Lizzie Louisa Hogg and Daisy R. Harper as citizens, for the enrollment of Ellen Wall, Dick Randolph and William E. Wheat as citizens by intermarriage, dismissing the petition for the enrollment of Elizabeth Wall and Swan-

nah Thompson, denying the petition for the enrollment of William Myers and May Thompson as citizens by intermarriage, denying the petition for the enrollment of Lawrence Warner, Gracie Warner, Custer Harper, Effie Hogg, Nellie Hogg, Lena R. Randolph, Vivian Randolph, Lelia Blanche Myers, John B. Myers, Claudis Thompson, Giles Thompson, Winona Thompson and Myrtle Wheat as citizens, and dismissing the application for the enrollment of Rudella Hopper, Samuel J. Hogg, Roy Randolph, Dick Myers and Arthur Thompson as citizens of the Choctaw Nation.

On February 28, 1907, the Department affirmed the decision of the Commissioner denying the applications.

In this connection your attention is invited to the opinion, dated February 19, 1907, of the Attorney General, in reference to the Choctaw citizenship cases of Myrtle Randolph and her brother, S. J. Thompson, which opinion is referred to by the Commissioner to the Five Civilized Tribes in his report. The Commissioner reports that it does not appear that the names of any of the persons mentioned were ever placed upon a schedule or roll of citizens of the Choctaw Nation by the Commission or the Commissioner to the Five Civilized Tribes, or that any of them were ever allowed to select an allotment of land as a citizen of that nation.

Moreover, it does not appear from the records of the Office that the Department ever approved any applications of these persons for enrollment as citizens of the Choctaw Nation. The Office is of the opinion that the case of Samuel C. Wall et al. is not analogous to that of John E. Goldsby and does not come within the principles announced by the Supreme Court of the United States

in its decision of November 30, 1908 in that case (211 U. S. 249).

It is therefore recommended that the Department take no action looking to the enrollment of any of the persons included in the case of Samuel C. Wall et al.

The record in the case and other papers pertaining thereto are inclosed for your further information.

Very respectfully

OGP-1
571

(Signed) R. G. Valentine,
Acting Commissioner.

VCP

JWH

APPROVED: May 28, 1909.

Frank Pierce

First Assistant Secretary.

FWS

Choctaw 5038

Muskogee, Oklahoma, June 11, 1909.

Mr. William J. Thompson,
Pauls Valley, Oklahoma,

Sir:

You are hereby advised that on May 28, 1909, the Secretary of the Interior held that the Choctaw enrollment case of Samuel C. Wall, et al., is not analogous to that of John E. Goldsby (211 U. S. 249) and that he can take no action looking to the enrollment of any of the applicants therein under the opinion of the Supreme Court of the United States of November 30, 1908, in the said Goldsby case.

Respectfully,

Acting Commissioner.

AB

Choc 5039 John T. Pickens

1-2-3-4-5-6 Dismissed Dec 3, 1904

5039

DEPARTMENT OF THE INTERIOR
COMMISSIONER OF THE GENERAL LAND OFFICE

Records in the name of the above title for en-
rollment as citizens of the State of Nevada

John T. Pickens, et al., 2-8-88.

John T. Pickens and others.

John T. Pickens says:

I am 33 . I am father of Ernest, Maud, James, and John Pickens, who were admitted by U.S. Court at South McAlester August 30th 1897, case 87.

I have lived in the Choctaw and Chickasaw Nations since 1885. I came from near Burnsville, Miss. , and Tenn. I was born and raised there. My father who was from Tenn., near Burnsville, Miss, came to the Territory at that time. I was in Texas for a few months in 1886, and again about the same length of time in 1889. With the exception of that time I have lived continuously in the Territory.

My children were born here except Ernest, the oldest. He was born in Texas. From December 7th 1896, to August 10th 1898 I lived in the Choctaw Nation. I had a home at Coalgate and worked as a jeweler.

I have never had a home in the Chickasaw Nation except that in 1893 I owned a house at Lynnewood.

Dated V. M. Sept. 15 1898.

John T. Pickens
Ernest Pickens
Maud Pickens
James Pickens
John Pickens Jr.

enrolled.

Alikchi, Indian Territory, April 29th, 1899.

AFFIDAVIT OF MAHALEY JONES, In Re, John T. Pickens, et al.

MAHALEY JONES, being duly sworn by Commissioner T. E. Needles, makes the following statement.. Examined by Messrs A. Telle and Judge Lewis:

I do not know how old I am, but I am the last of the children of Capt. Jim Pickens, who with Sam Cobb and others, came to this country from Mississippi, and moved a lot of Choctaws to this country. I came with them. I was about grown when I left the old Nation in Mississippi. I think I am something over eighty years old. I know that I am not under that. The father of Capt. Jim Pickens must have been a white man, because Capt. Jim Pickens was a half breed. His mother was a Choctaw woman. Capt. Jim Pickens had a half brother whose name was Pisatubbi and another by the name of Sakitubbi. They died after they came to this country. These parties never went by the name of Pickens. Capt. Jim Pickens was the only one of this family that was a half breed. At the time these Choctaws lived in Mississippi, it was customary for the Choctaw Men to have more than one wife. My father, Capt. Jim Pickens had two wives when in that country. The sons of one woman were John Pickens, Solomon Pickens, Moses Pickens, Adam Pickens and Edus Pickens. There were several women in this family also. John Pickens had a wife when he came to this country. I think he also had two children. This John Pickens was the oldest of all the children of Capt. Jim Pickens, and must have been a man of middle age when he came here.

John Pickens had sons as follows: Campbell Pickens, Dickson Pickens, Israel Pickens, Ellis Pickens, Anderson Pickens. Campbell Pickens was killed out in the Chickasaw Nation. Dickson Pickens died at Glover's Fork, Bok Tuko County, of consumption. Israel, Ellis and Anderson all died in Red River County. John was quite an old man. He died at Glover's Fork before the War, in Bok Tuko County.

Mahaley Jones #2.

The sons of the other wife of Capt. Jim Pickens, who were my own brothers, were Davis, Pickens, Joseph Pickens and Ben Pickens. There was one more named after my father, Jim Pickens, but he died in the old Nation before we came out here. Davis died in Bok Tuko County, Joseph died in the same place, and Ben died in Blue County. Joseph Pickens, my brother was a crippled man, and lived and died in Bok Tuko County. He was not killed. He died of some form of Rheumatism, which killed him in a very short time.

The only John Pickens I ever knew, related to Capt. Jim Pickens, was my brother John Pickens, the one whom I have mentioned above. John Pickens and Hius Pickens were the only sons of that wife of Capt. Jim Pickens that came to this country, the others died back in the old Nation. My brother, John Pickens, if living at this time, would be over one hundred years old.

-----oO-----

IN RE

Application for Enrollment of
INFANT CHILD.

Mary Deane

As a citizen of the

Sioux Nation.

Approved

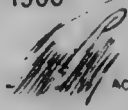


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Commissioner.

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

FILED
JUN 23 1900



ACTING CHAIRMAN.

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1002

Department of the Interior,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,
of *Mary Pickens*, born on the *19* day of *May*, 1900.
Name of father: *John Pickens*, a citizen of the *Choctaw* Nation.
Name of mother: *Mary Pickens*, a citizen of the *Choctaw* Nation.
Post Office: *...*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, *Mary Pickens*, on oath, state that I am *30* years of age and a
citizen, by *marriage*, of the *Choctaw* Nation; that I am the
lawful wife of *John Pickens* who is a citizen, by *birth*, of the
Choctaw Nation; that a *...* child was born to me on the *19* day
of *May*, 1900; that said child has been named *...*
and is now living.

Mary Pickens
Subscribed and sworn to before me this *11th* day of *June*, 1900.
W. W. Gunn
Notary Public,
Southern Indian Terr.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District.

I, *E. C. ...*, a *Physician*, on oath, state that I
attended on Mrs. *Mary Pickens*, wife of *John E. Pickens*
on the *19* day of *May*, 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 *Mary*

E. C. ... M.D.
Subscribed and sworn to before me this *6* day of *June*, 1900.
...
Notary Public.

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7-5039.

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

In the matter of the application for the enrollment of John T. Pickens and his five minor children Ernest Pickens, Maud Pickens, James Pickens, John Pickens, Jr., and Mary Pickens as citizens by blood of the Choctaw Nation.

It appears from the records of the Commission that on September 7, 1896 in the case entitled "John Pickens, et al., vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, case number 579), original application was made to the 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 as citizens by blood of the applicants John T. Pickens, Ernest Pickens and Maud Pickens and on December 2, 1896 the said John T. Pickens, Ernest Pickens and Maud Pickens were by this Commission denied admission as citizens by blood of 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 "John T. Pickens, et al., vs. Choctaw Nation" (Citizenship Case, number 87), reversed the decision of the Commission denying said John T. Pickens, Ernest Pickens and Maud Pickens admission to citizenship in the Choctaw Nation and admitted said John T. Pickens, Ernest Pickens (as Earnest Pickens) and Maud Pickens as citizens by blood of said nation.

The applicants James Pickens, John Pickens, Jr., and Mary Pickens are the offspring of the principal applicant John T. Pickens and Mary R. Pickens, a noncitizen, and were born subsequent to the date of the original application herein made to the Commission in 1896.

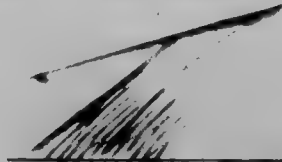
It further appears from the records in the possession of the Commission that on December 17, 1902 the Choctaw and Chickasaw Citizenship Court, created by the provisions of the act of Congress approved July 1, 1902 (32 Stat., 641), "set aside, annulled, vacated and held for naught" the aforesaid judgment 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

2.

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. 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 John T. Pickens, Ernest Pickens, Maud Pickens, James Pickens, John Pickens, Jr., and Mary Pickens as citizens by blood of the Choctaw Nation and it is, therefore, hereby ordered that the application for the enrollment of John T. Pickens, Ernest Pickens, Maud Pickens, James Pickens, John Pickens, Jr., and Mary Pickens as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



Chairman.

Muskogee, Indian Territory,

of

7-5039

Muskogee, Indian Territory, December 3, 1904.

John T. Pickens,

Oscar, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 3, 1904, dismissing the application for the enrollment of yourself, and minor children, Ernest Pickens, Maud Pickens, James Pickens, John Pickens Jr., and Mary Pickens as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Chairman.

Registered.

Incl. 7-5039.

7-5039

Muskogee, Indian Territory, December 3, 1904.

Davis and Garnett,
Attorneys at Law,
Gainesville, Texas.

Gentlemen:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 3, 1904, dismissing the application for the enrollment of John T. Pickens, Ernest Pickens, Maud Pickens, James Pickens, John Pickens Jr., and Mary Pickens as citizens by blood of the Choctaw Nation.

Respectfully,

Chairman.

Registered.

Incl. 7-5039.

COPY,

7-5039

Muskogee, Indian Territory, December 3, 1904.

Mansfield, McMurray and 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 December 3, 1904, dismissing the application for the enrollment of John T. Pickens, Ernest Pickens, Maud Pickens, James Pickens, John Pickens Jr., and Mary Pickens as citizens by blood of the Choctaw Nation.

Respectfully,

Chairman.

Incl. 7-5039.

W.F.
D.C.I.
7-5039.

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

In the matter of the application for the enrollment of John T. Pickens and his five minor children Ernest Pickens, Maud Pickens, James Pickens, John Pickens, Jr., and Mary Pickens as citizens by blood of the Choctaw Nation.

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It appears from the records of the Commission that on September 7, 1896 in the case entitled "John Pickens, et al., vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, case number 579), original application was made to the 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 as citizens by blood of the applicants John T. Pickens, Ernest Pickens and Maud Pickens and on December 2, 1896 the said John T. Pickens, Ernest Pickens and Maud Pickens were by this Commission denied admission as citizens by blood of 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 "John T. Pickens, et al., vs. Choctaw Nation" (Citizenship Case, number 87), reversed the decision of the Commission denying said John T. Pickens, Ernest Pickens and Maud Pickens admission to citizenship in the Choctaw Nation and admitted said John T. Pickens, Ernest Pickens (as Earnest Pickens) and Maud Pickens as citizens by blood of said nation.

The applicants James Pickens, John Pickens, Jr., and Mary Pickens are the offspring of the principal applicant John T. Pickens and Mary R. Pickens, a noncitizen, and were born subsequent to the date of the original application herein made to the Commission in 1896.

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. 3524-1904) and the Opinion of the Assistant Attorney General for the Department

-2-

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 John T. Pickens, Ernest Pickens, Maud Pickens, James Pickens, John Pickens, Jr., and Mary Pickens as citizens by blood of the Choctaw Nation and it is, therefore, hereby ordered that the application for the enrollment of John T. Pickens, Ernest Pickens, Maud Pickens, James Pickens, John Pickens, Jr., and Mary Pickens as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

(signed) TAMS BIXBY

Chairman.

Muskogee, Indian Territory,

December 3, 1904.

1053

COMMISSIONERS:
TAMM BERRY,
THOMAS B. NEEDLES,
C. R. BRACKENRIDGE.

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

WM. O. BRALL,
Secretary.

<small>REFER IN REPLY TO THE FOLLOWING:</small> <hr/> 7-5039 <hr/>

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, December 3, 1904.

John T. Pickens,

Oscar, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 3, 1904, dismissing the application for the enrollment of yourself, and minor children, Ernest Pickens, Maud Pickens, James Pickens, John Pickens Jr., and Mary Pickens as citizens by blood of the Choctaw Nation.

Respectfully,

Chairman.

Registered.

Incl. 7-5039.

Muskogee, Indian Territory, October 20, 1900.

S. G. Trout,

Opie, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 24th instant in which you desire a statement of the enrollment of certain children as citizens of the Choctaw or Chickasaw Nations for the purpose of starting a school in your neighborhood.

You are informed that the records of this Commission show as to the parties of whom you inquire, the following facts:

Annis Snider, 30 years of age, of Opie, Indian Territory and her five minor children, John B., Willie B. and Katie W. Trout, Ambrose Wey and Beatrice Snider, were listed for enrollment by this Commission as citizens of the Choctaw Nation, June 6th, 1899, having been identified as citizens by blood of the Choctaw Nation and enrolled by the Choctaw tribal authorities on the 1896 Census Roll of that Nation.

Hulda McKinney, 29 years of age, of Coalgate, Indian Territory, and her six minor children, George, Frank, Elijah, Lillie E., Eddie L. McKinney were listed for enrollment as citizens of the Choctaw Nation by this Commission August 17th, 1899. These parties are citizens by blood of the Choctaw Nation and identified by this Commission from the 1896 Census Roll of the Choctaw Nation.

John T. Pickens, 33 years of age of Homer, Indian Territory, and his four minor children, Earnest, Maud, James and John Pickens, Jr., were listed for enrollment by this Commission as

citizens of the Choctaw Nation September 15th, 1898. The names of these parties are not on any of the tribal rolls of the Choctaw Nation and were listed for enrollment as citizens of that Nation by this Commission in pursuance of a judgment of the United States Courts for the Central District of the Indian Territory, rendered at South McAlester, Indian Territory, August 30th, 1897, in court case No. 87.

Mary P. Short, 27 years of age, of Mill Creek, Indian Territory and her six minor children, Samuel E., Thos. E., Jonathan, Pearl, Henry and Maggie Short were listed for enrollment as citizens of the Choctaw Nation, September 15th, 1898. The names of these parties do not appear upon any of the tribal rolls of the Choctaw Nation but were listed for enrollment by this Commission in pursuance of judgment of the United States Court in the case above referred to.

Yours truly,

Acting Chairman.

7-2340
7-3529
7-8039

Muskegee, Indian Territory, November 28, 1900.

Davis & Garnett,
Attorneys at Law,
Gainesville, Texas.

Gentlemen:

The Commission is in receipt of your letter of the 26th instant in which you desire to be informed if Mr. John T. Pickens and Mrs. Needham Short and their children have been listed for enrollment by this Commission as Choctaw Indians.

You are informed that the records of this Commission show that John T. Pickens, 32 years of age, of Homer, Indian Territory, together with his four minor children Ernest, Fred, James and John T. Pickens, Jr., were listed for enrollment by this Commission as citizens of the Choctaw Nation, September 10th, 1898, having been admitted to citizenship in the Choctaw Nation by judgment of the United States Court for the ~~Western~~ District of the Indian Territory, rendered at South McAlester, Indian Territory, August 30th, 1897 in Court case No. 87, John T. Pickens et. al versus the Choctaw Nation.

Subsequent thereto, on June 23rd, 1900, Mary Pickens, the youngest child of John T. and Mary R. Pickens was listed for enrollment by this Commission as a citizen of the Choctaw Nation upon presentation of the proper affidavits as to her birth.

As to Mrs. Needham Short, you are informed that the records of the Commission show that Mary P. Short, 27 years of age, of Millbank, Indian Territory, and her minor children, Samuel R., Thos. R., Jonathan, Pearl, Henry and Maggie, were listed for enroll-

D. 2

ment by this Commission as citizens of the Choctaw Nation, September 15th, 1898, in pursuance of the judgment of court above referred.

The Commission makes no charge for this information.

Yours truly,

Acting Chairman.

7-5039

7-5044

Muskogee, Indian Territory, March 25, 1901.

John T. Pickens,

Oscar, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 22nd instant in which you desire to be informed how many children have been listed for enrollment with John T. Pickens, and their names.

Replying to your letter you are informed that the records of the Commission show that John T. Pickens, 33 years of age, and his children Ernest, Maud, James and John Jr. Pickens, were on September 15th, 1898, 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 rendered at South McAlester, Indian Territory, on August 30th, 1897 in court case No. 87. Mary Pickens, the infant daughter of John T. Pickens, was on June 23rd, 1900 listed for enrollment as a citizen of the Choctaw Nation on presentation of proper affidavits as to her birth.

Yours truly,

Acting Chairman.

7-5039.

Muskogee, Indian Territory, December 17, 1904.

Arthur F. Houser, Postmaster,
Oscar, Indian Territory,

Dear Sir.

Receipt is hereby acknowledged of your letter of December 13, 1904, stating that you are unable to deliver a registered letter addressed to John T. Pickens, Oscar, Indian Territory, for the reason that said John T. Pickens left that place about three years ago and you do not know his present post-office address. You therefore ask what disposition you should make of this letter.

In reply you are advised that the registered letter, should be returned to the Commission to the Five Civilized Tribes, Muskogee, Indian Territory.

Respectfully,

Chairman.

7-5039

Muskogee, Indian Territory, January 17, 1905.

John T. Pickens,

Honer, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 10, 1905, in which you ask if you may select allotments for yourself and your children pending the final determination of your citizenship.

In reply to your letter you are informed that it appears from our records that you and your children were denied citizenship in the Choctaw Nation by this Commission under the provisions of the act of Congress approved June 10, 1896. That on appeal this judgment of the Commission was reversed by the United States Court and you were admitted to citizenship in the Choctaw Nation.

On December 17, 1905, the Choctaw and Chickasaw Citizenship Court, created, under the act of Congress approved July 1, 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, and it does not appear that you had appealed or certified to said Court your case for a trial de novo. The Commission therefore being without further jurisdiction in your case, on December 3, 1904, the applications for the enrollment of yourself and your children Ernest, Maud, James, John Jr., and Mary Pick-

J. T. P. #2

ens as citizens of the Choctaw Nation.

No reservation can therefore be made for yourself and
your children of the lands of the Choctaw and Chickasaw Nations.

Respectfully,

Chairman.

7-5039

Muskogee, Indian Territory, September 8, 1905.

Mrs. T. C. McDonald,
Roff, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of September 5th, in which you desire to be informed if the citizenship case of John T. Pickens has been decided and if there is any chance to have your infant child, born July 16, 1905, enrolled.

In reply to your letter you are informed that it appears from the records of this office that John T. Pickens, Ernest and Maud Pickens, were denied citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes under the Act of Congress approved June 10, 1896, and by a judgment of the United States Court of the Central District of the Indian Territory rendered August 30, 1897, John T. Pickens and his four minor children, Ernest, Maud, James and John Pickens, Jr. were admitted to citizenship in the Choctaw Nation. This judgment was subsequently vacated and set aside by a decree of the Choctaw and Chickasaw Citizenship Court of November 17, 1902.

It does not appear that the case was subsequently appealed or certified to the Choctaw and Chickasaw Citizenship Court for a trial de novo and on December 3, 1904, the Commission to the Five

(2)

Civilized Tribes dismissed the application for the enrollment of John T., Ernest, Maud, James, Mary and John Pickens, Jr. as citizens of the Choctaw Nation.

In reference to the enrollment of your child born July 16, 1905, you are advised that the Act of Congress approved March 3, 1905, authorized the Commission to the Five Civilized Tribes for a period of sixty days to receive applications for and enroll children born to enrolled citizens by blood of the Choctaw Nation prior to March 4, 1905. No authority now exists for the reception or consideration of the application of any child born to recognized and enrolled citizens by blood of the Choctaw or Chickasaw Nation subsequent to March 4, 1905.

Respectfully,

Acting Commissioner.

7-5039

Muskogee, Indian Territory, January 14, 1906.

I. C. McDonald,

Roff, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 7, 1906, asking if the citizenship court case of John T. Pickens has been reinstated.

In reply to your letter you are advised that if it is desired to present a claim for the enrollment of John T. Pickens and his family as citizens of the Choctaw Nation under the recent rulings of the Department, there is inclosed herewith for your information circular setting forth fully procedure to be followed in the presentation of cases of this character.

Respectfully,

Commissioner.

Circular.

7-5039.

Muskogee, Indian Territory, August 13, 1906.

John T. Pickens,
Ara, Indian Territory.

Dear Sir:

There were received at this office on August 1, 1906 the affidavits of Mary R. Pickens and S. L. Burns to the effect of Sherman Franklin Pickens, child of John T. and Mary R. Pickens, December 20, 1905.

You are advised that the Act of Congress approved April 26, 1906, provided for the reception, for a period of ninety days of applications for enrollment of children of citizens of the Choctaw and Chickasaw Nations who were living March 4, 1906.

This ninety days expired July 25, 1906 and since that date there is no authority for the reception of such applications.

Respectfully,

Commissioner.

7-5039

Muskogee, Indian Territory, September 13, 1906.

John T. Pickens,

Ara, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of August 30, 1906, in which you state that you made application for the enrollment of your deceased child Sherman Franklin Pickens before July 25, 1906.

In reply to your letter you are advised that the affidavits to the birth of your child Sherman Franklin Pickens December 19, 1905, were received at this office August 2, 1906. If you contend that an application was forwarded by you prior to that time and will state when and by whom the same were forwarded, the latter will receive further consideration.

7-5039

- Muskogee, Indian Territory, October 10, 1906.

John T. Pickens,
Ara, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the tenth
day of October, 1906, in which you state that affidavits were executed to
the birth of your child Sherman Franklin Pickens on July 23, 1906,
and on the same date were forwarded to this office.

In reply to your letter you are advised that it appears
from the records of this office that the application for the enroll-
ment of yourself and your children Ernest, Maud, James, John Jr.,
and Mary Pickens was dismissed by the Commission to the Five Civil-
ized Tribes December 3, 1904, and it does not appear that a petition
for rehearing in this case was filed by you under the ruling of the
Department in the Choctaw enrollment case of Louis West. It would
therefore not appear that your child Sherman Franklin Pickens was
entitled to enrollment under the Act of Congress approved April 26,
1906, which provides in part as follows:

.....and no motion to reopen or reconsider any citi-
zenship case, in any of said tribes, shall be entertained
unless filed with the Commissioner to the Five Civilized
Tribes within sixty days after the date of the order or
decision sought to be reconsidered except as to decisions
made prior to the passage of this Act, in which cases such
motion shall be made within sixty days after the passage
of this Act:

That for ninety days after approval hereof applications

J. T. P. #2

shall be received for enrollment of children who were minors living March fourth, nineteen hundred and six, whose parents have been enrolled as members of the Choctaw, Chickasaw, Cherokee, or Creek tribes of have applications for enrollment pending at the approval hereof."

respectfully,

Commissioner.

7-5039

Muskogee, Indian Territory, May 20, 1907.

I. P. McCann,

Manitou, Oklahoma.

Dear Sir:

Receipt is her by acknowledged of your letters of May 4 and May 20, 1907, relative to the citizenship of John T. Pickens who you state was admitted by a judgment of the United States Court at South McAlester, Indian Territory.

In reply to your letter you are advised that John T. Pickens and his children Earnest and Paul Pickens were admitted to citizenship in the Choctaw Nation by a judgment of the United States Court for the Central District of Indian Territory. December 17, 1902, the Choctaw and Chickasaw Citizenship Court, created under the Act of Congress approved July 1, 1902, vacated, set aside and held for naught all judgments of the United Court in Indian Territory, admitting persons to citizenship in the Choctaw and Chickasaw Nation.

The case of John T. Pickens et al. was not appealed to the Choctaw and Chickasaw Citizenship Court for a trial de novo and on December 3, 1904 the Commission to the Five Civilized

I. P. McC. #2.

Tribes dismissed the application for the enrollment of John T. Pickens and his children as citizens by blood of the Choctaw Nation.

Respectfully,

Commissioner.

5

7-5039

Muskogee, Indian Territory, June 7, 1907.

I. F. McCann,

Manitou, Oklahoma.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 31, 1907, in which you state that the judgment in the case of John T. Pickens was not rendered December 17, 1902 but that the same was rendered by Judge Clayton in 1897, and you also state that John T. Pickens and his family are entitled to enrollment.

In reply to your letter you are advised that John T. Pickens and his children Ernest and Maude Pickens were admitted to citizenship in the Choctaw Nation by a judgment of the United States Court of the Central District of Indian Territory, August 30, 1897, but subsequently on December 17, 1902, the Choctaw and Chickasaw Citizenship Court, created by the Act of Congress approved July 1, 1902, rendered a decision annulling, setting aside and holding for naught all judgments of the United States Courts in the Indian Territory, admitting persons to citizenship in the Choctaw and Chickasaw Nations.

The case of John T. Pickens et al. was not appealed or

I. R. McC. #2.

transferred to the Choctaw and Chickasaw Citizenship Court for a trial de novo as provided by the Act of Congress approved July 1, 1902 above referred to and on December 3, 1904, the application for the enrollment of John T. Pickens and his children was dismissed by the Commission to the Five Civilized Tribes.

In this connection your attention is invited to the following provision of the Act of Congress approved April 26, 1906:

"That the rolls of the tribes affected by this Act shall be fully completed on or before the fourth day of March, nineteen hundred and seven, and the Secretary of the Interior shall have no jurisdiction to approve the enrollment of any person after said date."

Respectfully,

Commissioner.

Choc 5040 James W. Pickens

1-2-3-4-5-6 Dismissed Dec 3, 1904

5040

DEPARTMENT OF THE ARMY,
COMMISSIONED OFFICERS' TRAINING CENTER.

Record in the matter of the application for enrollment
as citizens of the local of the District of Columbia of:

James W. Pickens, et al., 2-574 .

James W. Pickens and others.

James W. Pickens says:

I am 44. I am father of Lula, Walter, James Jr., Andrew Jr., Ethel Pickens.

All were admitted by the U.S. court at South McAlester, August 30th 1897, case 87, except Ethel born July 1st 1898.

I have lived in the Chickasaw nation since 1864. I came from Arkansas to the Territory. I came from Tenn. to Ark. I came to Arkansas in 1880, and to the Territory in 1884.

I have lived here continuously since that time. I have never lived in the Choctaw nation.

Paul's V. ... Sept. 15, 1898.

James W. Pickens
Lula Pickens
Walter Pickens
James Pickens Jr.
Andrew Pickens Jr.
Ethel Pickens

enrolled.

215
7-5040.

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

In the matter of the application for the enrollment of James W. Pickens and his five children Walter Pickens, Annie Pickens, James Pickens, Jr., Andrew Pickens, Jr., and Ethel Pickens as citizens by blood of the Choctaw Nation.

-----c0c-----

It appears from the records of the Commission that on September 7, 1896 in the case entitled "John Pickens, et al., vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, case number 579), original application was made to the 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 the applicants James W. Pickens, Walter Pickens, Annie Pickens and James Pickens, Jr., and on December 2, 1896 the said James W. Pickens, Walter Pickens, Annie Pickens and James Pickens, Jr., were by this Commission denied admission as citizens by blood of 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 "John T. Pickens, et al., vs. Choctaw Nation" (Citizenship Case number 87), reversed the decision of the Commission denying said James W. Pickens, Walter Pickens, Annie Pickens and James Pickens, Jr., admission to citizenship in the Choctaw Nation and admitted said James W. Pickens (as James Pickens), Walter Pickens, Annie Pickens and James Pickens, Jr., as citizens by blood of said nation.

The applicants Andrew Pickens, Jr., and Ethel Pickens are the children of the applicant James W. Pickens and Virginia Pickens and were born subsequent to the date of the original application made herein to the Commission in 1896.

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

2.

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. 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 James W. Pickens, Walter Pickens, Annie Pickens, James Pickens, Jr., Andrew Pickens, Jr., and Ethel Pickens as citizens by blood of the Choctaw Nation and it is, therefore, hereby ordered that the application for the enrollment of James W. Pickens, Walter Pickens, Annie Pickens, James Pickens, Jr., Andrew Pickens, Jr., and Ethel Pickens as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

A large, dark, handwritten signature, possibly in ink, is written over a horizontal line. The signature is somewhat illegible due to the dark ink and the way it is written.

Chairman.

Muskogee, Indian Territory,

Choctaw 5040

COPY

Muskogee, Indian Territory, December 3, 1904.

James W. Pickens,

Brady, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 3, 1904, dismissing the application for enrollment of yourself and children, Walter Pickens, Annie Pickens, James Pickens Jr., Andrew Pickens Jr. and Ethel Pickens, as citizens by blood of the Choctaw Nation.

Respectfully,

Registered.

Chairman.

Incl. 7-5040.

Chectaw 5040

COPY.

Muskogee, Indian Territory, December 3, 1904.

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

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission dated December 3, 1904, dismissing the application for the enrollment of James W. Pickens, Walter Pickens, Annie Pickens, James Pickens Jr., Andrew Pickens Jr. and Ethel Pickens, as citizens by blood of the Chectaw Nation.

Respectfully,

Signed

— James Pickens

Chairman.

Incl. 7-5040.

Choc 5041 Geo W. Pickens

1-2-3-4-5-6 Dismissed Dec 1904

5041

DEPARTMENT OF THE INTERIOR
COMMISSIONER OF LAND OFFICE

Record in the office of the application for enrollment
as citizens by blood of the Choctaw Nation.

Geo. W. Fickens, et al., 7-2-1911.

George W. Pickens and others.

George W. Pickens says:

I am 44 . I am father of George L., Mary M., and Jesse L., Pickens, admitted by U.S. court at South McAlester, August 30th 1898, case 87.

I have been told that the names "G.L." for George L., and "Mary M." for Mary M. Pickens were printed in the decree through mistake. They failed to get the names in full.

I have lived in the Chickasaw Nation since December 1881. I came from Texas here. I was born and raised in South Tenn., and came to Texas and remained there 10 months. I have lived continuously in the Chickasaw Nation since I first came.

Paul's Valley, Sept. 15 1898.

George W. Pickens
George L. Pickens
Mary Myrtle Pickens
Jessie Lee Pickens

enrolled.

2-3

IN RE

Application for Enrollment of
INFANT CHILD

as a citizen of the

Nation.

Approved January 2 1901

Chesapeake
Commissioner.

COMMISSIONER OF THE BUREAU OF INDIAN AFFAIRS,
WASHINGTON, D. C.

FILED
JAN 2 1901

[Signature]
ASST. COMMISSIONER

Choctaw
5041

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

IN RE Application for Enrollment, as a citizen of the _____ Nation,
of _____, born on the _____ day of _____, 1____
(Here insert name of child)
Name of Father: _____, a citizen of the _____ Nation,
Name of Mother: *Nettie Pickens*, a citizen of the *Choctaw* Nation,
Post-office: _____

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY
District: _____

I, *Nettie Pickens*, on oath state that I am _____ years of age and a citizen, by *marriage* of the *Choctaw* 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.

WITNESSES TO MARK

(Must be Two Witnesses.)

Subscribed and sworn to before me this *11th* day of _____, 190*0*

NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY
District: _____

I, *J. M. Hawk*, a *M. D.*, 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 _____

WITNESSES TO MARK

(Must be Two Witnesses.)

Subscribed and sworn to before me this *11th* day of *Oct*, 190*0*

NOTARY PUBLIC.

IN RE

Application for Enrollment of

AN INFANT CHILD

Albert Pickens

as a citizen of the

Choctaw

Nation.

Approved OCT 6 1902

Commissioner.

RECORDED
INDEXED
FILED
OCT 6 1902

[Signature]
A. J. [unclear]

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

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,
of Albert Pickens, born on the 5 day of Sept, 1902
(Here insert name of child)
Name of Father: Geo. W. Pickens, a citizen of the Choctaw Nation.
Name of Mother: Nettie Pickens, a citizen of the Choctaw Nation.
Post-Office: Hemlock T. L.

AFFIDAVIT OF MOTHER.

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

I, Nettie Pickens, on oath state that I am 31
years of age and a citizen, by Marriage, of the Choctaw Nation;
that I am the lawful wife of Geo. W. Pickens, who is a citizen, by
blood, of the Choctaw Nation, that a male child was
(Sex of child)
born to me on the 5th day of September, 1902; that said child has been
named Albert Pickens, and is now living.

WITNESSES TO MARK

(Must be Two Witnesses.)

Subscribed and sworn to before me this 26th day of September, 1902

J. A. Coen

Notary Public.

Hemlock T. L.

Southern

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, J. M. Hawk, a M. D., on oath state that I
attended on Mrs. Nettie Pickens, wife of Geo. W. Pickens,
on the 5th 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
named Albert Pickens.

WITNESSES TO MARK

(Must be Two Witnesses.)

Subscribed and sworn to before me this 27 day of September, 1902

J. A. Coen

Notary Public.

Hemlock T. L.

Southern

214
7-5041.

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

In the matter of the application for the enrollment of Geo. W. Pickens and his five minor children, Geo. L. Pickens, Mary Myrtle Pickens, Jessie Lee Pickens, Girtie May Pickens and Albert Pickens, as citizens by blood of the Choctaw Nation.

-----c0o-----

It appears from the records of the Commission that on September 7, 1896 in the case entitled "John Pickens, et al., vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, case number 579), original application was made to the 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 the applicants Geo. W. Pickens, Geo. L. Pickens, Mary Myrtle Pickens and Jessie Lee Pickens and on December 2, 1896 the said Geo. W. Pickens, Geo. L. Pickens, Mary Myrtle Pickens and Jessie Lee Pickens were by this Commission denied admission as citizens by blood of 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 "John T. Pickens, et al., vs. Choctaw Nation." (Citizenship Case, number 67), reversed the decision of the Commission denying said Geo. W. Pickens, Geo. L. Pickens, Mary Myrtle Pickens and Jessie Lee Pickens admission to citizenship in the Choctaw Nation and admitted said Geo. W. Pickens (as George Pickens), Geo. L. Pickens (as G. L. Pickens), Mary Myrtle Pickens (as Mary M. Pickens) and Jessie Lee Pickens (as Josie L. Pickens) as citizens by blood of said nation.

The applicants Girtie May Pickens and Albert Pickens are children of the applicant Geo. W. Pickens and Nettie Pickens, a noncitizen, and having been born subsequent to the date of the original application made herein to the Commission in 1896 are identified by proper birth certificates filed with and made a part of the record in this case.


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),

2.

"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. 5246-1904) the Commission to the Five Civilized Tribes is without authority to take any action of any character looking to the enrollment of Geo. W. Pickens, Geo. L. Pickens, Mary Myrtle Pickens, Jessie Lee Pickens, Girtie May Pickens and Albert Pickens as citizens by blood of the Choctaw Nation and it is, therefore, hereby ordered that the application for the enrollment of Geo. W. Pickens, Geo. L. Pickens, Mary Myrtle Pickens, Jessie Lee Pickens, Girtie May Pickens and Albert Pickens as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.



Chairman.

Muskogee, Indian Territory,

Choctaw 5041

Muskogee, Indian Territory, December 3, 1904.

Geo. W. Pickens,

Hennepin, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 3, 1904, dismissing the application for the enrollment of yourself and children, Geo. L. Pickens, Mary Myrtle Pickens, Jessie Lee Pickens, Girtie May Pickens and Albert Pickens, as citizens by blood of the Choctaw Nation.

Respectfully,

Registered.

Chairman.

Incl. 7-5041.

COPY.

Choctaw 5041

Muskogee, Indian Territory, December 3, 1904.

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

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 3, 1904, dismissing the application for the enrollment of Geo. W. Pickens, Geo. L. Pickens, Mary Myrtle Pickens, Jessie Lee Pickens, Girtie May Pickens and Albert Pickens, as citizens by blood of the Choctaw Nation.

Respectfully,



Chairman.

Registered.
Incl. 7-504

Choctaw 5041

COPY.

Muskogee, Indian Territory, December 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 order of this Commission dated December 3, 1904, dismissing the application for the enrollment of Geo. W. Pickens, Geo. L. Pickens, Mary Myrtle Pickens, Jessie Lee Pickens, Girtie May Pickens and Albert Pickens, as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

James H. Smith

Incl. 7-5041.

Chairman.

Muskogee, Indian Territory, December 3, 1900.

Mr. J. G. Ralls,

Atoka, Indian Territory,

Dear Sir:

Your letter of November 28th received, inclosing application for enrollment as a Choctaw of Girtie May Pickens, infant daughter of G. W. Pickens and Nettie pickens, and the same is hereby returned to you for the reason that the Notary Public taking the acknowledgments of the mother and physician has failed to attach his notarial seal to said affidavits. Upon receipt of the inclosed application in proper form, the matter will receive further consideration.

Yours truly,

Muskogee, Indian Territory, January 2, 1900.

J. G. Halls,

Atoka, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of December 24th, 1900, enclosing the application for enrollment as a citizen of the Choctaw nation of Girtie May Pickens, the infant daughter of G. W. and Nettie Pickens, born September 21st, 1900, and the same being in proper form has been duly filed with the records of the Commission and this child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

7-5041

Acting Chairman.

7-5041

Muskogee, Indian Territory, May 13, 1902

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

Dear Sir:

Receipt is hereby acknowledged of your letter of the 10th instant requesting that the Commission acknowledge receipt of the application for enrollment as a citizen of the Choctaw Nation of Girtie May Pickens, to G. W. Pickens, Hennipen, Indian Territory.

You are advised that your request has this day been complied with.

Yours truly,

Acting Chairman.

7-8041

Muskogee, Indian Territory, May 13, 1902.

G. W. Pickens,

Hennipon, Indian Territory.

Dear Sir:

At the request of J. G. Ralls, Attorney at Law, Atoka, Indian Territory, you are advised that the application for the enrollment as a citizen of the Choctaw Nation of Girtie May Pickens, infant daughter of G. W. and Nettie Pickens, born September 21, 1900, was received at this office January 2, 1901, and the same being in proper form was 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.

7-5041.

Muskogee, Indian Territory. October 6, 1902.

J.G. Ralls,

Attorney at Law,

Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Albert Pickens, infant son of George W. and Nettie Pickens, born September 5, 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 July 22, 1903.

Blanton & Andrews,
Attorneys at Law,
Pauls Valley, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of July 16, asking the status of the claim of George Pickens as an intermarried citizen of the Chickasaw Nation.

In reply to your letter you are informed that it appears from our records that George W. Pickens and his children George L. Mary Myrtle, Jessie, Lee, Girtie May and Albert Pickens 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 August 30, 1897 in court case (citizenship docket) Number 87. It further appears from our records that George W. Pickens was admitted in said judgment as George Pickens. 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 allotment of land in the Choctaw and Chickasaw Nations to persons whose claims to citizenship in said nations are dependent upon judgments of the United States courts in Indian Territory, until their rights to such

B & L-2

citizenship have been finally determined.

If this is not the George Pickens to whom you refer and you will give further information concerning the time and place he appeared before the Commission as an applicant for enrollment, his age and the names of other members of his family who appeared at the same time, the matter of your inquiry will receive further consideration.

Respectfully,

Commissioner in Charge.

7-5041

Muskogee, Indian Territory, May 15, 1906.

Blanton & Andrews,
Attorneys at Law,
Pauls Valley, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of May 7, 1906, in which you state that George Pickens was admitted to the Commission to the Five Civilized Tribes as an intermarried citizen of the Chickasaw Nation under the act of June 10, 1896, from which an appeal was taken and afterward dismissed; you inquire the present status of this application and ask if you can be furnished a transcript of the record.

In reply to your letter you are advised that it appears from the records of this office that George . Pickens was denied by the Commission to the Five Civilized Tribes in 1896 Choctaw citizenship case No. 579; that on appeal this action of said Commission was reversed and he and his children were admitted to citizenship in the Choctaw Nation by the United States Court for the Central District of Indian Territory, and as no appeal was taken to the Choctaw and Chickasaw Citizenship Court under the act of Congress approved July 1, 1902, the application for the enrollment of himself and his children was dismissed by the Commission to the Five Civilized Tribes on December 3, 1904.

B. & A. #2

If this is the George Pickens to whom you refer and you will describe the information desired by you in the transcript to which you refer, the matter will receive further consideration.

Respectfully,

Acting Commissioner.

Choc 5042 Andrew Pickens

1-2-3-4-5-6-7-8 Dismissed Dec 3, 1904

5042

Andrew Pickens and others.

Andrew Pickens says:

I am 40. I am father of Florence, Virgie, Fulton, Tolbert, Carlton, and Bessie Pickens, admitted by the U.S. court at South McAlester August 30th 1887, case 187.

Bessie was born October 8th 1896.

I first came to the Territory in 1885, and went to Texas and lived until 1889. I have lived in the Chickasaw nation since 1889. I moved my family here in 1885 and lived a month or so. I came from south Tenn., and have lived here continually since 1889.

I have never lived in the Choctaw nation.

South McAlester, Sept. 15, 1898.

Andrew Pickens
Florence Pickens
Virgie Pickens
Fulton Pickens
Tolbert Pickens
Carlton Pickens
Bessie Pickens ✓

enrolled.

100 114

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. *W. J. Gines* and
Miss *Frances Perkins*
were filed in my office in said Territory and District the *26* day of *April*, A. D. 190*1* and duly recorded in Book *W.* of Marriage Record, Page *382*

WITNESS my hand and Seal of said Court, at

W. J. Gines
Ardmore, this *9th* day
of *April*, A. D. 190*1*

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.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED
FILED
SEP 4 1902

Marriage License

United States of America,
INDIAN TERRITORY
SOUTHERN DISTRICT.

SS1

To Any Person Authorized by Law
to Solemnize Marriage. Greeting:

You Are Hereby Comanded To solemnize the Rite and publish the
Banns of Matrimony between Mr. *W. A. [unclear]*
of *Admore* in the Indian Territory, aged *33* years and
M. [unclear] of *[unclear]*
in the Indian Territory, aged *[unclear]* 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 *October* A. D. 190*1*

[Signature]
Clerk of the United States Court.

Certificate of Marriage.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
SOUTHERN DISTRICT.

SS1

L. R. Cotnam
[Signature]

do hereby certify, that on the *22* day of *October*, A. D. 190*1*,

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 *22* day of *October*, A. D. 190*1*.

My credentials are recorded in the office of the Clerk of the United States Court, Indian
Territory, Southern District, at Ardmore, Book *[unclear]*, Page *[unclear]*.

(NOTE.—The person officiating should fill in the spaces
for book and page and sign here.)

L. R. Cotnam
[Signature]

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.

INDEXED

CHOCTAW.

IN RE

Application for Enrollment of

INFANT CHILD

Carl Edmund Gaires

Citizen
as a ~~Progeny~~ of

Choctaw

Nation.

Approved

SEP 4 1902

190



Commissioner

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

SEP 4 1902



ACTING CHAIRMAN

CHOCTAW.

5042

BIRTH AFFIDAVIT.

VALLEY NEWS CO., PAULS VALLEY, IND. TER.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES

IN RE Application for Enrollment, as a ^{Citizen} ~~Freedman~~ of the *Choctaw* Nation, of
Carl Edmond Gaines, born on the *25* day of *July*, 190*2*
 (Here insert name of child)
 Name of Father: *W P Gaines* a citizen of the *United States* Nation
 Name of Mother: *Florence Gaines* a ^{Citizen} ~~Freedman~~ of the *Choctaw* Nation
 Post-office *Elmore Ind Ter,*

Affidavit of Mother.

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

I, *Florence Gaines*, on oath state that I am *20*
 years of age and a ^{Citizen} ~~Freedman~~ by *Blood* of the *Choctaw* Nation;
 that I am the lawful wife of *W P Gaines*, who is a citizen, by
 of the *United States* Nation; that a ^{Male} ~~Female~~ child was
 born to me on *25* day of *July*, 190*2*, that said child has been
 named *Carl Edmond Gaines* and is now living.

Witness to mark.

Florence Gaines

(Must be two
Witnesses.)

Subscribed and sworn to before me this *30* day of *August*, 190*2*

J P Gibson
Notary Public.

Affidavit of Attending Physician, or Midwife.

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

I, *J N Lindsey*, a *Physician* on oath state that I
 attended on Mrs. *Florence Gaines* wife of *W P Gaines*
 on the *25* day of *July*, 190*2*; there was born to her on
 said date a ^{Male} ~~Female~~ child; that said child is now living and is said to have been
 named *Carl Edmond Gaines*.

WITNESS TO MARK.

J N Lindsey M D

(Must be two
Witnesses.)

Subscribed and sworn to before me this *30* day of *August*, 190*2*

J P Gibson
Notary Public.

7/9
7-5042.

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

In the matter of the application for the enrollment of Andrew Pickens and his six children, Florence Gaines (nee Pickens), Virgie Pickens, Fulton Pickens, Tolbert Pickens, Carlton Pickens and Bessie Pickens and his grandchild Carl Edmond Gaines as citizens by blood of the Choctaw Nation.

-----oOo-----

It appears from the records of the Commission that on September 7, 1896 in the case entitled "John Pickens, et al., vs. Choctaw Nation." (1896 Choctaw Citizenship Docket, case number 579), original application was made to the 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 the applicants, Andrew Pickens, Florence Gaines, Virgie Pickens, Fulton Pickens, Tolbert Pickens and Carlton Pickens and on December 2, 1896 the said Andrew Pickens, Florence Gaines, Virgie Pickens, Fulton Pickens, Tolbert Pickens and Carlton Pickens were by this Commission 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 "John T. Pickens, et al., vs. Choctaw Nation." (Citizenship Case, number 87), reversed the decision of the Commission denying said Andrew Pickens, Florence Gaines, Virgie Pickens, Fulton Pickens, Tolbert Pickens and Carlton Pickens admission to citizenship in the Choctaw Nation and admitted said Andrew Pickens, Florence Gaines (as Florence Pickens), Virgie Pickens, Fulton Pickens, Tolbert Pickens and Carlton Pickens (as Carrolton Pickens) as citizens by blood of said nation.

The applicants Bessie Pickens and Carl Edmond Gaines were born subsequent to the date of the original application made herein to the Commission in 1896. Said Bessie Pickens is identified as being a daughter of Andrew Pickens and Mollie Pickens, a noncitizen, and said Carl Edmond Gaines as being a son of the applicant Florence Gaines and W. P. Gaines, a noncitizen.

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),

2.

"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. 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 Andrew Pickens, Florence Gaines, Virgie Pickens, Fulton Pickens, Tolbert Pickens, Carlton Pickens, Bessie Pickens and Carl Edmond Gaines as citizens by blood of the Choctaw Nation and it is, therefore, hereby ordered that the application for the enrollment of Andrew Pickens, Florence Gaines, Virgie Pickens, Fulton Pickens, Tolbert Pickens, Carlton Pickens, Bessie Pickens and Carl Edmond Gaines as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



Chairman.

Muskogee, Indian Territory,

7-5042.

Muskogee, Indian Territory, December 3, 1904.

Andrew Pickens,

Elmore, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 3, 1904, dismissing the application for the enrollment of yourself, and children, Florence Gaines, Virgie Pickens, Fulton Pickens, Tolbert Pickens, Carlton Pickens, Bessie Pickens and four grand-child, Carl Edmond Gaines, as citizens by blood of the Choctaw Nation.

Respectfully,

Chairman.

Registered.

Incl. 7-5042.

COPY.

7-5042

Muskogee, Indian Territory, December 3, 1904.

Mansfield, McMurray and 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 December 3, 1904, dismissing the application for the enrollment of Andrew Pickens, Florence Gaines, Virgie Pickens, Fulton Pickens, Tolbert Pickens, Carlton Pickens, Bessie Pickens and Carl Edmond Gaines as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

Incl. 7-5042.

Chairman.

Muskogee, Indian Territory, December 3, 1900.

Andrew Pickens,

Elmore, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of November 28th in which you state that you have recently seen Mr. John N. Simpson, School Supervisor for the Chickasaw Nation and that he is making arrangements for all Choctaw children by blood to have the benefit of the schools in the Chickasaw Nation.

You state that he informed you that if you were registered or listed by this Commission for enrollment as a citizen of the Choctaw Nation, that your children would have a right to the Chickasaw schools.

You request that the Commission issue you a certificate as to your enrollment and the enrollment of your children.

You are informed that the Commission cannot at this time issue any certificates to the enrollment of any parties as citizens of either the Choctaw or Chickasaw Nations. The Commission is only empowered to prepare a roll of citizens of these two nations for submission to the Secretary of the Interior for his approval and until such approval the rolls are not final and no certificates can be issued.

The records of the Commission show, however, that Andrew Pickens, 40 years of age, together with his six minor children, Florence, Virgie, Fulton, Gilbert, Carlton and Bessie Pickens were

Andrew Pickens 2

listed for enrollment as citizens of the Choctaw Nation, September 15th, 1898.

Neither you nor your children were ever acknowledged by the Choctaw tribal authorities as citizens of the Choctaw Nation and your names do not appear upon any of the Choctaw tribal rolls but your rights to citizenship in the Choctaw Nation were established by the United States Court for the Central District of the Indian Territory by a judgment rendered on August 30th, 1897, in court case No. 87, by which you and your children were admitted to citizenship in the Choctaw Nation.

Yours truly,

Acting Chairman.

7-5042

7-5042.

Muskogee, Indian Territory, September 8, 1902.

W.P. Gaines,

Elmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 30th ultimo, enclosing the application for enrollment as a citizen of the Choctaw Nation of Carl Edmond Gaines, infant son of W.P. and Florence Gaines, born July 25, 1902; and the same being in proper form has been duly filed with the records of the Commission, and the child listed for enrollment as a citizen of the Choctaw Nation.

Receipt is also acknowledged of the marriage license and certificate between W.P. Gaines and Florence Pickens, and the same have been duly filed with the records of the Commission in the matter of the application for the enrollment of the above named child, and as authority for the change upon our records of the name of the mother from her maiden name to her present married name.

Yours truly,

Acting Chairman.

Choc 5043 Frank Pickens

1-2-3-4 Dismissed 12-3-04

5043

CONFIDENTIAL
COMMUNICATIONS SECTION

Records of the Attorney General's Office for inclusion
ment as citizens of the District of Columbia

Frank Dickens, et al., 1-50-8.

Frank Pickens and others.

Frank Pickens says:

I am 29. I am father of Zonia, and Frankie Pickens.

I and Zonia were admitted by the U.S. court at South McAlester, August 30th 1897, case 87. Frankie was born May 18th 1898.

I have lived in the Chickasaw Nation since 1886, with the exception of 3 months in Texas. That was in 1890. I left my family here then. I came from south Tenn.

Doyle V. McCoy Sept. 15 1898.

Frank Pickens
Zonia Pickens
Frankie Pickens

enrolled.

IN RE

Application for Enrollment of

INFANT CHILD

William Edward Pierson

as a citizen of the

Choctaw

Nation.

Approved, *December 21* 1900


Commissioner.

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

FILED

DEC 21 1900


ACTING CHAIRMAN.

Choctaw
5043.

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

IN RE Application for Enrollment, as a citizen of the *Cochitaw* Nation,
of *William Edeau* born on the *31* day of *Sept* 190*0*
Name of Father: *Frank Pickens*, a citizen of the *Cochitaw* Nation.
Name of Mother: *Mary E. Pickens*, a citizen of the *U S* Nation.
Post-office, *Henrieville N. H.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY
Southern District.

I, *Mary E. Pickens*, on oath state that I am *thirty* years of age and a citizen, by *Marriage* of the *Cochitaw* Nation; that I am the lawful wife of *Frank Pickens*, who is a citizen, by *blood* of the *Cochitaw* Nation; that a *boy* child was born to me on the *31st* day of *Sept* 190*0* that said child has been named *William Edeau*, and is now living.

WITNESSES TO MARK

(Must be Two Witnesses.)

Mary E. Pickens

Southern Subscribed and sworn to before me this *19th* day of *Nov* 190*0*.

J. S. Owen
NOTARY PUBLIC
Henrieville N. H.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY
Southern District.

I, *J. M. Hawk*, M. D. on oath state that I attended on Mrs. *Mary E. Pickens*, wife of *Frank Pickens* on the *31st* day of *Sept* 190*0*; 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 Edeau*.

WITNESSES TO MARK

(Must be Two Witnesses.)

Dr. J. M. Hawk

Southern

Subscribed and sworn to before me this *19th* day of *Nov* 190*0*.

J. S. Owen
NOTARY PUBLIC
Henrieville N. H.

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D6R

7-5043.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE INDIAN TERRITORIES

In the matter of the application for the citizenship of Frank Pickens and his children Zonia Pickens, Freddie Pickens and William Edgar Pickens as citizens of the Choctaw Nation.

It appears from the records of the Commission that on September 7, 1896, the Commission, Frank Pickens, et al., vs. Choctaw Nation, Case No. 573, was filed for admission under the provisions of the act approved June 16, 1896 (29 Stat., 521) for citizenship in the Choctaw Nation of the applicant Frank Pickens and on December 2, 1896 the said Frank Pickens was by the Commission 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 "Frank Pickens, et al. vs. Choctaw Nation" (Citizenship Case number 573), reversed the decision of the Commission denying said Frank Pickens admission to citizenship in the Choctaw Nation and admitted said applicant as a citizen of the Choctaw Nation.

The applicants Zonia Pickens, Freddie Pickens and William Edgar Pickens are the children of the applicant Frank Pickens and his wife, and were born subsequent to the date of the original application made herein to the Commission in 1896.

It further appears from the records in the possession of the Commission that on December 15, 1902 the Choctaw and Chickasaw Citizenship Laws, 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. This case has not been appealed or certified to the said Choctaw and Chickasaw Citizenship Court for Central Indian Territory as prescribed by the provisions of said act of Congress approved July 1, 1902.

In accordance with the opinion of the Acting Attorney General dated July 9, 1904 (I. T. O. 324-1904) and the opinion of the Assistant Attorney General for the Depart-

ment of the Interior dated July 3, 1904 (D. I. 5 46-1904) the Commission to the Five Civilized Tribes is without authority to take any action of any character looking to the enrollment of Frank Pickens, Tom Pickens, Frankie Pickens and William Idcar Pickens as citizens of the Choctaw Nation and it is, therefore, hereby ordered that the application for the enrollment of Frank Pickens, Tom Pickens, Frankie Pickens and William Idcar Pickens as citizens of the Choctaw Nation be dismissed.

COMMISSIONER OF THE BUREAU OF INDIAN AFFAIRS,

asked, Indian Territory,

DE

Choctaw 5043

Muskogee, Indian Territory, December 3, 1904.

Frank Pickens,

Whitehead, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 3, 1904, dismissing the application for the enrollment of yourself and children, Zonia Pickens, Frankie Pickens and William Edear Pickens, as citizens by blood of the Choctaw Nation.

Respectfully,

10

Registered.

Chairman.

Incl. 7-5043.

Chectaw 5043

Muskogee, Indian Territory, December 3, 1-04.

J. G. Ralls,
Attorney at Law,
Atoka, I. T.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 3, 1904, dismissing the application for the enrollment of Frank Pickens, Zonia Pickens, Frankie Pickens and William Edgar Pickens, as citizens by blood of the Chectaw Nation.

Respectfully,

Registered.
Incl. 7-5043.

Chairman.

Choctaw 5043

COPY.

Muskogee, Indian Territory, December 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 order of this Commission, dated December 3, 1904, dismissing the application for the enrollment of Frank Pickens, Zonia Pickens, Frankie Pickens and William Edear Pickens, as citizens by blood of the Choctaw Nation.

Respectfully,

W. G. D.

Incl. 7-5043.

Chairman.

Muskegee, Indian Territory, November 26, 1900.

J. G. Ralls,

Atoka, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 22nd instant enclosing the application for enrollment as a citizen of the Choctaw Nation of William Edgar Pickens, the infant son of Frank and Mary C. Pickens, born October 31st, 1900.

The same is returned to you herewith for the reason that there is not on file with the records of this Commission any evidence of the marriage of Frank Pickens to Mary C. Pickens, the mother of this child. It will be necessary that such evidence be supplied both in the matter of the enrollment of this child and also in the matter of the enrollment of Zonia and Frankie Pickens, the two children of Frank and Mary C. Pickens who have already been listed for enrollment as citizens of the Choctaw Nation in pursuance of a judgment of the United States Court for the Central District of the Indian Territory by which their father was admitted.

Upon return of the application together with the evidence of the marriage of Frank and Mary C. Pickens, the matter of the application for the enrollment of this child will receive further attention.

Yours truly,

Acting Chairman.

7-5043
Enc 2

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, December 21, 1900

J. G. Ralls, Esq.

Atoka, Ind. Ter.

Dear Sir:-

The Commission is in receipt of a certificate of marriage between Frank C. Pickens, and Mary C. McCan, bearing date of November 25, 1895, and filed in the office of the Clerk of the United States Court for the Second Judicial Division, of Indian Territory, under date of November 30, 1895, and the same has been duly filed with the records of this Commission.

Respectfully.

7-5043.

Acting Chairman.

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

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES

Wuskogee, Indian Territory, December 21, 1900.

J. G. Ralls, Esq.

Atoka, Ind. Ter.

Dear Sir:-

The Commission is in receipt of the application for enrollment as a citizen of the Choctaw Nation, of William Edgar Pickens, the infant son of Frank and Mary C. Pickens, born October 31, 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.

7-5043.

Acting Chairman.

7-5043.

Muskogee, Indian Territory, December 5, 1902.

Frank C. Pickens,

Whitehead, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 1st inst., in which you ask if you can have your child, born October 21, 1902, enrolled as a citizen of the Choctaw Nation.

You are advised that the Commission is without authority to consider the application for enrollment of this child as a citizen of the Choctaw Nation, it appearing that said child was born October 21, 1902, subsequent to the ratification by the citizens of the Choctaw and Chickasaw Nations on September 25, 1902, of an act of Congress approved July 1, 1902 (32 Stats., 641).

Section twenty-eight thereof provides as follows:

"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,

Acting Chairman.

7-2043

Muskogee, Indian Territory, January 30, 1903.

Frank Pickens, Wh.

Whitehead, Indian Territory.

Dear Sir:

Your letter of December 20, 1902, addressed to the Secretary of the Interior, has been by him referred to this Commission for consideration and appropriate action. You ask therein if a recognized citizen of the Choctaw or Chickasaw Nation who has always been on the rolls can take the land claimed by a court citizen without paying for his improvements.

In reply to your letter you are advised that the land on which so-called Court claimants have improvements, not in excess of lawful allotments, will not be allotted to any citizen until the rights of such court claimants shall be finally determined.

Respectfully,

Acting Chairman.

Choctaw 5043

Muskogee, Indian Territory, December 23, 1904.

Frank C. Pickens,

Hennepin, Indian Territory,

Dear Sir:

In compliance with your request of December 20, there is returned you herewith marriage license and certificate between Frank C. Pickens and Miss Mary McCan issued by the United States Court for the Second Judicial Division of the Indian Territory, which were filed with the Commission in the matter of your application for the enrollment of yourself and family as citizens of the Choctaw Nation.

Respectfully,

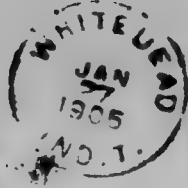
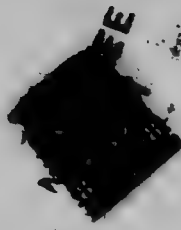
Chairman.

AB 1-23

Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

71.5.113

RECEIVED
JAN 21 1905



5

Frank Eckens,

Whitehead, Indian Territory.

JAN 28 1905

1000

COMMISSIONERS:
TAMM BIXBY,
THOMAS B. NEEDLES,
C. E. BRECKINRIDGE.
WM. O. BRALL,
Secretary.

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

REFER IN REPLY TO THE FOLLOWING:
Choctaw 5043

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, December 3, 1904.

Frank Pickens,
Whitebead, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 3, 1904, dismissing the application for the enrollment of yourself and children, Zenia Pickens, Frankie Pickens and William Edcar Pickens, as citizens by blood of the Choctaw Nation.

Respectfully,

Chairman.

Registered.

Incl. 7-5043.

W. T.
D. C. L.
7-5043.

COPY.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

---c0c---

In the matter of the application for the enrollment of Frank Pickens and his children, Zonia Pickens, Frankie Pickens and William Edgar Williams as citizens by blood of the Choctaw Nation.

---c0c---

It appears from the records of the Commission that on September 7, 1896 in the case entitled "John Pickens, et al., vs. Choctaw Nation" (1896 Choctaw Citizenship Pocket, case number 579), original application was made to the 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 the applicant Frank Pickens and on December 2, 1896 the said Frank Pickens was by this Commission 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 "John T. Pickens, et al., vs. Choctaw Nation" (Citizenship Case, number 87), reversed the decision of the Commission denying said Frank Pickens admission to citizenship in the Choctaw Nation and admitted said applicant as a citizen by blood in said Nation.

The applicants Zonia Pickens, Frankie Pickens and William Edgar Pickens are the children of the applicant Frank Pickens and Mary Pickens, a noncitizen, and were born subsequent to the date of the original application made herein to the Commission in 1896.

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. 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 Frank Pickens, Zonia Pickens, Frankie Pickens and William Edcar Pickens as citizens by blood of the Choctaw Nation, and it is, therefore, hereby ordered that the application for the enrollment of Frank Pickens, Zonia Pickens, Frankie Pickens and William Edcar Pickens as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Tamm

Chairman.

Muskogee, Indian Territory,

DEC 1904

Choc 5044 Mary P. Short

1-2-3-4-5-6-7 Dismissed

5044

DEPARTMENT OF THE INTERIOR
COMMISSIONER OF LANDS AND MINES

Record in the matter of the application for enrollment
as citizens by blood of the Choctaw Nation of:

Mary P. Short, et al., 7-5044.

Mary P. Short and others.

Needham J. Short says:

I am 37. I am husband of Mary P., and father of Samuel E., Thomas Z., Jonathan, Pearl, Henry, and Maggie Short, all admitted by the U.S. court at South McAlester August 30th 1897, case 87, except Maggie, born July 30th 1897.

I have been living in the Territory for 11 years with the exception of 4 months in Texas. That was 2 years ago. I came here from Texas in 1886 or 1887. I had no family at that time. I married here. I lived here until 2 years ago, when I left here, with the intention of making Texas my home and spent 4 months traveling around, and return to the Territory in August 1896. I have lived continuously in the Chickasaw nation since that time. I have never lived in the Choctaw Nation.

Paul's V. H. S. 15 1898.

Mary P. Short
Samuel E. Short
Thomas Z. Short
Jonathan Short
Pearl Short
Henry Short
Maggie Short

enrolled.

M.F.
6/6/11
7-5044.

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

In the matter of the application for the enrollment of Mary P. Short (nee Pickens) and her six minor children Samuel E. Short, Thos. Z. Short, Jonathan Short, Pearl Short, Henry Short and Maggie Short as citizens by blood of the Choctaw Nation.

- - -000----

It appears from the records of the Commission that on September 7, 1896 in the case entitled "John Pickens, et al., vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, case number 579), original application was made to the 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 the applicants Mary P. Short, Samuel E. Short, Thos. Z. Short, Jonathan Short, Pearl Short and Henry Short and on December 2, 1896 the said Mary P. Short, Samuel E. Short, Thos. Z. Short, Jonathan Short, Pearl Short and Henry Short were by this Commission 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 "John T. Pickens, et al., vs. Choctaw Nation" (Citizenship Case, number 87), reversed the decision of the Commission denying said Mary P. Short, Samuel E. Short, Thos. Z. Short, Jonathan Short, Pearl Short and Henry Short admission to citizenship in the Choctaw Nation and admitted said Mary P. Short (as Mary Pickens Short), Samuel E. Short (as Smaule E. Short), Thos. Z. Short (as Thomas Z. Short), Jonathan Short (as Meadham Jonathan Short), Pearl Short (as Georgia Pearl Short) and Henry Short as citizens by blood of said nation.

The applicant Maggie Short is a daughter of the applicant Mary P. Short and N. J. Short, a noncitizen, and was born subsequent to the date of the original application made herein to the Commission in 1896.

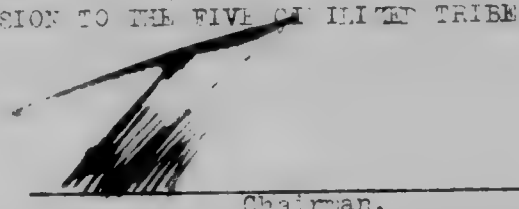
It further appears from the records in the possession of the Commission that on December 17, 1902 the Choctaw and Chickasaw Citizenship Court, created by the provisions of the act of Congress approved July 1, 1902 (32 Stat., 641), "set aside, annulled, vacated and held for naught" the aforesaid judgment of the United States Court for the Central

2.

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. 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 Mary P. Short, Samuel E. Short, Thos. S. Short, Jonathan Short, Pearl Short, Henry Short and Maggie Short as citizens by blood of the Choctaw Nation and it is, therefore, hereby ordered that the application for the enrollment of Mary P. Short, Samuel E. Short, Thos. Z. Short, Jonathan Short, Pearl Short, Henry Short and Maggie Short as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



Chairman.

uskogee, Indian Territory.

7-5044.

Muskogee, Indian Territory, December 3, 1904.

Mary P. Short,

Mill Creek, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 3, 1904, dismissing the application for the enrollment of yourself, and minor children, Samuel Short, Thomas Z. Short, Jonathan Short, Pearl Short, Henry Short and Maggie Short as citizens by blood of the Choctaw Nation.

Respectfully,

Chairman.

Registered.

Incl. 7-5044.

7-5044

Muskogee, Indian Territory, December 3, 1904.

Davis and Garnett,
Attorneys at Law,
Gainesville, Texas.

Gentlemen:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 3, 1904, dismissing the application for the enrollment of Mary P. Short, Samuel [redacted], Thomas Z. Short, Jonathat Short, Pearl Short, Henry Short and Maggie Short as citizens by blood of the Choctaw Nation.

Respectfully,

Chairman.

Registered.

Incl. 7-5044.

7-5044.

COPY.

Muskogee, Indian Territory, December 3, 1904.

Mansfield, McMurray and 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 December 3, 1904, dismissing the application for the enrollment of Mary P. Short, Samuel E. Short, Thomas Z. Short, Jonathan Short, Pearl Short, Henry Short and Maggie Short as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

Chairman.

Incl. 7-5044.

Ashegee, Indian Territory, October 30, 1906.

S. G. ROBT,

Chief, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 24th in relation to the desire to have the names of certain children and citizens of the Choctaw Nation listed for the purpose of starting a school in the Territory.

I have informed the records of these children and citizens of the Choctaw Nation, to wit: Annie Snider, 35 years of age, residing in the Territory and her five minor children, John, Willie, and three others. Also, Patricia Snider, were listed for enrollment. It is desired that some of the Choctaw Nation, Choctaw, have been listed for enrollment. The records of the Choctaw Nation are in the possession of the Choctaw Nation and the roll of the Choctaw Nation is in the possession of the Choctaw Nation.

John T. Pickens, 35 years of age, of the Choctaw Nation, Territory, and his six minor children, John, Willie, and three others, were listed for enrollment by this Commission August 17th, 1906. These parties are citizens by blood of the Choctaw Nation and identified by this Commission from the 1896 Census Roll of the Choctaw Nation.

John T. Pickens, 35 years of age of Homer, Indian Territory, and his four minor children, Ernest, Wlad, James, and John Pickens, Jr., were listed for enrollment by this Commission as

8972

citizens of the Choctaw Nation September 15th, 1896. The names of these parties are not on any of the tribal rolls of the Choctaw Nation and are therefore not citizens of the Choctaw Nation. In the case of the United States vs. [Name], rendered at [Location], in the year 1897, in court case [Number].

[Faint, mostly illegible text, possibly a list or continuation of names and details.]

7-11
7-12
7-13
7-14

Muskogee, Indian Territory, November 28, 1900.

Davis & Garnett,
Attorneys at Law,
Gainesville, Texas.

Gentlemen:

The Commission in receipt of your letter of the 26th instant in which you advise to be informed if Mr. John T. Pickens and Mrs. Needham Short and their children have been listed for enrollment by this Commission as Choctaw Indians.

You are informed that the records of this Commission show that John T. Pickens, 33 years of age, of Indian Territory, together with his four minor children Ernest, Isaac, James and John T. Pickens, Jr., were listed for enrollment by this Commission as citizens of the Choctaw Nation, November 10th, 1899, having been admitted to citizenship in the Choctaw Nation by judgment of the United States Court for the Southern District of the Indian Territory, rendered at South McAlester, Indian Territory, August 30th, 1897 in Court case No. 87, John T. Pickens et. al versus the Choctaw Nation.

Subsequent thereto, on June 27th, 1900, Mary Pickens, the youngest child of John T. and Mar. K. Pickens was listed for enrollment by this Commission as a citizen of the Choctaw Nation upon presentation of the proper affidavits as to her birth.

As to Mrs. Needham Short, you are informed that the records of the Commission show that Mary P. Short, 27 years of age, of Millbank, Indian Territory, and her minor children, Samuel K., Thos. Z., Jonathan, Pearl, Henry and Maggie, were listed for enroll-

7 D & G 2

ment by this Commission as citizens of the Choctaw Nation, September 15th, 1898, in pursuance of the judgment of court above referred.

The Commission makes no charge for this information.

Yours truly,

Acting Chairman.

7-5039

7-5044

7-5044

Muskogee, Indian Territory, June 14, 1906.

N. J. Short,

Brady, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 4, 1906, in which you ask that certain land be segregated for Samuel E. Short.

You are advised that on December 3, 1904, the Commission to the Five Civilized Tribes dismissed the application for the enrollment of Samuel E. Short as a member of the Choctaw Nation and no reservation of land in the Chickasaw Nation can be made for him.

Respectfully,

Commissioner.

COMMISSIONERS:
TAMM RIXBY,
THOMAS E. NEEDLES,
C. E. BRECKINRIDGE.
WM. O. BRALL,
Secretary.

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

7-5044.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, December 3, 1904.

Mary P. Short,

Mill Creek, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 3, 1904, dismissing the application for the enrollment of yourself, and minor children, Samuel Short, Thomas Z. Short, Jonathan Short, Pearl Short, Henry Short and Maggie Short as citizens by blood of the Choctaw Nation.

Respectfully,


Chairman.

Registered.

Incl. 7-5044.

W.F.

D.C.L.

7-50 4.

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

In the matter of the application for the enrollment of Mary P. Short (nee Pickens) and her six minor children Samuel E. Short, Thos. Z. Short, Jonathan Short, Pearl Short, Henry Short and Maggie Short as citizens by blood of the Choctaw Nation.

-----oOo-----

It appears from the records of the Commission that on September 7, 1896 in the case entitled "John Pickens, et al., vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, case number 579), original application was made to the 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 the applicants Mary P. Short, Samuel E. Short, Thos. Z. Short, Jonathan Short, Pearl Short and Henry Short and on December 2, 1896 the said Mary P. Short, Samuel E. Short, Thos. Z. Short, Jonathan Short, Pearl Short and Henry Short were by this Commission 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 "John T. Pickens, et al., vs. Choctaw Nation" (Citizenship Case, number 57), reversed the decision of the Commission denying said Mary P. Short, Samuel E. Short, Thos. Z. Short, Jonathan Short, Pearl Short and Henry Short admission to citizenship in the Choctaw Nation and admitted said Mary P. Short (as Mary Pickens Short), Samuel E. Short (as Smaule E. Short), Thos. Z. Short (as Thomas Z. Short), Jonathan Short (as Meadham Jonathan Short), Pearl Short (as Georgia Pearl Short) and Henry Short as citizens by blood of said nation.

The applicant Maggie Short is a daughter of the applicant Mary P. Short and N.J. Short, a noncitizen, and was born subsequent to the date of the original application made herein to the Commission in 1896.

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 afore-said judgment of the United States 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. 3824-1904) and the opinion of the Assistant Attorney General for the Department of the Interior dated July 30, 1904 (I.T.D. 5248-1904) the Commission to the Five Civilized Tribes is without authority to take any action of any character looking to the enrollment of Mary P. Short, Samuel E. Short, Thos. L. Short, Jonathan Short, Pearl Short, Henry Short and Maggie Short as citizens by blood of the Choctaw Nation and it is, therefore, hereby ordered that the application for the enrollment of Mary P. Short, Samuel E. Short, Thos. Z. Short, Jonathan Short, Pearl Short, Henry Short and Maggie Short as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

(signed) TAMM RIXBY

Chairman.

Muskogee, Indian Territory,

December 2, 1904.

Choc 5045 Lula McDonald

#1-2-3-4 Dismissed Dec 3 1904

5045

ment as ... in the ... of ...

... ..

Lula McDonald and others.

John M. McDonald says: I am 29 . I am husband of Lula, and father of Nellie McDonald.

My wife was formerly Lula Pickens, and daughter of James W. Pickens.

Nellie was born November 27th 1896.

Lul was admitted by the U.S. court at South McAlester, August 30th 1897, case 87, as "Lula Pickens".

I married her in 1894, under laws of Tenn. She was born in Tenn. and came to Ark. and returned to Tenn. She first came to the Territory in Feb . 1898. She moved here at that time. She has been living since that time near Brady, Chickasaw Nation. My children were born in Tenn.

Paul's Valley. Sept. 15 1898.

Lula McDonald
Nellie McDonald

enrolled.

Department of the Interior.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the *Cherokee* Nation.
of *Lucy Ella McDonald* born on the *27th* day of *Jan*, 1899
Name of father: *J. M. McDonald*, a citizen of the *Cherokee* Nation.
Name of mother: *Lou. C. McDonald*, a citizen of the *Cherokee* Nation.
Post Office: *Wheeler, W. Va.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, *Lou. C. McDonald*, do hereby swear, on oath, state that I am *21* years of age and a citizen, by *Birth* of the *Cherokee* Nation; that I am the lawful wife of *J. M. McDonald*, who is a citizen, by *Marriage*, of the *Cherokee* Nation; that a *Girl* child was born to me on the *27th* day of *Jan*, 1899, that said child has been named *Lucy Ella McDonald* and is now living.

Subscribed and sworn to before me this *22nd* day of *July*, 1899
Lou. C. McDonald
Chas A Bennett
Notary Public.

~~Husband's~~ *Physician*
AFFIDAVIT OF ~~ATTENDING PHYSICIAN, OR MIDWIFE~~ *or midwife present*

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, *J. M. McDonald*, do hereby swear, on oath, state that I attended on Mrs. *Lou. C. McDonald*, wife of *J. M. McDonald* on the *27th* day of *Jan*, 1899; that there was born to her on said date *Girl* child; that said child is now living and is ~~aid to have been~~ named *Lucy Ella McDonald*

Subscribed and sworn to before me this *22nd* day of *July*, 1899
Mrs. McDonald
Chas A Bennett
Notary Public.

20

IN RE

Application for Enrollment of

INFANT CHILD

William Charles [unclear]
as a citizen of

Czechoslovakia

Nation.

JUN 27 1901

Approved

190

C. R. [unclear]
Commissioner

RECEIVED
JUL 1 1901
JUN 27 1901

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

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,
of *William Elmer McDonald* born on the *26* day of *January*, 1901
Name of Father: *John M. McDonald* citizen of the *Choctaw* Nation.
Name of Mother: *Lula C. McDonald* a citizen of the *Choctaw* Nation.
Post-office, *Wheeler Indian*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,

Southern DISTRICT

I, *Lula C. McDonald*, on oath state that I am *Twenty three*
years of age and a citizen, by *Birth* of the *Choctaw* Nation;
that I am the lawful wife of *John M. McDonald*, who is a citizen, by
marriage, of the *Choctaw* Nation; that a *male* child was
born to me on the *26th* day of *January*, 1901; that said child has been
named *William Elmer McDonald* and is now living.

WITNESSES TO MARK

(Must be Two Witnesses)

M. J. Stites
M. J. Stites

Lula C. McDonald

Subscribed and sworn to before me this *22* day of *June*, 1901.

Joe Simpson
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,

Central DISTRICT

Mary J. Stites, midwife, on oath state that I
attended on Mrs. *Lula C. McDonald*, wife of *John M. McDonald*,
on the *26* day of *January*, 1901; that there was born to her on
said date a *male* child; that said child is now living and is said to have been
named *William Elmer McDonald*.

WITNESSES TO MARK

(Must be Two Witnesses)

M. J. Stites
M. J. Stites

Mary J. Stites

Subscribed and sworn to before me this *18* day of *June*, 1901.

H. B. Rowley
NOTARY PUBLIC

MS
Pbli
7-5045.

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

In the matter of the application for the enrollment of Lula McDonald (nee Pickens) and her three minor children Nellie McDonald, Lucy Ella McDonald and William Elmer McDonald as citizens by blood of the Choctaw Nation.

-----000-----

It appears from the records of the Commission that on September 7, 1896, in the case entitled "John Pickens, et al., vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, case number 579), original application was made to the 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 the applicant Lula McDonald and on December 2, 1896 the said Lula McDonald was, by this Commission, 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 "John T. Pickens, et al., vs. Choctaw Nation" (Citizenship Case, number 87), reversed the decision of the Commission denying said Lula McDonald admission to citizenship in the Choctaw Nation and admitted said Lula McDonald (as Lula Pickens) as a citizen by blood of said nation.

The applicants Nellie McDonald, Lucy Ella McDonald and William Elmer McDonald are the children of the applicant Lula McDonald and J. M. McDonald, a noncitizen, and were born subsequent to the date of the original application made herein to the Commission in 1896.

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. 3824-1904) and the

2.

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 Lula McDonald, Nellie McDonald, Lucy Ella McDonald and William Elmer McDonald as citizens by blood of the Choctaw Nation and it is, therefore, hereby ordered that the application for the enrollment of Lula McDonald, Nellie McDonald, Lucy Ella McDonald and William Elmer McDonald as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



Chairman.

Muskogee, Indian Territory,

7-5045

Muskogee, Indian Territory, December 3, 1904.

Lula McDonald,

Herbert, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 3, 1904, dismissing the application for the enrollment of yourself, and minor children, Nellie McDonald, Lucy Ella McDonald and William Elmer McDonald as citizens by blood of the Choctaw Nation.

Respectfully,

Chairman.

Registered.

Incl. 7-5045.

7-5045

Muskogee, Indian Territory, December 3, 1904.

Mansfield, McMurray and 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 December 3, 1904, dismissing the application for the enrollment of Lula McDonald, Nellie McDonald, Lucy Ella McDonald and William Elmer McDonald as citizens by blood of the Choctaw Nation.

Respectfully,

Chairman.

Incl. 7-5045.

Muskogee, Indian Territory, March 14, 1901.

J. M. McDonald,
Wheeler, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 9th instant enclosing the application for enrollment as a citizen of the Choctaw Nation of William Elmer McDonald, the infant son of J. M. and Lula C. McDonald, born January 26th, 1901.

The application enclosed in your letter is returned to you herewith for the reason that the Commission cannot accept your affidavit to the birth of the child. It will be necessary that affidavit be made either by the attending physician or nurse at the birth of the child and for this purpose there is enclosed you herewith a new blank application.

Upon receipt of the application in proper form, the matter will be given further consideration.

Yours truly,

Acting Chairman.

C

7-5045

Muskogee, Indian Territory, June 27, 1901.

Mr. John McDonald,
Wheeler, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 23rd instant, enclosing an application for enrollment as a citizen of the Choctaw Nation of William Elmer McDonald, the infant son of John M. and Lula C. McDonald, born January 26, 1901, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

You are informed that the records of the Commission show that when your wife was listed for enrollment, her name was given as Lula McDonald. The records further show that she was admitted to citizenship by a judgment of the United States Court as Lula Pickens.

The Commission notes that her affidavit is signed "Lula C. McDonald," and you are therefore requested to state her full name; also the reason for the use of the initial "C".

Please give this matter your prompt attention.

Yours truly,

Choctaw-8045.

Waskomo, Indian Territory, July 1, 1904.

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

Sir:

Receipt is hereby acknowledged of your letter of June 22nd enclosing communication from Mrs. Julia G. McDonald relative to certain land which she desires to select in allotment. You state you are unable to identify her upon the records of your office. You therefore request that the records of the General Office be examined and in the event that Julia G. McDonald appears as an applicant for enrollment that the enclosed letter be returned to your office with information relative to her status.

In reply to your letter you are informed that it appears from our records that Julia McDonald was admitted to citizenship in the Choctaw Nation by a judgment of the United States Court of the Central District of the Indian Territory, rendered August 30, 1897 in Court Case, Citizenship Docket, number 7; her name and the names of her three children, Nellie, Lucy Ella and William Elmer McDonald, appear upon Choctaw Roll Card, number 8045. The letter of Mrs. Julia G. McDonald (20968-1904)

Choctaw Land Office--2.

Enclosed with your communication is herewith returned.

Respectfully,

Commissioner in Charge.

1-1-1.

Muskogee, Indian Territory, July 12, 1901.

Mr. J. M. McDonald,

Wheeler, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 7th instant, in which you state that the full given name of your wife is Lula Gansady.

You are informed that your letter has been duly filed with the records of the Commission.

Yours truly,

Commissioner in Charge.

7-5045

Choctaw 5045

Muskogee, Indian Territory, March 1, 1904.

Mrs. L. C. McDaniel,

Herbert, Indian Territory,

Dear madam:

Received hereby from the Chief of the letter of February 11, advising you of the rights of your children, and stating that you will be permitted to select the schools which you desire to select for yourself and your children.

In reply to your letter, you are advised that it appears from our records that as in the case of John Pickett, a citizenship in the Choctaw Nation was granted by the United States Court for the Central District of the Indian Territory, rendered August 30, 1897 in court case, citizenship docket, No. 87, on appeal from a decision of the Commission denying your application for citizenship in the Choctaw Nation under the provision of the act of Congress of June 10, 1896.

On December 17, 1902, the Choctaw and Chickasaw Citizenship Court, created under the provisions of the act of Congress of July 1, 1902, vacated and set aside all judgments of the United States Courts in Indian Territory admitting persons to citizenship in the Nation, and it does not appear that appeal was taken in your Choctaw

Choctaw 5045

Muskogee, Indian Territory, May 1, 1904.

Lula C. McDonald,

Herbert, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of your letter of May 15, asking if you and your children, Neal Jefferson, Nellie Frances Elizabeth, Lucie Ella, William Elmer and Lenzo Evert McDonald are on the roll. You also ask for an affidavit to forever prove the birth of Lenzo Evert McDonald, born March 10, 1903.

In reply to your letter you are advised that it appears from our records that you were denied by this Commission in 1896, but on appeal, were admitted to citizenship in the Choctaw Nation by a judgment of the United States Court for the Central District of Indian Territory, August 30, 1897, in court case, citizenship docket, Number 97. On December 17, 1902, the Choctaw and Chickasaw Citizenship Court rendered its decree setting aside and vacating all judgments of the United States courts in Indian Territory admitting persons to citizenship in the Choctaw Nation, and it does not appear that an appeal was taken in this case to the Choctaw and Chickasaw Citizenship Court under the provisions of the act of Congress approved July 1, 1902.

L C McD 2

It appears from our records that application has been made to the Commission for the enrollment of Nellie, Lucy Ella and William Elmer McDonald.

In compliance with your request there is enclosed you herewith blank birth certificate.

Respectfully,

Commissioner in Charge

B C

7-5045.

Muskogee, Indian Territory, September 13, 1904.

Lula G. McDonald,

Herbert, Indian Territory.

Dear Madam:-

Receipt is hereby acknowledged of your letter of the 8th inst., enclosing your affidavit and that of J. M. McDonald relative to the birth of your infant son Lenzo Evert McDonald March 10, 1903, which it is presumed have been forwarded to this office as an application for enrollment of said child as a citizen by blood of the Choctaw Nation.

The act of Congress approved July 7, 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 or freedman 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 Chickasaws.

That portion of your letter requesting information relative to your enrollment will be made the subject of a separate communication.

Respectfully,

Chairman.

Muskogee, Indian Territory, September 16, 1904.

Lula C. McDonald,

Herbert, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 8th instant, enclosing your affidavit and that of J. H. McDonald, relative to the birth of your infant son, Lonzo Evert McDonald, March 10, 1903, which, it is presumed, have been forwarded to this Commission as an application for enrollment of said child as a citizen by blood of the Choctaw Nation.

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 or freedman 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 Chickasaws.

You also request to be advised relative to the enrollment of yourself and your son, Ned Jefferson McDonald.

You are informed it does not appear that any application has been made to this Commission for the enrollment of Ned Jefferson McDonald, and under the provisions of the act of Congress approved July 1, 1902, the Commission is now without authority to receive or

L C McD --2

consider the original application for enrollment of any person whomsoever as a citizen of the Choctaw or Chickasaw Nation.

Relative to the status of your own application for enrollment, you are informed it appears from our records that you were denied by this Commission in 1901, but on appeal were admitted to citizenship in the Choctaw Nation by a judgment of the United States Court for the Central District of Indian Territory, August 20, 1897, in Court case No. 100. On June 17, 1902, the Choctaw and Chickasaw Citizenship Court rendered its decision, aside and vacating all judgments of the United States Court in Indian Territory admitting persons to citizenship in the Choctaw Nation, and it does not appear that an appeal was taken in your case to the Choctaw and Chickasaw Citizenship Court, under the provisions of the act of Congress approved July 1, 1902.

Respectfully,

JM

Chairman.

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

In Re Application for Enrollment, as a citizen of the Chocktaw Nation,
of George Evert McDonald born on the 10 day of March, 1903
(Here insert name of child)
Name of Father: John M. McDonald a citizen of the Chocktaw Nation.
Name of Mother: Leula C. McDonald a citizen of the Chocktaw Nation.
Post-office Herbert Ind Ter

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Leula C. McDonald do hereby state that I am twenty six
years of age and a citizen, by birth of the Chocktaw Nation;
that I am the lawful wife of John M. McDonald, who is a citizen, by
marriage of the Chocktaw Nation; that a male child was
(Male or female)
born to me on 10 day of March, 1903; that said child has been named
George Evert McDonald and is now living.

WITNESSES TO MARK:

Must be Two
Witnesses.

Subscribed and sworn to before me this

8th day of Sept, 1904
Jas. L. Helms

NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MID-WIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, J. M. McDonald do hereby state that I at-
tended on Mrs. Leula C. McDonald; wife of John M. McDonald
on the 10 day of March, 1903; 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
(MALE OR FEMALE)
George Evert McDonald.

WITNESSES TO MARK:

Must be Two
Witnesses.

Subscribed and sworn to before me this

8th day of Sept, 1904
Jas. L. Helms

NOTARY PUBLIC.

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

WM. O. BEALL,
Secretary

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES

REFER TO REPLY TO THE FOLLOWING

7-5045.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, December 3, 1904.

Lula McDonald,

Herbert, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 3, 1904, dismissing the application for the enrollment of yourself, and minor children, Nellie McDonald, Lucy Ella McDonald and William Elmer McDonald as citizens by blood of the Choctaw Nation.

Respectfully,

Chairman.

Registered.

Incl. 7-5045.

Choc 5046 A.P. Jennings

see Choctaw card #181

Dismissed Dec 3, 1904

See also 7-181 for Testimony of Dec 12, 1905

5046

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE WESTERN LANDS.

Records in the office of the Commissioner of the General Land Office, Department of the Interior, Washington, D. C.

A. P. Jones, Esq. 1-514.

Alvin
#

Note

Married in 1881
in Texas under
Texas law.
Married in 1881
afterwards married
as ~~Chaetani~~

7-5046

Choctaw Court Cord C 91

COMMISSION TO THE FIVE CIVILIZED TRIBES.

-----:o:-----

Ardmore, Indian Territory, November 22nd, A. D., 1898.

-----:o:-----

A. P. Jennings, et al,

Vs.

No. _____ Decree rendered Dec. 22nd, 1897.

Choctaw Nation.

-----:o:-----

A. P. JENNINGS, being duly sworn by Commissioner A. S. McKennon, on his oath, says:

I was intermarried with a Choctaw citizen by blood in October 1880; she was not a recognized citizen at the time; we were married in Texas under the Texas law; we moved here in the fall of 1881; she was afterwards enrolled without having been admitted by the Choctaw Council; she was never admitted by the Choctaw Council but was admitted by the above decree; I have been continuously residing in the Chickasaw Nation since we removed to the Territory in 1881; my wife was enrolled on the first roll made by the Choctaws after we removed to the Territory in 1881 and since that time have been recognized. I was advised by my attorney to make application for my wife to the Dawes Commission in 1896 and others were doing likewise, and I therefore made such application.

2.

cation for the enrollment of A. P. Jenkins as a citizen by
intermarriage of the Choctaw Nation of Oklahoma.

COMMISSIONER OF THE FIVE CIVILIZED TRIBES,

A large, dark, handwritten signature, possibly in ink, is written over a horizontal line. The signature is somewhat illegible due to the heavy ink and the way it is written.

Chairman.

Tuskogee, Indian Territory,

C-

Choctaw 5046

COPY!

Muskogee, Indian Territory, December 3, 1904.

A. P. Jennings,

Erin Springs, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 3, 1904, dismissing your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

Registered.
Incl. 7-5046.

Chairman.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

-----o:-----

Ardmore, Indian Territory, November 22nd, A. D., 1898.

-----o:-----

A. P. Jennings, et al,

Vs.

No. _____ Decree rendered Dec. 22nd, 1897.

Choctaw Nation.

-----o:-----

A. P. JENNINGS, being duly sworn by Commissioner A. S. McKennon, on his oath, says:

I was intermarried with a Choctaw citizen by blood in October 1880; she was not a recognized citizen at the time; we were married in Texas under the Texas law; we moved here in the fall of 1881; she was afterwards enrolled without having been admitted by the Choctaw Council; she was never admitted by the Choctaw Council but was admitted by the above decree; I have been continuously residing in the Chickasaw Nation since we removed to the Territory in 1881; my wife was enrolled on the first roll made by the Choctaws after we removed to the Territory in 1881 and since that time have been recognized. I was advised by my attorney to make application for my wife to the Dawes Commission in 1896 and others were doing likewise, and I therefore made such application.

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, December 12, 1905.

In the matter of the application for the enrollment of Andrew P. Jennings as a citizen by intermarriage of the Choctaw Nation and for the enrollment of Arthur and Clyde Jennings as citizens by blood of the Choctaw Nation.

APPEARANCES: (Applicant represented by Z. T. Walron, of Muskogee,
(Indian Territory, hearing on behalf of E. Hamilton,
(attorney at law, of Chickasha, Indian Territory.

ANDREW P. JENNINGS, being first duly sworn, testifies as follows

- Q What is your name? A Andrew P. Jennings.
Q How old are you? A Forty-six.
Q Where do you live? A I live at Erin Springs.
Q How long have you resided in the Chickasaw Nation? A 24 years.
Q You are a white man? A Yes sir.
Q What is your father's name? A Wilburn Jennings.
Q What is your mother's name? A Sarah.
Q Are your father and mother living? A No sir.
Q They are citizens of the United States? Yes sir.
Q Did either your father or mother claim any right as citizens by blood of any tribe of Indians? A Not that I know of.
Q Your claim is purely one as an intermarried citizen of the Choctaw Nation. A Yes sir.
Q What is the name of the Choctaw woman you married? A Her name is Dora Lee.
Q When was you married to her? A In '80.
Q Where? A In Texas.
Q Where was you living at the time you married her? A In Texas.
Q Where was she living? A She was there too. We were married and came right to the Territory.
Q That was in 1880? A No, we came in '81; we wre married in the fall of '80 and came in the spring of '81.
Q In what county in Texas were you married? A Williamson County.
Q After your marriage to this woman, Dora Lee, in 1880, and your subsequent removal to Indian Territory, were you married to her in conformity with the tribal laws of the Choctaw or Chickasaw Nation? A No sir.
Q The only marriage then that was performed between you and this woman, Dora Lee, was the marriage in 1880 in Williamson County, Texas, which was under a license issued by the County Clerk of that county? A Yes sir.

- Q How long after your marriage to Dora Lee did you live together as man and wife? A 19 years.
- Q Is Dora Lee dead? A Yes sir.
- Q What time in 1900? A She died in July--the 25th.
- Q Did you have any children by her? A Yes sir.
- Q How many? A Two.
- Q What are the names of these children? A Arthur and Clyde.
- Q When was Arthur born? A Born in '86.
- Q When was Clyde born? A In '88.
- Q At the time that the payment of the Leased District fund was made to the Choctaws in 1893, did your wife, Dora Lee Jennings, and your two children, Arthur and Clyde Jennings, participate in that payment? A Yes sir.
- Q From what County? A From Pickens County, we were at Purcell.
- Q Did they draw as Choctaws? A Yes sir., \$103.00 a piece.

The names of Dora Lee Jennings, Arthur Jennings and Clyde Jennings appear upon the 1893 Leased District Payment Roll of the Choctaw Nation, Chickasaw District, page 31, opposite Nos. 303, 304 and 305, respectively.

- Q At the time of the preparation of the 1900 Census Roll in the Choctaw and Chickasaw Nations where were you and your family living? A At Erin Springs.
- Q Were your family enrolled in '96? A Is that the first time the Dawes Commission was making the roll?
- Q I mean the tribal roll? A Yes sir.

The names of Dora Lee Jennings, Arthur Jennings and Clyde Jennings are found upon the 1896 Choctaw census roll, Chickasaw District, opposite Nos. 7399, 7400 and 7401, respectively.

- Q Now, Mr. Jennings, in 1896 you made an application in writing to the Commission to the Five Civilized Tribes for the admission of yourself, your wife, Dora Lee Jennings, and your two children, Arthur Jennings and Clyde Jennings, did you not? A Well I'll tell you how that come; a lawyer that that was the best way for me to get on and that's the reason I did that.
- Q You did, however, submit a petition for your wife, yourself and your two children? A Yes sir.
- Q Now what action was taken on that by the Dawes Commission? A Did I take my wife and children before the Dawes Commission?
- Q You made an application for yourself in '96; now what action was taken by the Commission on that? A I don't know, sir.

It appears from the records of this office that the petition submitted by A. P. Jennings for the admission of his wife, Dora Lee Jennings, Arthur Jennings and Clyde Jennings as citizens of the Choctaw Nation, was denied by the Commission to the Five Civilized Tribes from which decision an appeal was taken to the United States Court for the Southern District of Indian Territory, where the decision of the Commission to the Five Civilized Tribes was reversed and Dora Lee Jennings, Arthur Jennings and Clyde Jennings were admitted to citizenship in the Choctaw Nation. After the vacation by the Choctaw and Chickasaw Citizenship Court of the decree of the United States Court for the Southern District of the Indian Territory, admitting Dora Lee Jennings, Arthur Jennings and Clyde Jennings to citizenship in the Choctaw Nation the case was not, within the time prescribed by the Act of Congress approved July 1, 1902, certified to the Choctaw and Chickasaw Citizenship Court

for a trial de novo.

The application for the enrollment of Dora Lee Jennings, Arthur Jennings and Clyde Jennings as citizens of the Choctaw nation was dismissed by the Commission to the Five Civilized Tribes on September 22, 1904, in conformity with the opinion of the Acting Attorney-General of the United States of May 9, 1904, (I.T.D. 2854-1904) and the opinion of the Assistant Attorney General for the Department of the Interior of July 30, 1904 (I.T.D. 5246-1904).

- Q Now Mr. Jennings, you state that these two children, Arthur and Clyde Jennings, were born in the Choctaw nation? A Yes sir.
- Q Have they resided there continuously since their birth? A Yes sir.
- Q Do they live with you now? A Yes sir.
- Q You have stated that you was married to this woman, Dora Lee, in Williamson County, Texas, in 1880? A Yes sir.
- Q Do you know anything of her ancestors and her citizenship prior to the time you married her? A Yes sir.
- Q Where had she been living prior to the time you married her? A In Williamson County.
- Q Was she born there? A No sir, she was born in Lavaca County, Texas.
- Q How did she acquire her citizenship in the Choctaw nation? A By the Hazels and Buchholts.
- Q Do you know the names of the father and mother of Dora Lee Jennings? A No sir, they were dead.
- Q You state that she had always lived in Lavaca and Williamson Counties, Texas up to the time you married her in '80? A Yes sir.
- Q And that you removed to the Chickasaw Nation in '81? A Yes sir.
- Q How did you happen to move here? A We moved here on account of her folks being citizens and came here to share in the rights.
- Q She had not been recognized as a citizen? A No sir.
- Q Was she ever admitted by any act of the Council? A No sir.
- Q Do you know how her citizenship was established? A Through the Hazels and Buchholts.
- Q Was there any act of admission or did any citizenship committee ever pass upon her rights as a citizen? A Nothing.
- Q When was she first recognized as a citizen? A They first recognized her in the spring of '82.
- Q In what manner? A In getting out permits and putting in places; getting out permits for white men to put in land.
- Q Mr. Jennings, as to your citizenship, at the time you married this woman, Dora Lee, in Williamson County, Texas, in 1880, she had never been recognized as a citizen? A No sir.
- Q Was she then a resident of Texas? A Yes sir.
- Q Was born there, married there and lived there until her marriage? A Yes sir.
- Q That was the only marriage performed between you and this woman? A Yes sir.
- Q Were you ever recognized on any of the rolls of the Choctaws and Chickasaws after you removed to the Indian Territory? A No sir.
- Q Was your wife any relatives living in the territory who are citizens? A Yes sir.
- Q You say you do not know who her mother was? A Her mother was a sister of J. Hazel.
- Q Where is J. Hazel now? A He is in San Antonio.
- Q Is he a citizen of the Choctaw Nation? A Yes sir.
- Q What is he doing in San Antonio? A He has some cattle down there--bought 1500 steers; his place is on the Washita close to Lindsay.

- Q Who was it procured the enrollment of your wife and children after you removed here? A Through the Hazels and Buchholts.
- Q Did you have anything to do with it yourself? A No sir, only I took them there as witnesses at Purcell the first roll they made.
- Q Was that the time you drew the \$103? A It was before--they were enrolled and drew afterwards.
- Q You had been living there about eleven years, hadn't you? A Yes sir; I don't remember what year it was.
- Q That was the first time your wife and children were recognized--when they were enrolled and drew this \$103? A Yes sir, my wife's sisters is on the roll and allotted, and all the children.
- Q What are her sisters' names? A Mrs. Matthews and Mrs. Bullock.
- Q Their first names? A Fannie Matthews and Lola Bullock.
- Q When did they come to the Territory? A Well, Mrs. Matthews came in '80 and Mrs. Bullock--I expect about '86.
- Q And this family that you married into had been living in Texas until 1880? A Yes sir.

Olga Petroff, a stenographer to the Commissioner to the Five Civilized Tribes, on oath states that she reported the proceedings in the above entitled cause and that the foregoing is a full, true and correct transcript of her stenographic notes thereof.

Olga Petroff

Subscribed and sworn to before me this 12th day of December, 1905.

Myron White
Notary Public.

Choctaw 141
Choctaw 5046

Muskogee, Indian Territory, August 10, 1906.

A. P. Jennings,

Main Springs, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of August 7, asking in the enrollment of yourself and of two children, Arthur and Clyde Jennings, has been approved by the Secretary of the Interior.

In reply to your letter you are informed that it appears from our records that you were admitted as an intermarried citizen of the Choctaw Nation by a judgment of the United States Court for the Southern District of the Indian Territory, rendered at Ardmore, December 22, 1902, in court case, citizenship docket, Number 142.

Under the provisions of the act of Congress of July 1, 1902 which was ratified by the Choctaw and Chickasaw Nations on September 25, 1902, the Commission is prohibited from enrolling or making any allotment of land in the Choctaw and Chickasaw Nations to persons whose citizenship in said nations is dependent upon judgments of the United States Courts in Indian Territory, until their right to such citizenship has been finally determined.

It further appears from our records that Dora Lee Jennings and Arthur and Clyde Jennings, wife and children of A. P. Jennings,

A P J 2

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.

Respectfully,

Commissioner in Charge.

7-101
7-1010

Washington, D. C., February 10, 1904.

A. P. Jennings,

Fort Springs, Indian Territory.

Dear Sir:-

I received your letter of the 1st of January, 1904, and in reply advised you that the same had been forwarded to the proper authorities.

I am sorry to hear that you are unable to obtain your citizenship. The Department of the Interior, and the Bureau of Indian Affairs, are the proper authorities to whom you should apply. In 1898 an act was passed by the United States Congress which provided for the citizenship of the Choctaw and Chickasaw Nations, and the application for citizenship should be made to the proper authorities in 1902 and that on appeal to the District Court of the Division of the Territory of Oklahoma, and the application should be made as a citizen of the Choctaw Nation.

On November 17, 1903, the Choctaw and Chickasaw Citizenship Court vacated and set aside all judgments in cases pending as citizens of the Choctaw and Chickasaw Nations, and all cases having been taken in this case to the Choctaw and Chickasaw Citizenship Court within the time required by the Act of Congress approved July 1, 1902, the Commission is without jurisdiction to pass upon the application for enrollment of yourself and your children, and the application for the enrollment of your wife Dora Lee Jennings

A. P. 7. 22

and your children Arthur and Clyde Jennings were on September 22,
1904 released.

Respectfully,

W. W. Wagoner in charge.

7-5046

Muslogee, Indian Territory, December 17, 1904.

A. T. Jennings,

Win Springs, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of December 13, 1904, asking why you have been dismissed from the rolls, and stating that you have been a recognized citizen since 1881.

In reply to your letter you are informed that it appears from our records that you were admitted as an intermarried citizen of the Choctaw Nation by a judgment of the United States Court in Indian Territory.

On December 17, 1902, the Choctaw and Chickasaw Citizen-ship Court, created under the act of Congress approved July 1, 1902, vacated and set aside all judgments of the United States Courts in Indian Territory, admitting persons to citizenship in the Choctaw and Chickasaw Nations. It does not appear from our records that appeal was taken in your case to the Choctaw and Chickasaw Citizen-ship Court within the time provided by the act of Congress approved July 1, 1902. It is recommended that a commission be appointed with authority to go to your home and ascertain if you are an intermarried citizen of the Choctaw Nation.

Respectfully,

7-5048

7-181

Muskogee, Indian Territory, April 24, 1905.

A. P. Jennings,

Lindsay, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of April 11, 1905, in which you state you have been informed you are entitled to be enrolled and you ask what steps you should take in your case.

In reply to your letter you are informed that it appears from our records that you and your wife Dora E. Jennings and your children Arthur and Clyde Jennings were denied citizenship in the Choctaw Nation by this Commission in 1896, and on appeal to the United States Court for the Southern District of Indian Territory, in court case No. 142 on citizenship docket, reversed the decision of the Commission and admitted you to citizenship in said Nation.

It further appears that no appeal was taken in this case to the Choctaw and Chickasaw Citizenship Court and on September 22, 1904, the Commission dismissed the application of Dora Lee Jennings, Arthur Jennings and Clyde Jennings for enrollment as citizens by blood of the Choctaw Nation and on December 3, 1904, dismissed the application of Arthur P. Jennings for enrollment as an inter-married citizen of the Choctaw Nation.

1. P. J. #2

No further information can be given you relative to
your case.

Respectfully,

Chairman.

7-181
7-5046

Muskogee, Indian Territory, May 2, 1905.

A. P. Jennings,

Erin Springs, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of April 24, 1905, in which you state that you have been informed a ruling has been made which entitles you and your children to enrollment, and you ask for instructions as how to proceed in the matter.

In reply to your letter you are informed that by a recent opinion of the Assistant Attorney General it was held that the Commission in 1896 had no jurisdiction over persons who had a tribal status. You are advised, however, that since the receipt of this opinion the Commission has been directed by the Department to take no action in this class of cases until further instructed by the Secretary of the Interior.

Respectfully,

Chairman.

7-5046

Muskogee, Indian Territory, August 25, 1906.

R. Hamilton,
Chickasha, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of August 14, 1906, in which you ask the status of the application of A. P. Jennings for enrollment as an intermarried citizen of the Choctaw Nation and the prospect of a speedy determination of the same.

In reply you are advised that on December 3, 1904, the application of A. P. Jennings for enrollment as an intermarried citizen of the Choctaw Nation was dismissed by the Commission to the Five Civilized Tribes, and no subsequent action has been taken in this case and no appeal from said decision was filed within the time provided by the Act of Congress approved April 26, 1906.

Respectfully,

Acting Commissioner.

Choc. 5047 Alfred H. Mitchell

Nos 3-4 Dismissed 5-27-04

5647

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:

Stella May Mitchell, et al.,

7-5047.

-----o-----

Alfred H. Mitchell and others.

Alfred H. Mitchell says:

I am 25. I am father of Ollie and Stella M Mitchell.

I and Ollie were admitted by the U.S. court at South McAlester, August 25th 1897, case 116.

Stella M. was born May 26th 1896.

I live at Elmore, and have lived in the Chickasaw nation 4 years . I now live at Jeffs.

I came from Arkansas in ,1891. I have lived in the Chickasaw Nation during this time.

Paula Vallen. Sept. 15 1898.

Alfred H. Mitchell
Ollie Mitchell
Stella M. Mitchell

enclosed.

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

IN RE Application for Enrollment, as a citizen of the Chaotaw Nation,
 of Grace Mitchell, born on the 2nd day of Nov, 1901
 (Here insert name of child.)
 Name of Father: Alfred H. Mitchell a citizen of the Chaotaw Nation.
 Name of Mother: Cynthia M. Mitchell a citizen of the Chaotaw Nation.
 Post-office Purdy

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Southern District.

I, Cynthia M. Mitchell, on oath state that I am 26
 years of age and a citizen, by Marriage, of the Chaotaw Nation;
 that I am the lawful wife of Alfred H. Mitchell, who is a citizen, by
blood, of the Chaotaw Nation; that a Female child was
 born to me on 2nd day of Nov, 1901; the said child has been
 named Grace Mitchell, and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 1st day of Feb, 1902
[Signature]
 NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Southern District.

I, [Signature], a Physician, on oath state that I
 attended on Mr. Cynthia M. Mitchell, wife of Alfred H. Mitchell,
 on the 2nd day of Nov, 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 Grace Mitchell.

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 1st day of Feb, 1902
[Signature]
 NOTARY PUBLIC

7-5047.

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

In the matter of the application for the enrollment of
Stella May Mitchell and Grace Mitchell as citizens by blood of the
Choctaw Nation.

The applicants, Stella May Mitchell and Grace Mitchell,
claim their right to enrollment as citizens by blood of the Choctaw
Nation through their father Alfred F. Mitchell. The right of the
applicants' father, Alfred F. Mitchell, to citizenship in the Choctaw
Nation having been adversely determined by a decree of the
Choctaw and Chickasaw Citizenship Court, April 13, 1904, in case
No. 101, upon the South McAlester docket of said court, it is hereby
ordered that the application of Stella May Mitchell and Grace
Mitchell for enrollment as citizens by blood of the Choctaw Nation
be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,


Chairman.

Muskogee, Indian Territory,

Choctaw 5047

COPY:

Muskogee, Indian Territory, June 6, 1904.

Alfred H. Mitchell,

Purdy, 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 citizens by blood of the Choctaw Nation of Stella May Mitchell and Grace Mitchell.

Respectfully,

(SIGNED)

James Dixby.

Chairman.

Registered.

Incl. 7-5047.

Choctaw 5047

COPY.

Muskogee, Indian Territory, June 6, 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 citizens by blood of the Choctaw Nation of Stella May Mitchell and Grace Mitchell.

Respectfully,

(SIGNED)

James Dixby.
Chairman.

Registered.

Incl. 7-5047.

(See Choctaw 3328 for registry receipt for this letter.)

CERTIFICATE OF RECORD.

State of Hawaii
County of ~~Honolulu~~
J. P. [unclear]
County Clerk

[REDACTED]

Feb. 21 1967
5-07
[unclear]

[REDACTED]

Marriage License.

DEPARTMENT OF HEALTH, OR
COMMISSION TO THE PEOPLE ORGANIZED FREE

FEB 21 1967

[Signature]
ACTING CLERK

Feb. 21 1967
J. P. [unclear]

[REDACTED]

NOTE: This license with the appropriate fee, is valid for a period of six months from the date of issuance, unless previously annulled. The license is issued within sixty days from the date of issuance, unless previously annulled.



In my presence authorized by Law to solemnize Marriages, I do hereby solemnize and certify that on this _____ day of _____ 1891
 Between Miss Mary Ann Jones of the County of _____ and
 State of _____ aged _____ years
 and Wm. H. Jones of the County of _____ and
 State of _____ aged _____ years
 according to law and do hereby sign and deliver this license to the parties to be united.

Witness my hand and official seal this _____ day of _____

 _____ County Clerk



Notary Public
 County of _____ State of _____
 do hereby certify that on the _____ day of _____ 1891
 that in my presence and according to law as commanded in the foregoing I have solemnized
 the Marriage and the said Miss Mary Ann Jones & Wm. H. Jones between the parties therein named.
 This I do hereby certify this _____ day of _____ 1891

 _____ W. H. Jones

Muskegee, Indian Territory, February 7, 1902.

Alfred H. Mitchell,
Purdy, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Grace Mitchell, the infant daughter of Alfred H. and Cynthia M. Mitchell, born November 2, 1901, and the same is returned to you herewith for the reason that the mother of this child being a non-citizen, it is necessary that you furnish either the original or certified copy of your marriage license and certificate to her.

This evidence of marriage is also necessary in the matter of the application for the enrollment of your child, Stella May Mitchell.

Upon receipt of the evidence of marriage requested above and the return of the application for the enrollment of Grace Mitchell, the matter will be given further attention.

Yours truly,

Commissioner in Charge

Muskogee, Indian Territory, February 21, 1902.

Alfred H. Mitchell,
Purdy, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of recent date enclosing marriage license and certificate between Alfred H. Mitchell and Cynthia M. Watson; also the application for enrollment as a citizen of the Choctaw Nation of Grace Mitchell, the infant daughter of Alfred H. and Cynthia M. Mitchell, born November 2, 1901, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Your marriage license and certificate cannot be returned to you at this time, as requested, as it is necessary that the same be filed with the other records in the matter of the application for enrollment of your minor children.

A certified copy of the same will be furnished you at any time should you need it.

Yours truly,

Commissioner in Charge.

Muskogee, Indian Territory, February 21, 1902.

Alfred H. Mitchell,
Purdy, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of recent date enclosing marriage license and certificate between Alfred H. Mitchell and Cynthia M. Watson; also the application for enrollment as a citizen of the Choctaw Nation of Grace Mitchell, the infant daughter of Alfred H. and Cynthia M. Mitchell, born November 2, 1901, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Under date of February 7, 1902, the above application was returned to you and you were informed that the mother of the child being a non citizen it was necessary that you furnish either the original or a certified copy of your marriage license and certificate to her. You were further informed that this evidence of marriage was necessary in the matter of the application ~~of your child Stella~~ of your child Stella May Mitchell. Therefore the license has been duly filed

A H M 2.

with the records of the Commission; should it become necessary for you to have a certified copy of the same it will be furnished you upon your written application for the same.

Yours truly,

Commissioner in Charge.

Choc 5048 Jasper Marlow

see # 120 mc4CA

record transferred to Choctaw card # 5305

5048

Muskogee, Indian Territory, September 15, 1900

L. H. Morgan,

Minoo, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 13th instant, enclosing a letter from John M. Simpson, Supervisor of Schools of your District, in which he instructs you to write to this Commission to ascertain whether certain children of whom you inquire have been enrolled by this Commission as citizens of the Choctaw Nation. The parties of whom you make this inquiry are Robert G., Hailey M., Earnest J. and Roy Marlow.

You are informed that the records of this Commission show that Robert G., Hailey M., Margaret, Earnest J. and Roy Marlow, the minor children of Jasper and Eva Marlow were listed for enrollment by this Commission as citizens of the Choctaw Nation, November 23rd, 1898, they having been admitted to such citizenship by judgment of the United States Court for the Central District of the Indian Territory rendered at South McAlester, Indian Territory, July 13th, 1897 in court case No. 64.

There is returned to you herewith the letter of Mr. Simpson.

Yours truly,

Acting Chairman.

Enc 1

7-5048

Muskogee, Indian Territory, November 1, 1900.

H. Y. Davis,

Wingo, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the instant in which you desire to be informed if Jasper Marlow has a right in the Choctaw or Chickasaw Nation.

In reply to your inquiry you are informed that the records of this Commission show that Jasper Marlow, 39 years of age, together with his four minor children, Robert C., Male M., Ernest and Roy Marlow were listed for enrollment by this Commission as citizens of the Choctaw Nation, November 23rd, 1898, having been admitted to such citizenship by judgment of the United States Court for the Central District of the Indian Territory rendered at South McAlester, July 13th, 1897 in court case No. 64. In his testimony given at that time he made application for enrollment of himself and his family, he stated that he had maintained a continuous residence in the Indian Territory for thirteen years. The names of these parties are not upon any of the tribal rolls of the Choctaw Nation in the possession of the Commission and their rights as citizens of the Choctaw Nation are under the judgment of the United States Court above referred to.

Yours truly,

Acting Chairman.

7-2-00
5048

Muskogee, Indian Territory, November 26, 1900.

H. G. Davis,

Minco, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 20th instant relative to the rights to citizenship and to hold land in the Choctaw and Chickasaw Nations of Jasper Barlow and his minor children.

You desire an expression from the Commission as to whether the judgment of the United States Court in the Indian Territory admitting these parties to citizenship in the Choctaw Nation gives them unquestionable rights to citizenship in that Nation and the privilege of sharing in the allotment of the lands of the Choctaw-Chickasaw country.

The Commission cannot inform you as to the ultimate rights of persons admitted to citizenship in the Choctaw and Chickasaw Nations by a judgment of the United States Courts in the Indian Territory.

Those persons who have been admitted to citizenship in the Choctaw and Chickasaw Nations by the United States Courts for the Central and Southern District of the Indian Territory make application to this Commission under the act of Congress of June 10th, 1896, which provided:

"That said Commission is further authorized and directed to proceed at once to hear and determine the application of all persons who may apply to them for citizenship in any of said nations, and after said hearing they shall determine the right of

66DR

said applicant to be so admitted and enrolled: Provided, however, That such application shall be made to such commissioners within three months after the passage of this act. The said commission shall decide all such applications within ninety days after the same shall be made."

The same power was also granted to the tribal authorities of both the Choctaw and Chickasaw Nations and the act further provided:

"That if the tribe, or any person, be aggrieved with the decision of the tribal authorities or the Commission provided for in this act, it or he may appeal from such decision to the United States district Court; Provided, however, That the appeal shall be taken within sixty days, and the judgment of the court shall be final."

Under this law the Commission cannot but accept the judgments of the United States Courts in the Indian Territory as the final adjudication of the rights of any party claiming citizenship in the Choctaw or Chickasaw Nations, whose application was filed under the act of Congress of June 10th, 1896. The judgments of the Court are but an order to this Commission to enroll certain persons who were such original applicants and the Commission is without authority to in any way question the judgment of the United States Courts unless the persons so admitted have not complied with the provision of the act of Congress of June 20th, 1896, relative to their having made settlement and been bona fide residents of the Nation in which they claimed citizens by that time.

There has recently, however, been filed in the United States Court for the Central District of the Indian Territory, by the Choctaw and Chickasaw Nations by their legal representatives, a suit in equity against all parties admitted to citizenship in the Choctaw and Chickasaw Nations by these court judgments.

The Commission cannot at this time advise you as to the

1413

final outcome of this suit nor can it in any way question the judgments of the United States Courts in the Indian territory.

It therefore can render no further opinion as to the rights of any persons who have thus been admitted, than in stating that they have been listed for enrollment in pursuance of the judgment of the court by which they were so admitted.

Yours truly,

Acting Chairman.

7-5048

Choctaw 5048

Muskogee, Indian Territory, October 24, 1902.

Hon. John D. Benedict,

Superintendent of Schools in Indian Territory,
Muskogee, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged your letter of the 22nd instant, in which you desire to be advised if George, Ernest, Roy and Robert Marlow are regularly enrolled as Choctaw citizens by blood.

In reply to your letter you are advised that it appears from our records that on November 25, 1898, Robert C., Valcy Margaret, Ernest T. and Roy Marlow, the children of Jasper and Eva Marlow, were listed for enrollment by this Commission as citizens of the Choctaw Nation, having been admitted to such citizenship by a judgment of the United States Court for the Central District of the Indian Territory, rendered at South McAlester, Indian Territory, in Choctaw citizenship case No. 64.

Respectfully,

Acting Chairman.

Jasper Marlow

Robert C

Helen

Margaret

Ray

No. 11-62

Home

Jasper Marlow
Robert C. Marlow
~~Helen Marlow~~
Helen Margaret Marlow
Margaret J. Marlow
Ray Marlow

Note

Admitted as Domica
July 13-97 Ct.
Case No 64
Have recorded in
Marlow has continued
7-5048

Jasper Marlow and others.

XXXXXXXXXXXXXXXXX Needles,

Jasper Marlow says:

My family are now living in the Choctaw nation. My improvements are at Mineo, Chickasaw nation. I have been in the Territory for 12 years continuously. I claim to be an Indian by blood. My mother was Margaret Patterson and my Indian blood comes from her. She claims to be 1/2 Choctaw. Her father was Wesley and my understanding that he was Choctaw. I first discovered that I was a Choctaw in 1890. It has been rumored in the family ever since I can recollect. Part of a family proved up. I have one sister who was admitted. I have been occupying land here for some time. I have never rented since I have been in the Choctaw and Chickasaw Nations. The Choctaw authorities have recognized me since 1890.

Shannon, Oct. 2 1898.

Jasper Marlow
Robert C. Marlow
Haley Marlow
Ernest J. Marlow
Roy Marlow

enrolled.

Jasper Marlow and others.

(Testimony taken and enrollment made at Ardmore, November 23d 1898.)

See testimony of George L. White, Choctaw Court Card 19.)

Jasper Marlow
Robert C. Marlow
Haley Margaret Marlow
Ernest J. Marlow
Rpy Marlow

enrolled.

Choc 5049 Nancy J. Williams

No 4 Dismissed Sep 15, 1904

No 1 Dismissed Jan 26, 1905

5049

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Record in the matter of the application for the enrollment as a citizen by word of the Cherokee Nation of-

Nancy J. Williams.

7-5049.

Nancy J. Williams and others.

Nancy J. Williams says:

I am mother of Maggie and Edna Williams.

I am also mother of Robert B. and Thomas W. Williams, admitted by the U.S. court at Ardmore, December 22nd 1867, case, 104. I first moved to the Territory and remained about 5 years, in 1870. I then went to Texas. They put us out forcibly. My husband had a ranch and cattle and sometimes I was with him at the ranch, and sometimes in Texas.

I last came from Texas with my family the first of last May. I had been residing in Texas about 4 years. I have been residing here continuously since that time.

Paul's Valley, Sept. 15 1898.

Nancy J. Williams
Maggie Williams
Edna Williams

enrolled.

W
1904

7-5049.

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


In the matter of the application for the enrollment of
Nancy J. Williams as a citizen by blood of the Choctaw Nation.

From the records in the possession of the Commission that on September 3, 1896, in the case entitled "William J. Worsythe vs. Choctaw Nation" No. 86, Choctaw citizenship,ocket case No. 465) original application made to this Commission, under the provisions of the Act of Congress approved June 10, 1896, (29 Stat., 521), for the enrollment of the applicant Nancy J. Williams, as a citizen by blood of the Choctaw Nation and on December 2, 1896, this Commission rendered its decision denying said application. From this decision of the Commission an appeal was taken to the United States Court for the Southern District of the Indian Territory, which Court on December 22, 1897, in the case entitled "William J. Worsythe, et al. vs. Choctaw Nation" (Citizenship case No. 104), rendered a judgment reversing the decision of this Commission, admitting the applicant herein to citizenship in the Choctaw 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 herein to citizenship in the Choctaw Nation. Said cause as to the applicant herein has not been appealed or certified to said Choctaw and Chickasaw Citizenship Court, for a trial de novo, within the time limited by the provisions of said Act of Congress approved July 1, 1902, (32 Stat., 641).

In accordance with the opinion of the Acting Attorney General dated May 9, 1904, (I.F.D.3024-1904), and the opinion of the Assistant Attorney General for the Department of the Interior dated June 10, 1904, (I.F.D.524-1904), the Commission to the Five Civilized Tribes is without authority to take any action of any character looking to the enrollment of the applicant herein, Nancy J. Williams, as a citizen by blood of the Choctaw Nation, and it is, therefore, hereby ordered that the application for the enrollment of Nancy J. Williams as a citizen by blood of the Choctaw Nation, be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Chairman.

uskatee, Indian Territory,
IAN

COPY.

Choctaw 5049.

Muskogee, Indian Territory, January 26, 1905.

Nancy J. Williams,

Ryan, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated January 26, 1905, dismissing your application for enrollment as a citizen by blood of the Choctaw Nation.

Respectfully,

SIGNED

Chairman.

Registered.
Incl. 7-5049.

COPY.

Choctaw 5049.

Muskogee, Indian Territory, January 26, 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 26, 1905, dismissing the application for the enrollment of Nancy J. Williams as a citizen by blood of the Choctaw Nation.

Respectfully,

SIGNED,

Chairman.

Incl. 7-5049.

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

))O(((

Record in the latter of the application for enrollment as a citizen by blood of the Choctaw Nation of:

BAYLESS EARLE LEWIS

C- 049.

CHOCTAW.

20

IN RE

Application for Enrollment of

INFANT CHILD

Boyles Carl Lewis

as a citizen of

Choctaw

Nation.

Approved, *January 2* 1901

Commissioner
(Commissioner)

RECEIVED OF THE INDIAN DEPARTMENT,
OFFICE OF THE COMMISSIONER OF THE FIVE CIVILIZED TRIBES
FILED

JAN 2 1901

[Signature]

CHOCTAW.

5049.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation.
 of *Boyles Earle Lewis*, born on the *11th* day of *Dec*, 1900
 Name of Father: *Wade H. Lewis* at present a non-citizen of said Nation.
 Name of Mother: *Maggie Lewis (nee Williams)*, a citizen of the *Choctaw* Nation.
 Post-office, *Ryan, Ind Ter*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA.

Southern District.

Maggie Lewis (nee Williams) on oath state that I am *Twenty*
 years of age and a citizen, by *blood*, of the *Choctaw* Nation,
 that I am the lawful wife of *Wade H. Lewis*, who is a citizen

of the *Choctaw* Nation that a *male* child was
 born to me on the *11th* day of *Dec*, 1900 that said child has been
 named *Boyles Earle Lewis*, and is now living.

WITNESSES TO MARK

(Must be Two) Witnesses

Subscribed and sworn to before me this *11th* day of *Dec*, 1900.

E. C. Milton

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA.

Southern District.

I, *G. C. Milton*, Physician, on oath state that I
 attended on Mr. *Maggie Lewis (nee Williams)* wife of *Wade H. Lewis*,
 on the *11th* day of *Dec*, 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 *Boyles Earle Lewis*.

WITNESSES TO MARK

(Must be Two) Witnesses

Subscribed and sworn to before me this *24th* day of *December*, 1900.

E. E. Morris
NOTARY PUBLIC

non-citizen of the present time

2/6/04

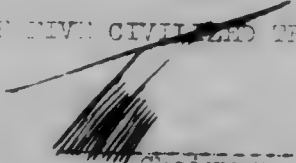
7-5049.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
CITIZENSHIP COURT

Order of the Commission to the Five Civilized Tribes, in right
of Mayless Earle Lewis a citizen by blood of the Choctaw
Nation.

The applicant, Mayless Earle Lewis, claims in right
to enrollment as a citizen by blood of the Choctaw Nation
through his brother, Leade Williams (now Lewis). The right
of the applicant's father, Leade Williams (now Lewis), to
citizenship in the Choctaw Nation having been adversely deter-
mined by a decree of the Choctaw and Chickasaw Citizenship
Court, June 29, 1904 in case No. 62 upon the Pishokingo Decree
of said court, it is hereby ordered that the application of
Mayless Earle Lewis for enrollment as a citizen by blood of the
Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.



Chairman.

Muskogee, Indian Territory,

SEP 15 1904

Choctaw 5049

COPY!

Muskogee, Indian Territory, September 15, 1904.

Maggie Lewis,

Ryan, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 15, 1904, dismissing the application for the enrollment of Bayless Earle Lewis as a citizen by blood of the Choctaw Nation.

Respectfully,

SIGNED

Tame Dixby.

Chairman.

Registered.

Incl. 7-5049.

Chectaw 5049

COPY!

Muskogee, Indian Territory, September 15, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Chectaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated September 15, 1904, dismissing the application for the enrollment of Bayless Earle Lewis as a citizen by blood of the Chectaw Nation.

Respectfully,

(SIGNED)

James Dixby.

Chairman.

Incl. 7-5049.

Muskogee, Indian Territory, January 2, 1901.

Wade H. Lewis,

Ryan, Indian Territory.

Dear Sir:

The Commission is in receipt of your application for enrollment as a citizen of the Choctaw Nation of Bayless Earle Lewis, the infant son of Wade H. and Maggie Lewis, born December 11th, 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.

You are requested to furnish the Commission with either the original or certified copy of the marriage license and certificate between yourself and your wife as authority for the changing of her name from Maggie Williams to Maggie Lewis upon the records of this Commission.

Yours truly,

Acting Chairman.

7-5049

Muskogee, Indian Territory, January 30, 1901.

W. H. Lewis,

Ryan, Indian territory.

Dear Sir:

The Commission is in receipt of your letter of the 26th instant enclosing certified copy of the marriage license and certificate between Wade H. Lewis and Miss Maggie Williams, and the same has been duly filed with the records of this Commission.

Yours truly,

Acting Chairman.

7-5049

THE STATE OF TEXAS
COUNTY OF MONTAGUE

To any regularly licensed or ordained minister of the Gospel, Jewish Rabbi, Judge of the District or County Court or any Justice of the Peace, in and for Montague county, TEXAS:

You are hereby authorized to solemnize the rites of matrimony between Mr. Wade H. Lewis and Miss Maggie Williams and make due return to the Clerk of the County Court of said county within sixty days thereafter, certifying your action under this license.

Witness my official signature and seal of office at office in Montague, the 7 day of June, 1890.

S. P. Strong, Clerk of the County Court Montague County, Tex.

W. G. Strong, Deputy.

(Seal)

I, G. B. Hodges, hereby certify that on the 7 day of June, 1890, I united in marriage Mr. Wade H. Lewis and Miss Maggie Williams, the parties above named.

Witness my hand this 7 day of June, 1890.

G. B. Hodges, Minister of Gospel.

Returned and filed for records the 24th. day of June, 1890. recorded the 26th. day of June, 1890.

S. P. Strong, County Clerk.

THE STATE OF TEXAS
COUNTY OF MONTAGUE

I, S. P. Strong, Clerk of the County Court in and for Montague county, Texas, do hereby certify that the above and foregoing is a true and correct copy of the record of the marriage license and the action thereunder, issued to Wade H. Lewis and Miss Maggie Williams, as the same appears upon the record of Marriages Vol. F and 512, in my office.

Given under my hand and official seal, this 24th. day of January, A. D. 1901.

S. P. Strong
Clerk County Court, Montague County, Texas,

By A. D. Rugeley Deputy.

Choc 5050 Thomas W. Williams

nos 2-3-4 Dismissed sep 15, 1904

5050

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

)))0((

Record in the matter of the application for enrollment as citizens by also of the Cherokee Nation of:

Reene M. Williams, et al.,

7-5050.

Thomas W. Williams and others.

Thomas W. Williams says:

I am 23.

I am father of Reene M., and was admitted by the U.S. court at Ardmore, December 22nd, 1897, case 104.

I was married to Stella C. Clark, under state law, October 18th 1896.

Reene M. was born September 12th 1897.

I have been living in the Territory continuously ever since I can remember, except the time I was away at school.

Pat's Value Sept 15 1898.

Thomas W. Williams
Reene M. Williams

enrolled.

IN RE

Application for Enrollment of

INFANT CHILD

Shoo. W. Williams

as a citizen of the

Choctaw Nation.

Approved, *[Signature]* 1900

[Signature]

Commissioner.

FILED
MAY 24 1900
COMMISSION TO FIVE TRIBES

11 1900
5070

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
 of Thomas William Williams, born on the 13, day of April, 1900
 Name of Father: T. W. Williams, a citizen of the Choctaw Nation.
 Name of Mother: Stella C. Williams, a citizen of the _____ Nation.
 Postoffice: Bynum, La.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY
Southern District.

I, Stella C. Williams, do hereby state that I am 23
 years of age and a ~~single~~ wife by marriage of the Choctaw Nation;
 that I am the lawful wife of Thos. W. Williams, who is a citizen, by
birth of the Choctaw Nation; that a male child was
 born to me on the 13 day of April, 1900; that said child has been
 named Thos. Wm Williams, and is now living.

WITNESSES TO MARK.

(Witnesses)

Subscribed and sworn to before me this 22, day of May, 1900
W. A. Dunn
 Notary Public
 So. Dist. Ind. Terr.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY
Southern District.

I, A. G. Pittick, a Physician, on oath state that I
 attended on Mrs. Stella C. Williams, wife of T. W. Williams,
 on the 13 day of Aprl, 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 Thos. Wm Williams.

WITNESSES TO MARK.

(Witnesses)

Subscribed and sworn to before me this 22, day of May, 1900
W. A. Dunn
 Notary Public
 So. Dist. Ind. Terr.

IN RE

Application for Enrollment of

INFANT CHILD

James Simon Williams
as a citizen of

Chocoma Nation.

Approved, *APR 20 1902* 190

Commissioner.

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

FILED

APR 29 1902

[Signature]
ACTING CHAIRMAN.

✓

50

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

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,
of *James Simon Williams* born on the *5* day of *April*, 1902
Here insert name of child
Name of Father: *Thos W Williams*, a citizen of the *Choctaw* Nation.
Name of Mother: *Stella B Williams*, a citizen of the *Choctaw* Nation.
Post-office, *Ryan* *OK*

AFFIDAVIT OF MOTHER.

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

I, *Stella B Williams*, 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 W Williams*, who is a citizen, by
blood, of the *Choctaw* Nation, that a *male* child was
(male or female)
born to me on the *5* day of *April*, 1902 that said child has been
named *James Simon Williams*, and is now living.

WITNESSES TO MARK

(Must be Two
Witnesses)

Subscribed and sworn to before me this *20th* day of *April*, 1902

Cham Jones
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, *S K Montgomery*, a *physician*, on oath state that I
attended on Mrs. *Stella B Williams*, wife of *Thos W Williams*,
on the *5* day of *April*, 1902 that there was born to her on
said date a *Male* child; that said child is now living and is said to have been
(male or female)
named *James Simon Williams*.

WITNESSES TO MARK

(Must be Two
Witnesses)

Subscribed and sworn to before me this *20th* day of *April*, 1902.

S K Montgomery M.D.
Cham Jones
NOTARY PUBLIC.

1640

7-5050.

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

---o---

In the matter of the application for the enrollment of Re ne M. Williams, et al., as citizens by blood of the Choctaw Nation.

---o---

The applicants, Re ne M. Williams, Thos. William Williams and James Simon Williams, claim their rights to enrollment as citizens by blood of the Choctaw Nation through their father Thomas W. Williams. The right of the applicants' father, Thomas W. Williams, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case No. 62 upon the Tishomingo docket of said court, it is hereby ordered that the application of Re ne M. Williams, Thos. William Williams and James Simon Williams for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,


Chairman.

Muskogee, Indian Territory,

SEP 15 1904

Chectaw 5050.

COPY! *

Muskogee, Indian Territory, September 12, 1904.

Thomas W. Williams,

Ryan, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 13, 1904, dismissing the application for the enrollment of Reese M. Williams, Thos. William Williams and James Simon Williams as citizens by blood of the Chectaw Nation.

Respectfully,

SIGNED

Samuel Dixby.

Chairman.

Registered.

Incl. 7-5050.

Choctaw 5050.

COPY:

Muskogee, Indian Territory, September 15, 1904.

Chas Jones,
Attorney at Law,
Ryan, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 15, 1904, dismissing the application for the enrollment of Reese M. Williams, Thos. William Williams and James Simon Williams as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

W. B. Jones,
Chairman.

Registered.

Incl. 7- 5050.

Choctaw 5080.

COPY.

Muskogee, Indian Territory, September 15, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated September 15, 1904, dismissing the application for the enrollment of Reese M. Williams, Thos. William Williams and James Simon Williams as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

James Dixby
Chairman.

Incl. 7-5050.

7-5050

Mustang, Indian Territory, April 29, 1908.

Chan Jones,
Attorney at Law,
Ryan, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 26th instant enclosing the application for enrollment as a citizen of the Choctaw Nation of James Simon Williams, infant son of Thomas W. and Stella C. Williams, born April 5, 1902, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Commissioner in Charge

Choc 5051 Robert B. Williams

nos 4-5-6 Dismissed SEPT 15, 1904

5051

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:

LYCURGUS H. WILLIAMS, ET AL., C-5051.

Robert B. Williams and others.

Robert B. Williams says:

I am 25. I am husband of Kittie and father of Nannie R. and Lycurgus H. Williams.

We were admitted by the U.S. court at Ardmore December 22nd 1897, case 104.

Lycungus H. was born October 23d 1897.

I have been residing in the Territory every since I have been big enough to get about. I think since 1880. I was away during the winter at school and during one summer. I have recently been living with my family in the Territory .

Sept. 15 1898.

Robert B. Williams
Kittie Williams
Nannie R. Williams
Lycurgus H. Williams

enrolled.

IN RE

Application for Enrollment of
INFANT CHILD.

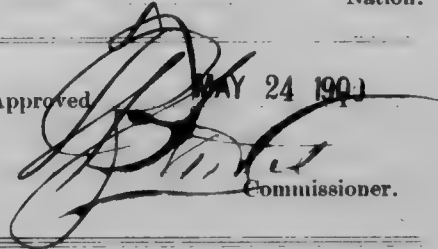
Robert Maines Mills and

As a citizen of the

Choctaw Nation.

Approved

MAY 24 1901



Commissioner.

APR 2 1900
COMMISSION TO THE TRIBES.

*Chick
5051
C. 16.*

Department of the Interior.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
 of Robert Manna Williams, born on the 31 day of January, 1900.
 Name of father: R. B. Williams, a citizen of the Choctaw Nation.
 Name of mother: Ketty A. Williams, a citizen of the Choctaw Nation.
 Post Office: Ryan, Ind. Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,

INDIAN TERRITORY,

Saukern District.

I, Ketty A. Williams, 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 R. B. Williams who is a citizen, by birth, of the Choctaw Nation; that a male child was born to me on the 31 day of January, 1900; that said child has been named Robert Manna Williams and is now living.

Subscribed and sworn to before me this 31st day of March, 1900.

H. H. Williams

H. H. Williams

Notary Public.

H. H. Williams

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,

INDIAN TERRITORY,

Saukern District.

I, S. D. Clark, a Physician, on oath, state that I attended on Mrs. Ketty A. Williams, wife of R. B. Williams on the 31 day of January, 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 Robert Manna Williams.

Subscribed and sworn to before me this 29th day of March, 1900.

S. D. Clark M.D.

W. J. Russell

Notary Public.

W. J. Russell

W. J. Russell

IN RE

Application for Enrollment of

INFANT CHILD

Paul Aubrey Williams
as a citizen of

Czechoslovakia Nation.

Approved

190

[Signature]
Commissioner

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE GENERAL LAND OFFICE
FILED

5051

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

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,
of *Paul Aubrey Williams*, born on the *22nd* day of *March*, 1902
(Here insert name of child.)
Name of Father: *Robert B Williams* a citizen of the *Choctaw* Nation.
Name of Mother: *Kitty A Williams* a citizen of the *Choctaw* Nation.
Post-office *Ryan - Ind. Ar.*

AFFIDAVIT OF MOTHER.

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

I, *Kitty A Williams*, on oath state that I am *Twenty Five (25)*
years of age and a citizen, by *Marriage* of the *Choctaw* Nation;
that I am the lawful wife of *Robert B Williams*, who is a citizen, by
Black, of the *Choctaw* Nation; that a *Male* child was
born to me on *22nd* day of *March*, 1902; that said child has been
named *Paul Aubrey Williams*, and is now living.

WITNESSES TO MARK:
(Must be Two Witnesses) }
Kitty A Williams

Subscribed and sworn to before me this *27th* day of *April*, 1902
W. J. Russell
NOTARY PUBLIC
Marion County, Ind.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, *S. D. Clark*, a *Physician*, on oath state that I
attended on Mrs. *Kitty A Williams*, wife of *Robert B Williams*
on the *22nd* day of *March*, 1902 that there was born to her on
said date a *Male* child; that said child is now living and is said to have been
named *Paul Aubrey Williams*.

WITNESSES TO MARK:
(Must be Two Witnesses) }
S. D. Clark M.D.

Subscribed and sworn to before me this *22nd* day of *April*, 1902
W. J. Russell
NOTARY PUBLIC
Marion County, Ind.

Idw

7-5051.

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

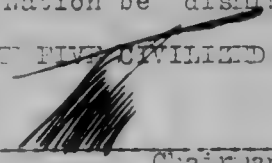
-----o-----

In the matter of an application for the enrollment of Lycurgus H. Williams, et al., as citizens by blood of the Choctaw Nation.

-----o-----

The applicants, Lycurgus H. Williams, Robert Maines William and Paul Aubrey Williams, claim their rights to enrollment as citizens by blood of the Choctaw Nation through their father Robert B. Williams. The rights of the applicants' father, Robert B. Williams, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case No. 62 upon the Tishomingo docket of said court, it is hereby ordered that the application of Lycurgus H. Williams, Robert Maines Williams and Paul Aubrey Williams for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



Chairman.

Muskogee, Indian Territory,

SEP 15 1904

Choctaw 5051

COPIES

Muskogee, Indian Territory, September 15, 1904.

Robert B. Williams,

Ryan, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 15, 1904, dismissing the application for the enrollment of Lycurgus H. Williams, Robert Maines Williams and Paul Aubrey Williams as citizen by blood of the Choctaw Nation.

Respectfully,

SIGNED

James Bixby.

Chairman.

Registered.

Incl. 7-5051.

Choctaw 5051.

COPY.

Muskogee, Indian Territory, September 15, 1904.

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

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated September, 15, 1904, dismissing the application for the enrollment of Eyourgus H. Williams, Robert Maines Williams and Paul Aubrey Williams as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

James Dixby.
Chairman.

Incl. 7-5051.

7-8051

Muskogee, Indian Territory, April 9, 1902.

Robert B. Williams,
Ryan, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Paul Aubrey Williams, infant son of Robert B. and Kittie A. Williams 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.

Choc 5052 Aven Kelton

no 5 Dismissed may 27, 1904

5052

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:

-----o-----

Bessie Lee H. Anderson,

7-5052.

-----o-----

IN RE

Application for Enrollment of

INFANT CHILD

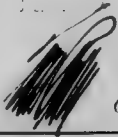
Bessie L. N. Anderson

as a citizen of the

Choctaw

Nation.


Approved, _____ 1900



Commissioner

FILED
JUN 18 1900
COMMISSION TO FIVE TRIBES.

5052



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 Stager Anderson, born on 11 day of March 1890. Name of Father: Blumer Anderson a citizen of the Choctaw Nation. Name of Mother: Mary Anderson, a citizen of the United States Postoffice, ...

AFFIDAVIT OF MOTHER. 42111 matter

UNITED STATES OF AMERICA,)

INDIAN TERRITORY

Southern District,)

I, Sarah A. Kellan

on oath state that I am ... years of age and a citizen, by ... that I am the lawful wife of ... who is the lawful husband of ... that Blumer Anderson ... the said Mary Anderson born to me on the 11th day of ...

named Bessie Lee Stager and was ... the 28th of May 1890 with the mother the said Mary Anderson ... WITNESSES TO MARK ...

(Must be Two Witnesses) ... Subscribed and sworn to before me on this 6th day of June 1900 ... Lottie B. Mullen

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,)

INDIAN TERRITORY

Southern District,)

I, Blumer Anderson

attended on Mrs. ... Mary Anderson that ... on the ... day of ... that there was born to her on or about the 11th day of March 1890 ... said date a ... child; that said child's now living and is said to have been named Bessie Lee Stager Anderson

WITNESSES TO MARK

(Must be Two Witnesses)

Blumer Anderson

Subscribed and sworn to before me on this 6th day of June 1900 ... Lottie B. Mullen NOTARY PUBLIC

Handwritten initials

7-5052.

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

In the matter of the application for the enrollment of
Bessie Lee H. Anderson as a citizen by blood of the Choctaw Nation.

The applicant, Bessie Lee H. Anderson, claims her right
to enrollment as a citizen by blood of the Choctaw Nation through
her father Blummer Anderson. The right of the applicant's father,
Blummer Anderson, to citizenship in the Choctaw Nation having
been adversely determined by a decree of the Choctaw and Chickasaw
Citizenship Court, March 21, 1904, in case No. 105, upon the South
McAlester docket of said court, it is hereby ordered that the ap-
plication of Bessie Lee H. Anderson for enrollment as a citizen by
blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,


Chairman.

Muskogee, Indian Territory,

Checta. 5032

COPY

Muskogee, Indian Territory, June 6, 1904.

Aven Kelton,

Sans Bois, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Nations, dated May 27, 1904, dismissing the application for enrollment as a citizen by blood of the Choctaw Nation of Bessie Lee H. Anderson.

Respectfully,

(SIGNED)

James H. King

Chairman.

Registered.

Incl., 7-5052.

Choctaw 5052

COPY.

Muskogee, Indian Territory, June 6, 1904.

J. F. 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 27, 1904, dismissing the application for enrollment as a citizen by blood of the Choctaw Nation of Pessie Lee H. Anderson.

Respectfully,

(SIGNED)

James Kirby.

Chairman.

Registered.

Incl. 7-5052.

Choctaw 5052

COPY.

Muskogee, Indian Territory, June 6, 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 Bessie Lee H. Anderson.

Respectfully,

(SIGNED)

James Dixby.

Chairman.

Registered.

Incl. 7-5052.

(See Choctaw 3328 for registry receipt for this letter.)

Aven Kelton and others.

Sarah Kelton says:

I am 40. I am wife of Aven and mother of Blummer and Julian Anderson, admitted by the United States court at South McAlester, September 9th 1897, case 130.

"Julian" was admitted in the name of "Julia A." The person described in the decree as "Julia" is "Julian".

I live at Sans Bois, Choctaw Nation. I have been there 11 years. I have been living in Texas all my life. I was born in Louisiana.

My father and mother never lived in the Territory. I have been living here continuously, with my family, 11 years.

I married Aven Kelton 3 years ago. He was admitted as an intermarried citizen.

My first husband James Anderson is in Texas. I am separated from him.

Paul's V. E. J. Sept. 15 1898.

Aven kelton
Sarah kelton
Blummer Anderson
Julian Anderson

enrolled.

Department of the Interior,
Commission to the Five Civilized Tribes,
Colbert, I. T., June 13, 1900.

5052

In the matter of the application for the enrollment of Bessie Lee Hazel Anderson as a Choctaw; Bloomer Anderson being sworn and examined by Acting Chairman Bixby testifies as follows:

- Q What is your name? A Bloomer Anderson.
Q What is your age? A Twenty-two.
Q Where do you live? A Ardmore.
Q How long have you lived there? A About a year.
Q Where did you live before that? A Sans Bois.
Q How long did you live at Sans Bois? A Twelve or thirteen years I guess.
Q Have you been living in the Territory continuously for the last ten or twelve years? A Yes sir.
Q You are now making application for the enrollment of Bessie Lee Hazel Anderson? A Yes sir.
Q When was she born? A 11th day of March 1898.
Q 1878? A I can't exactly tell you.
Q How old is the baby? A Two years old, the 11th day of last March.
Q Then she was born in 1898 wasn't she? A I guess so, you see I can't count any figures, to do any good at all.
Q Are you married to Mary Anderson? A I have been married to her; I am divorced from her now.
Q When did you marry her? A I have got a license to show.
(Produce's license and it appears therefrom that Bloomer Anderson married Mary Dees on the 17th day of February 1897, marriage license offered on file; certificate offered in evidence and placed on file.)
Q You are not living with Mary Anderson now? A No sir.
Q You are divorced from her? A Yes sir.
Q You haven't any wife at present? A Yes sir I have got a wife.
Q There is no application made in behalf of your present wife is there? A No sir.

M.D. Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported the above case, and that the foregoing is a full, true and complete transcript of his stenographic notes taken in said case.

Subscribed and sworn to before me this 15 day of June 1900.


Acting Chairman.

Sans Bois, Sans Bois County,
Choctaw Nation, Indian Territory,
July 10, 1897.

Avon Kelton,

vs:

Choctaw Nation,
United States.

To the Hon. Dawes Commission:

Avon Kelton in his own proper person, alleges the following facts as constituting his cause of action, namely:

First: Petitioner says, that he is 30 years of age and a white man. That his P.O. Address is Sans Bois, I. T., that he has resided in the Choctaw Nation for the past 20 years, except, at short intervals.

Second: Petitioner further says that he inter-married with Sarah A. Kelton nee Anderson in the year of 1891, with whom he now lives; and that he inter-married with Sarah A. Kelton nee Anderson, in Sans Bois, Sans Bois County, Choctaw Nation, in the year of 1891; but by such marriage, no children have been born.

Third: Petitioner further says that his wife, the said Sarah A. Kelton nee Anderson is a Choctaw Indian Woman by blood but her rights to citizenship in the Choctaw Nation has been disputed by the Choctaw Authorities, although, she is at least 1/4 Choctaw by blood and an admixture of white and Choctaw. He married under the customs and Usages of the Choctaw Tribe of Indians. That he was married to said Sarah A. Kelton nee Anderson by Solomon Mc-Gilbray a Choctaw Indian Citizen and Officer of the Choctaw Nation, duly authorized to solemnize the said marriage. That he herewith submits (the) a copy of the marriage licence and a certified copy of the marriage certificate; and claims his rights to enrollment for Choctaw citizenship in the Choctaw Nation, under and by virtue of having inter-married with Sarah A. Kelton nee Anderson, under and by virtue of said marriage licence, having been married to the said Sarah A. Kelton nee Anderson in accordance with the Customs and marriage laws of the Choctaw Nation or Tribe of Indians. That said marriage occurred in August of 1891. That he has been residing continuously in the Choctaw Nation ever since. That he has been voting in their National Elections and abiding by their laws and customs. That he and his wife, the said Sarah A. Kelton nee Anderson are now residing in Sans Bois County where they have been residing since their marriage. That he also, herewith submits the affidavits of two or more credible witnesses in support of his claim, and asks that it be made a part of this petition and to be taken as evidence in support of his claim.

The premises considered, wherefore, petitioner prays to be enrolled by your Hon. Commission under and by virtue of an act of Congress, approved June 7th., 1897; and under and virtue of rules and regulations adopted by your Hon. Commission, at Fort Gibson, Indian Territory June 28th., 1897.; and under and virtue of the laws and treaties made by and between the Choctaw (Nation) and Chickasaw Nations of Indian and the United States; and under and by virtue of the Constitution, the laws, customs and usages of the Choctaw Nation of Indians, to the end that he may be permitted to share in the lands, annuities and funds of the Choctaw Nation; and for all other proper relief.

Avon Kelton) seal.

CORRECTION

THIS DOCUMENT
HAS BEEN
REPHOTOGRAPHED
TO ASSURE
LEGIBILITY

Sans Bois, Sans Bois County,
Choctaw Nation, Indian Territory

Aven Kelton,

vs:

Choctaw Nation,
United States.

To the Hon. Dawes Commission:

Aven Kelton in his own proper person, alleges the following facts as constituting his cause of action, namely:

First: Petitioner says, that he is 30 years of age and a White man. That his P.O. Address is Sans Bois, I. T., that he has resided in the Choctaw Nation for the past 20 years, except, at short intervals.

Second: Petitioner further says that he inter-married with Sara A. Kelton nee Anderson in the year of 1891, with whom he now lives; and that he inter-married with Sarah A. Kelton nee Anderson, in Sans Bois, Sans Bois County, Choctaw Nation, in the year of 1891; but by such marriage, no children have been born.

Third: Petitioner further says that his wife, the said Sarah A. Kelton nee Anderson is a Choctaw Indian Woman by blood but her rights to citizenship in the Choctaw Nation has been disputed by the Choctaw Authorities, although, she is at least 1/4 Choctaw by blood and an admixture of white and Choctaw. He married under the customs and Usages of the Choctaw Tribe of Indians. That he was married to said Sara A. Kelton nee Anderson by Solomon Mc-Gilbrey, a Choctaw Indian Citizen and Officer of the Choctaw Nation, duly authorized to solemnize the rites of matrimony. That he herewith claims (the) a copy of the marriage license and a certified copy of the marriage certificate; and claims his rights to enrollment for Choctaw citizenship in the Choctaw Nation, under and by virtue of having inter-married with Sarah A. Kelton nee Anderson, under and by virtue of said marriage license, having been married to the said Sarah A. Kelton nee Anderson in accordance with the Customs and marriage laws of the Choctaw Nation or Tribe of Indians. That said marriage occurred in August of 1891. That he has been residing continuously in the Choctaw Nation ever since. That he has been voting in their National Elections and abiding by their laws and customs. That he and his wife, the said Sara A. Kelton nee Anderson are now residing in Sans Bois County where they have been residing since their marriage. That he also herewith submits the affidavits of two or more credible witnesses in support of his claim, and asks that it be made, a part of this petition and to be taken as evidence in support of his claim.

The premises considered, wherefore, petitioner prays to be enrolled by your Hon. Commission under and by virtue of an act of Congress, approved June 7th., 1897; and under and virtue of rules and regulations adopted by your Hon. Commission, at Fort Gibson, Indian Territory June 28th., 1897.; and under and virtue of the laws and treaties made by and between the Choctaw (Nation) and Chickasaw Nations of Indian and the United States; and under and by virtue of the Constitution, the laws, customs and usages of the Choctaw Nation of Indians, to the end that he may be permitted to share in the lands, annuities and funds of the Choctaw Nation; and for all other proper relief.

Aven Kelton, 1891.

United States of America,
Central Judicial District,
In the Indian Territory.

And ^{John} Kelton says that the statements set forth in the above and foregoing petition, he believes to be true, as he verily believes.

John Kelton.....) seal(

subscribed and sworn to before me, this the 15 day of July 1897.

W. W. Humphreys
Notary Public.

My Commission expires on the _____ day of _____ 189_____

United States of America,
Indian Territory,
Central District.

Bloomer Anderson being duly sworn states:

is Bloomer Anderson. I am 20 years of age. I am a son of Sarah A. ^{My name}
Kelton and a step-son of Aven Kelton. I know that my said step-father
procured a license from the Choctaw authorities to marry my mother.
My mother is regarded as a Choctaw Indian woman, and my step-father
Aven Kelton is a white man. He was married to my mother in August,
1891, and has been living with her as husband and wife every since.

I am living with them near Sans Bois, Sans Bois county, Choctaw Nation.

Bloomer Anderson

Subscribed and sworn to before me this 15th day of July, 1897.

W. W. Williams

Notary Public.

Kelton.

United States of America,
Indian Territory,
Central District.

Aven Kelton being duly sworn states:

My name is Aven Kelton, I am 30 years old, and reside near Sans Bois, Choctaw nation, Indian Territory, and have lived in the Choctaw nation for more than 20 years last past. I first ~~was~~ intermarried with Sarah A. Anderson, my present wife under the laws of the United States, on the 4th day January, 1891. At the time I married her she lived in Sans Bois county, Choctaw nation.

Wishing to enjoy the rights of a Choctaw citizen, and she being a Choctaw Indian, and at that time enjoying all the rights as such, I procured a license from the ~~sheriff~~ clerk of the Choctaw court, whose name was Wallace bond. I was married by Judge Solomon McGilberry, who was at that time judge of Sans Bois county. I married in good faith under the Choctaw law. This last marriage occurred in August, 1891. A certified copy of said license is hereto attach. in this case, and which is asked to be made a part of this affidavit.

Aven Kelton

Subscribed and sworn to before me this 15th day of July, 1897.

W. W. Cunningham
Notary Public.

United States of America,
Central District,
Indian Territory.

I, E. F. Jefferys do solemnly swear, that I served the within and foregoing application of Aven Kelton's consisting of two sheets of paper, type written and one certified copy of Marriage License consisting of one page and one affidavit purporting to be the affidavit of Aven Kelton and one affidavit purporting to be the affidavit of Blosser Anderson consisting of one page; the whole consisting of five separate pages, the same being fastened together, the same being being a true copy of duplicate of the same upon Green Mc-Curtain, Governor of the Choctaw Nation, in the town of Sans Bois, Sans Bois County, Choctaw Nation, Indian Territory, on the 22 day of July 1897. By delivering to him, the said Green Mc-Curtain, Governor of the Choctaw Nation, a true copy of said petition of Aven Kelton, said Marriage License and said affidavits of said Aven Kelton and Blosser Anderson, as above and herein described.

E. F. Jefferys

Subscribed and sworn to before me this the 22 day of July 1897.

B. Johnson
Notary Public.

My Commission expires on the 17 day of July 1897.

IN THE CHOCTAW AND CHICKASAW CITIZENSHIP COURT

Sarah C. Keller - et al No 1007

vs.

Choctaw and Chickasaw Nations

UNITED STATES OF AMERICA,

Central
Smith District of the Indian Territory,
Indian Territory

I, James B. Cassada, Clerk of the Choctaw and Chickasaw
Citizenship Court, do hereby certify that the following, consisting of about
29 typewritten pages, is a full, true and correct copy of the Opinion of
said Court, rendered on the 21 day of *March*, 1904, in the
above entitled cause and now on file in my office.

Cassada Witness my hand and seal of said Court, this 11th day of
1904

James B. Cassada
Clerk, Choctaw and Chickasaw
Citizenship Court.

In the County of ... Territory,
...
...

Ernst A. Kisten, et al.,
vs.
...
...

OPINION, of ...

This cause ... under
the Act of ...

The parties to ... her son
Eli or Anderson or ...
her daughter, ...

The cause ...
civil case ...
...

...
...
...

...
States Court for the Central District of the Indian Territory,
and there tried de novo, on the ^{ex parte} affidavits filed before the Com-
mission to the Five Civilized Tribes, and upon depositions taken of
two of the parties hereto, and one Mr. Martin. A judgment was
rendered on the report of a master in favor of all the parties,
Aven Kisten as an intermarried citizen, and the rest of the

... the ...
... the ...
... was ...
... years old,
...
... care;
... at
... the
... the
...
...
... are not
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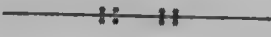
N. S. Hoall
Associate Judge

James B. Adams
Chief Justice

Walter L. Neave
Associate Judge

382
Cent copy

DECREE OF DIVORCE.



Bloomer Anderson

Plaintiff.

vs.

Mary Anderson

Defendant.

No. 3824

Now on this *13* day of *December*

cause comes on to be heard upon the report of the Master in Chancery, filed herein, which said report is by the Court confirmed and approved, and exhibits filed therewith; and the plaintiff appearing by his attorney *J. P. Mullen* and appearing that the defendant had been legally summoned and failed to appear and make answer, and it appearing from said Master's report that the allegations in the plaintiff's complaint are true and the Court being fully advised in the premises.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, That the Bonds of Marimony existing between the Plaintiff and the Defendant be and the same are hereby set aside and held for naught.

It is further ordered *that the defendant, Mary Anderson be and she is hereby given the care, control and custody of said minor child, Bessie Lee Hazel Anderson*

United States of America,)

INDIAN TERRITORY.)

SOUTHERN DISTRICT.)

I, C. M. CAMPBELL, Clerk of the United States Court for the Southern District of the Indian Territory, do hereby certify that the above and foregoing is a true and correct copy of the original decree as appears from the records of this Court.

WITNESS my hand and seal of office, at *Wagon* this, the

14 day of *Dec.* 1899

C. M. Campbell
CLERK U S COURT, SOUTHERN DISTRICT, INDIAN TERRITORY

DEPUTY CLERK

Certificate of Record of Marriages.

UNITED STATES OF AMERICA,)
THE INDIAN TERRITORY,) SCT
CENTRAL DISTRICT)

I, P. B. STONER, 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. *[Handwritten Name]* and

M. *[Handwritten Name]*

were filed in my office in said Territory and District

the *[Handwritten Day]* day of *[Handwritten Month]* A. D. 189*[Handwritten Year]*

and duly recorded in Book *[Handwritten Number]* of marriage

Records page *[Handwritten Page]*

WITNESS my hand and seal of said Court on

this

day of

A. D. 189*[Handwritten Year]*

P. B. STONER, Clerk

By

Deputy

FILED
JUN 18 1900
COMMISSION TO FIVE TRIBES

NO. _____
OF _____
SERIES _____
Page 16 Book 7
Richard
By _____

No. 443

MARRIAGE LICENSE.

United States of America,
INDIAN TERRITORY,
CENTRAL DISTRICT

Blumer Anderson *Sau Bois*

is Mary Alice. *Sau Bois*

WITNESS my hand and office at *Sau Bois* *13* day

Febry

J. P. Peterson
CLERK OF THE DISTRICT COURT

CERTIFICATE OF MARRIAGE

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
CENTRAL DISTRICT

I, A. B. Johnson *a Preacher of the Gospel*
DO HEREBY CERTIFY that on the *seventeenth* day of
February *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 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 *B* page *70*

A. B. Johnson
a Preacher of the Gospel

NOTE: This License and Certificate of Marriage must be returned to the office of the Clerk of the United States Court in the Indian Territory from whence it was issued, within sixty days from the date thereof, or the party to whom the License was issued will be liable in the amount of one Hundred Dollars (\$100).

NEW BORN

IN RE

Application for Enrollment of
INFANT CHILD.

Russie L. Anderson

As a citizen of the

CHOCTAW

Nation.

Approved

1.

Commissioner.

Recd March 28, 1896

AGT

1896.

DEPT

INDIAN AFFAIRS

JUN 11 1906

CHOCTAW

5082

RECEIVED
JUN 11 1906

Department of the Interior.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation, of Bessie L Anderson, born on the 25th day of 10 1871.

Name of father: Blumer Anderson, a citizen of the Choctaw Nation.

Name of mother: Mary Anderson, white woman, a citizen of the Nation.

Post Office: of Blumer Anderson

Affidavit of Mother.

UNITED STATES OF AMERICA, INDIAN TERRITORY, District.

I, Mary Anderson, on oath, state that I am years of age and a citizen, by and am a white of the Woman Nation; that I am the lawful wife of Blumer Anderson who is a citizen, by blood of the Choctaw Nation; that a female child was born to me on the 25th day of March 1871; that said child has been named Bessie Anderson, and is now living.

Subscribed and sworn to before me this 25th day of May 1906.

Mary Catherine Anderson Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, District.

I, Mrs. Bailey, a midwife, on oath, state that I attended on Mrs. Mary Anderson, wife of Blumer Anderson on the 25th day of March 1871; 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 Anderson.

Subscribed and sworn to before me this 24th day of May 1906.

Mrs. F. Bailey Notary Public.

My term expires June 25th 1907.

Choctaw Nation
Sans Bois les E

To any person
legally authorized to perform
the marriage ceremony: Greeting
Upon an hereby authorized
to join in the holy bonds
of matrimony, and to celebrate
the rites and ceremonies of
marriage between Owen Keltin
a citizen of the U.S. and
Amelia Anderson, a citizen
of the Choctaw Nation, accord-
ing to usages and customs
and the laws of the Choctaw
Nation

Given under my hand this
the 4th day of January, 1892.

Wolomon M. Gibbons

Judge Sans Bois les E

Attest

Wallace Brown
Clerk

This is to certify that
the foregoing is a true &
correct copy of the record
of Sans Bois les E - as found
on page 230 - This July
19, 1897

Wm. M. Hill
les Bois

J F 12

December, 1899, and that the court in granting the divorce gave to Mary Anderson, the care, control and custody of their child, Fessie Lee Hazel Anderson.

It appears from our records that Mary Anderson has never made any claim to enrollment as a citizen of the United States and this child, Fessie Anderson, now appears as listed for enrollment with the father, Elmer Anderson.

You are therefore requested to inform the Commissioner as to all the facts in our possession in regard to this case and also the nature of the application for the enrollment of this child, Fessie Anderson. State of Ohio, H. D. Caldwell and Elmer Anderson were married and all children born during the marriage shall be the children of the original or certified copy of the marriage license and certificate between Elmer Anderson and Mary Anderson.

Upon receipt of the marriage license and certificate and the return of the application for enrollment, all receive the same for consideration.

Respectfully,

Acting Chairman

Enc a

7-5188
7-5201

Muskogee, Indian Territory, October 12, 1900.

J. P. Mullen,
Attorney at Law,
Ardmore, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 10th instant in which you state that there was sent to the Commission some time ago the application for the enrollment of Elmer Anderson the infant son of Plummer and Ann Anderson, and in which you request to be advised as to what the records of the Commission show in regard to this matter.

You are informed that our records fail to show that an application for the enrollment of Elmer Anderson, the infant son of Plummer and Anna Anderson, has ever been received and filed by the Commission.

Yours truly,

Acting Chairman.

7-5052

7-5052

Muskogee, Indian Territory, June 12, 1906.

R. H. Couch,

Westville, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 24, 1906, inclosing affidavits of Mary Ketcher nee Anderson and Mrs. J. T. Bailey to the birth of Bessie L. Anderson, child of Blumer and Mary Anderson, March 28, 1898.

Respectfully,

Commissioner.

10000 13.
Chester 5052

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, June 8, 1904.

Aven Kelton,

Sans Bois, 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 Bessie Lee H. Anderson.

Respectfully,

Registered.

Incl. 7-5052.

Chairman.

Choc 5053 Rutherford P. Jones

See Choctaw 5055, 5056, 5057, 5092, 5281, 5283,
5287, 5288

5053

Choctaw Court, Card C 96

IN RE application of Rutherford P. Jones et al.,
Stern vs. Commissioner McKennon.

Rutherford P. Jones says:

I am 40. I am father of Recondes and Nellie
Jones, admitted by the U.S. court Ardmore, case 14, January
17th 1936.

I have been living in the Territory for one
year. I came to the Territory in Dec of last year. I came
from Miss. and had never resided in the Territory before that time.

Ardmore, Sept 3 1936.

Rutherford P. Jones
Recondes Jones
Nellie R. Jones

enrolled.

Choctaw Court Card C. 100

IN RE application of William A. Jones and others.

Sworn by Commissioner McKennon.

William Albert Jones says:

I have been living in the Chickasaw Nation about one year. I came here September 10th last. I have lived here with my family since that time.

Andmore, Sept 22 1904.

William A. Jones
Garland R. Jones

Controlled.

Choctaw Court Card 2. 101

IN RE application of John G. Jones and wife.

Sworn by Commissioner McKinnon.

John G. Jones says:

I have lived in the Territory of Oklahoma for
I came here in September, 1903, from Arkansas. I and my wife are
continuously in my family since that time.

Attest, September 1903.

John G. Jones
Mary A. Jones
William G. Jones
George D. Jones
Walter J. Jones
Lizzie B. Jones
Lilburn B. Jones
Pearl V. Jones

per 1120.

Choctaw Court Card C. 102.

IN RE application of Robert J. Jones.

Sworn by Commissioner McKennon,

I have

Robert J. Jones says:

I have been living in the Territory continuously
with my family since last December.

Andrew Sept. 1900.

Robert J. Jones.

Choctaw Court Case No. 137

IN RE application of William J. Jones and others.

Sworn by Commissioner McKennon.

William J. Jones says:

My daughter Alta F. was born March 5th 1898.

I have been living in the Territory since December 1897 with my family.

Attest: Sept. 11-98.

William J. Jones
Sallie M. Jones
Alta F. Jones
enrolled.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

-----o-----

Ardmore, Indian Territory, November 22nd, A. D., 1898.

William J. Jones,

vs. Case No. 111.

Choctaw Nation.

-----o-----

WILLIAM J. JONES, Plaintiff, vs. Choctaw Nation A. S.
McKenna, Defendant.

My name is William J. Jones, I was admitted to citizenship in the Choctaw Nation by the United States Court at Ardmore on the 15th day of November, 1898, Court case No. 111. On the first day of November, 1898, I had a girl child born to me and my wife Sallie M. Jones, which child we named Noma Lila. The birth of this child was after my application had been made to the Dawes Commission for citizenship in the Choctaw Nation and was not, therefore, included in my application.

Choctaw Court Card 2. 50 .

IN RE application of Brinkley W. Jones and others.

Sworn by Commissioner McKenna.

Brinkley W. Jones says:

I have been living in Georgia. I came to the Territory in October 1st 1898, with my 2 children. They are 30 and 25 years old. We claim to be Indians by blood. My father claims to be akin to Sam Jones. I do not know what he is of blood. His father was a chief.

Duncan, Oct. 17 1898.

Brinkley W. Jones
Elizabeth M. Jones
Sallie F. Jones

enrolled.

Choctaw Court Card C 328.

IN RE application of Amanda M. Jones.

Sworn by Commissioner McKennon.

Amanda M. Jones says:

I lived in Arkansas for about one year
ago. I have been living in the Chickasaw Nation about 12 months.
I came here about Christmas 1897. I claim to be 1/16 Choctaw.

Duncan, Oct. 17 1898.

Amanda M. Jones
enrolled.

Choctaw Court Card C. 332

IN RE application of Charles M. Jones and others.

Sworn by Commissioner McKennon.

Charles M. Jones says:

Lynn P. was born November 4th 1897.

I have been living in Georgia until August last. I claim to
be 1/16 Choctaw. I was married November 18th 1898 to Sara Belle
Pritchard.

Subscribed, Oct. 17 1900.

Charles M. Jones

Lynn P. Jones

Subscribed.

Cherokee Court Case No. 10

IN RE application of Garland R. Jones and others.
Sworn by Commissioner McKennon.

Garland R. Jones says:

Jennie W. was born September 23d 1894.

Ruth C. was born September 17th 1894.

Neither of these children are in the decree.

I have been living in the Chickasaw Nation since December
17th 1897. I came from Arkansas. I claim to be 1/4 Choctaw.

Duncan, Oct. 17 1898.

Garland R. Jones
Ruth C. Jones
Jennie W. Jones

enrolled.

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

IN RE Application for Enrollment, as a citizen of the _____ Nation,
 of _____, born on the _____ day of _____, 1902.
 (Here insert name of child)
 Name of Father: _____ a citizen of the _____ Nation,
 (nee Jones)
 Name of Mother: _____ a citizen of the _____ Nation.
 Post-office _____

Indian Territory
Southern District

I, _____
 A. Pick _____
 Guest, nee Jones on the _____ day of _____ 1902 that there was born
 to her on that date a female child, that said child is now living
 has been named _____ that the mother _____ is now
 deceased.

Subscribed # and sworn to before me this the _____ day of _____ 1902.

(SEAL)

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA.
INDIAN TERRITORY,
Southern District.

I, _____, on oath state that I
 attended on Mrs. _____, wife of _____
 on the _____ day of _____, 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 _____ that the mother _____ is now deceased

WITNESSES TO MARK.

(Must be Two
Witnesses)

Subscribed and sworn to before me this _____ day of _____ 1902.

(SEAL)

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 May Candis Guest, born on the 31 day of March, 1902.
(Here insert name of child.)
Name of Father: Joe S. Guest, a citizen of the United States, nee Jones, Nation.
Name of Mother: Nellie Rutherford Guest, citizen of the Choctaw Nation.
Post-office Comanche 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 _____ day of _____, 1902, 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 _____, 1902.

NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, W.H. Montgomery, a physician, on oath state that I
attended on Mrs. Nellie R. Guest, wife of Joe S. Guest
on the 31 day of March, 1902, that there was born to her on
said date a female child; that said child is now living and is said to have been
named May Candis. That the mother Nellie R. Guest is now deceased.

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 20 day of Jul, 1902.

(SEAL)

W. B. Lockett
NOTARY PUBLIC

DEPARTMENT OF THE INTERIOR,
Commission to the Five Civilized Tribes.

IN RE Application for Enrollment, as a citizen of the Sitton Nation
Of Thompson born on the 9 day of March
1900.

Name of Father Geo. S. ... a citizen of the Sitton Nation
Name of Mother ... a citizen of the Sitton Nation.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,

INDIAN TERRITORY, SS.

SOUTHERN DISTRICT.

I, ... I am ... years
of age and a citizen, of the Sitton Nation,
that I am the lawful wife of Geo. S. ...
by ... that ...
child was born to me on the 9 day of March 1900; that said
child has been named ... and is now living.
Witnesses to mark:

(SEAL)

Subscribed and sworn to before me this ... day of ... 1902.

Notary Public

AFFIDAVIT OF ATTENDING PHYSICIAN.

UNITED STATES OF AMERICA,

INDIAN TERRITORY,

SOUTHERN DISTRICT.

I, ... on oath
state that I attended on ... wife of
Geo. S. ... on the ... day of ... 1900; that there
was born to her on said date a ... child, that said child is
now living and is said to have been named ...
Witnesses to mark:

(SEAL)

Subscribed and sworn to before me this the ... day of ... 1902.

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

Notary Public.

FILED

DEC 1902.

TRANS BUXBY Act of ...

DEPARTMENT OF THE INTERIOR,
Commission to the Five Civilized Tribes.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation
Of Frank Williams, born on the 1 day of May
1902.

Name of Father Geo B Williams, a citizen of the Choctaw Nation

Name of Mother Ann Williams, a citizen of the Choctaw Nation

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,

INDIAN TERRITORY, SS.

SOUTHERN DISTRICT.

I, Ann Williams, on oath state that I am 37 years
of age and a citizen, by law, of the Choctaw Nation;
that I am the lawful wife of Geo B Williams who is a citizen,
by law, of the Choctaw Nation; that a son
child was born to me on the 1 day of May 1902; that said
child has been named Frank Williams and is now living.
Witnesses to mark:

(SEAL)

Subscribed and sworn to before me this 10 day of May A. D. 1902.

[Signature]
Notary Public

AFFIDAVIT OF ATTENDING PHYSICIAN.

UNITED STATES OF AMERICA,

INDIAN TERRITORY,

SOUTHERN DISTRICT.

I, Dr. J. W. Williams, on oath
state that I attended on Mrs. Ann Williams wife of
Geo B Williams on the 11 day of May 1902; that there
was born to her on said date a son child; that said child is
now living and is said to have been named Frank Williams.
Witnesses to mark:

(SEAL)

Subscribed and sworn to before me this the 1 day of May 1902.

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

[Signature]
Notary Public.

FILED
MAY 10 1902

WAMS WIXBY ARCHIVE

W. J. Jones

7-5093.

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

In the matter of the application for the enrollment of Lutherford P. Jones, et al., as citizens of the Choctaw Nation consolidating the applications of:

Lutherford P. Jones, et al.,	2056
William A. Jones	2056
John T. Jones, et al.,	2056
Robert T. Jones	2057
William J. Jones, et al.,	5001
Brinkley T. Jones, et al.,	2051
Amanda M. Jones	2051
Charles M. Jones, et al.,	2051
Warland T. Jones, et al.,	2051

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

It appears from the record herein that on September 12, 1898 application was made to this Commission for the enrollment, as citizens of the Choctaw Nation, of Lutherford P. Jones, Beames Jones, Nellie R. Jones, William A. Jones, John T. Jones, Mary A. Jones, William J. Jones, George T. Jones, Walter T. Jones, Lizzie T. Jones, Wilburn T. Jones, Pearl T. Jones, Robert T. Jones, William J. Jones, Callie T. Jones and her minor children Alva T. Jones and Noma Lila Jones; that on October 17, 1898 application was made to this Commission for the enrollment, as citizens of the Choctaw Nation, of Brinkley T. Jones, Elizabeth M. Jones, Callie T. Jones, Amanda M. Jones, Charles M. Jones and his minor son Lynn P. Jones, Warland T. Jones and his minor children Jennie M. Jones and Ruth T. Jones; and that subsequent thereto written applications were made to this Commission for the enrollment of May Candis Guest, born March 31, 1902 and who is a daughter of the applicant Nellie R. Jones and Joe T. Guest, a non-citizen, and of Herman Hampton Jones and Donald Wilburn Jones, born March 9, 1900 and March 11, 1902, respectively, sons of the applicant Callie T. Jones and Gus T. Jones, a non-citizen.

It does not appear from the evidence in this case or the records in the possession of the Commission that any of the applicants herein has ever been enrolled by the tribal authorities of the Choctaw Nation, or admitted to citizenship in the Choctaw Nation by the legally constituted authorities of said nation, or admitted to citizenship in said nation by the Commission to the Five Civilized Tribes, or by the United States Court in Indian Territory, in accordance with the provisions of the act of Congress approved June 10, 1896 (29 Stat., 531).

It further appears from the records of the Commission that on January 17, 1896 the United States Court for the Southern District of Indian Territory, in the case entitled "Walter T. Jones, vs. Choctaw Nation" (Citizenship, Case number 146), entered of

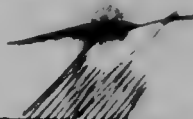
record a decree admitting to citizenship in the Choctaw Nation, among others, the applicants Rutherford P. Jones (as Rutherford Pennmore Jones), Beaudes Jones (as Beaudis Jones), Nellie P. Jones (as Nellie Rutherford Jones), William A. Jones (as William Albert Jones), John S. Jones (as John Sandy Jones), Mary A. Jones, William C. Jones (as William Oscar Jones), George W. Jones (as Joe W. Jones), Walter E. Jones, Lizzie E. Jones, Wilburn P. Jones, Pearl W. Jones (as Pearlie W. Jones), Robert J. Jones, Walter J. Jones (as William James Jones), Lillie P. Jones, Brinkley P. Jones (as Brinkley Wilbourn Jones), Elizabeth P. Jones (as Elizabeth May Jones), Lillie P. Jones (as Lillie Fisher Jones), Amanda P. Jones (as Amanda Melvina Jones), Charles P. Jones (as Charlie Arion Jones) and Garland P. Jones (as Garland Rutherford Jones), and on January 17, 1900 entered of record a judgment and decree, bearing as of January 17, 1899, correcting said original judgment and decree in therefrom the names of Rutherford P. Jones (as Rutherford Pennmore Jones), Beaudes Jones (as Beaudis Jones), Nellie P. Jones (as Nellie Rutherford Jones), William A. Jones (as William Albert Jones), John S. Jones (as John Sandy Jones), Mary A. Jones, William C. Jones (as William Oscar Jones), George W. Jones, Walter E. Jones, Lizzie E. Jones, Wilburn P. Jones, Pearl W. Jones (as Pearlie W. Jones), Robert J. Jones, William J. Jones (as William James Jones), Lillie P. Jones, Brinkley P. Jones (as Brinkley Wilbourn Jones), Elizabeth P. Jones (as Elizabeth May Jones), Lillie P. Jones (as Lillie Fisher Jones), Amanda P. Jones (as Amanda Melvina Jones), Charles P. Jones (as Charlie Arion Jones) and Garland P. Jones (as Garland Rutherford Jones).

It further appears from the records 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., 441), "set aside, annulled, vacated and held for naught" the aforesaid judgment of the United States Court for the Southern District of Indian Territory. Said case as to certain of the applicants therein was duly appealed to 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, but as to the applicants herein Rutherford P. Jones (as Rutherford Pennmore Jones), Beaudes Jones (as Beaudis Jones or Beaudis Jones), Nellie P. Jones (as Nellie Rutherford Jones), William A. Jones (as Wm. Albert Jones), John S. Jones (as John Sandy Jones), Mary A. Jones, William C. Jones (as William Oscar Jones), George W. Jones, Walter E. Jones, Lizzie E. Jones, Wilburn P. Jones, Pearl W. Jones (as Pearlie W. Jones), Robert J. Jones, William J. Jones (as William James Jones), Lillie P. Jones, Brinkley P. Jones (as Brinkley Wilbourn Jones), Elizabeth P. Jones (as Elizabeth May Jones), Lillie P. Jones (as Lillie Fisher Jones), Amanda P. Jones (as Amanda Melvina Jones), Charles P. Jones (as Charlie Arion Jones) and Garland P. Jones (as Garland Rutherford Jones) said Choctaw and Chickasaw Citizenship Court on November 20, 1904 in case number 1072 on its Fishomingo docket entered of record a decree dismissing the petition of said applicants for want of jurisdiction.

It is, therefore, the opinion of this Commission that the application for the enrollment of Rutherford P. Jones, Beaudes Jones, Nellie P. Jones, William A. Jones, John S. Jones, Mary A. Jones, William C. Jones, George W. Jones, Walter E. Jones, Lizzie E. Jones, Wilburn P. Jones, Pearl W. Jones, Robert J. Jones,

William J. Jones, Sallie M. Jones, Alta F. Jones, Noma Lila Jones, Brinkley W. Jones, Elizabeth M. Jones, Callie F. Jones, Amanda M. Jones, Charles J. Jones, Lynn Jones, Farland R. Jones, Jennie F. Jones, Ruth C. Jones, May Fandis Guest, Herman Hampton Jones and Donal Wilburn Jones as citizens of the Choctaw Nation should be denied, in accordance with the provisions of the Act of Congress approved June 25, 1898 (30 Stat., 485), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.



Chairman.



Commissioner.



Commissioner.

Muskogee, Indian Territory,

FEB 6 1900

COPY.

Muskogee, Indian Territory, February 6, 1906.

Rutherford P. Jones,
Duncan, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 6, 1906, denying the application for the enrollment of yourself, your two daughters, Reandas Jones and Nellie R. Jones, and of your grand daughter, Mrs. Candis Guest, as citizens of the Choctaw Nation, included in the consolidated case of Rutherford P. Jones, et al.

The decision, with the record of proceedings had 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)

Tams Dixey
Chairman.

Registered.

Incl. 7-5053

Choctaw 5053

COPY.

Muskogee, Indian Territory, February 6, 1905.

H. B. Lockett,

Attorney at Law,

Comanche, Indian Territory,

Dear Sir:

You are hereby notified that the Commission to the Five Civilized Tribes, on February 6, 1905, rendered its decision denying the application for the enrollment of May Candis Guest as a citizen of the Choctaw Nation, included in the consolidated case of Rutherford P. Jones, et al.

The decision, with the record of proceedings had 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)

James D. Smith
Chairman.

Registered.

COPY.

Choctaw 5053

Muskogee, Indian Territory, February 6, 1905.

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

Gentlemen:

Inclosed herewith you will find a copy of the decision of this Commission rendered February 6, 1905, denying the applications for enrollment of Rutherford P. Jones, Roandes Jones, Nellie M. Jones, William A. Jones, John G. Jones, Mary A. Jones, William O. Jones, George D. Jones, Walter J. Jones, Lizzie B. Jones, Lilburn B. Jones, Pearl V. Jones, Robert J. Jones, William J. Jones, Sallie M. Jones, Alta F. Jones, Noma Lila Jones, Brinkley W. Jones, Elizabeth M. Jones, Sallie F. Jones, Ananda M. Jones, Charles W. Jones, Lynn Jones, Garland R. Jones, Jennie F. Jones, Ruth C. Jones, May Candis Guest, Herman Hampton Jones and Donal Wilburn Jones, as citizens of the Choctaw Nation.

The decision, with a copy of the proceedings had 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)

James L. Doby

Incl. 7-1053

Chairman,

COPY.

Muskogee, Indian Territory, February 6, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the applications for the enrollment of Rutherford P. Jones, Reondes Jones, Nellie E. Jones, William A. Jones, John H. Jones, Mary A. Jones, William O. Jones, George B. Jones, Walter J. Jones, Lizzie B. Jones, Lilburn E. Jones, Pearl V. Jones, Robert J. Jones, William J. Jones, Sallie M. Jones, Alta W. Jones, Nona Ella Jones, Brinkley W. Jones, Elizabeth M. Jones, Sallie W. Jones, Amanda M. Jones, Charles M. Jones, Lynn Jones, Garland M. Jones, Jennie E. Jones, Ruth C. Jones, May Candis Guest, Herman Hapton Jones and Donal Wilburn Jones, as citizens of the Choctaw Nation, including the decision of the Commission dated February 6, 1905, denying said applications.

Respectfully,

J. W. B. J.

2 Incl. 7-5055

Chairman.

Through the
Commissioner of Indian Affairs.

Land.
11493-1905.

(COPY)

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, March 3, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

I enclose a report from the Commission to the Five Civilized Tribes, dated February 6, 1903, transmitting the record of the consolidated applications for enrollment as citizens of the Choctaw Nation by Rutherford P. Jones, Reandes Jones, Nellie R. Jones, William A. Jones, John G. Jones, Mary A. Jones, William O. Jones, George D. Jones, Walter J. Jones, Lizzie B. Jones, Lilburn B. Jones, Pearl V. Jones, Robert J. Jones, William J. Jones, Sallie M. Jones, and her minor children, Alta F., and Norma Lila Jones, Brinkley W. Jones, Elizabeth M. Jones, Sallie F. Jones, Amanda M. Jones, Charles M. Jones and his minor son Lynn P. Jones, Garland R. Jones and his minor children, Jennie F., and Ruth C. Jones; May Candis Guest, daughter of the applicant, Nellie R. Jones and Joe S. Guest a non-citizen, and Herman Hampton Jones and Donald Wilburn Jones, sons of the applicant, Sallie F. Jones and Lynn B. Jones, a non-citizen.

February 6, 1905, the Commission decided adversely to all the applicants.

It does not appear that any of the applicants has ever been enrolled or admitted to citizenship by any tribal authority of the Choctaw Nation or by any United States tribunal.

--2--

It further appears that on December 17, 1902, the Choctaw and Chickasaw Citizenship Court "set aside, annulled, vacated and held for naught", a decree of the United States Court, Southern District, Indian Territory, admitting these applicants to citizenship.

In view of the record the approval of the Commission's decision adverse to all the applicants is recommended.

Very respectfully,

C. F. Larphee

Acting Commissioner.

M. M. M.
W.

(COPY)
G. R. LLB

DEPARTMENT OF THE INTERIOR,
WASHINGTON,

March 10, 1905.

D. C. 13612-1905.
I. T. D. 2222-1905.
L. R. S.

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

Gentlemen:

February 6, 1905, you transmitted the record of proceedings in the matter of the applications for enrollment of Rutherford P. Jones, Roandes Jones, Nellie R. Jones, William A. Jones, John G. Jones, Mary A. Jones, William O. Jones, George D. Jones, Walter J. Jones, Lizzie B. Jones, Leilburn B. Jones, Pearl V. Jones, Robert J. Jones, William J. Jones, Sallie M. Jones, Alta F. Jones, Noma Lila Jones, Brinkley W. Jones, Elizabeth M. Jones, Sallie F. Jones, Amanda M. Jones, Charles M. Jones, Lynn Jones, Garland R. Jones, Jenie F. Jones, Ruth C. Jones, May Candis Guest, Herman Hampton Jones, and Donal Wilburn Jones as citizens by blood of the Choctaw Nation, including your decision dated February 6, 1905, adverse to all the applicants.

March 3, 1905, the Acting Commissioner of Indian Affairs reporting in the matter, recommended that your decision adverse to all the applicants be affirmed. A copy of his letter is herewith inclosed.

--2--

The Department concurs in the recommendation made and your decision adverse to all the applicants is hereby affirmed.

Respectfully,

Thos Ryan

Acting Secretary.

1 inclosure.

COPY.

Muskogee, Indian Territory, March 27, 1905.

Rutherford P. Jones,

Duncan, Indian Territory,

Dear Sir:

You are hereby notified that on the 10th day of March, 1905, the Secretary of the Interior affirmed the decision of this Commission, rendered February 6, 1905, denying the application for the enrollment of yourself, your two daughters, Reanda Jones and Bellie R. Jones, and your granddaughter, Mrs. Sandis Guest, as citizens of the Choctaw Nation, included in the consolidated case of Rutherford P. Jones et al.

Respectfully,

(SIGNED).

Tame Dixby
Chairman.

COPY.

Choctaw 5053

Muskogee, Indian Territory, March 27, 1905.

H. B. Lockett,
Attorney at Law,
Comanche, Indian Territory,

Dear Sir:

You are hereby notified that on the 10th day of March, 1905, the Secretary of the Interior affirmed the decision of this Commission, rendered February 6, 1905, denying the application for the enrollment of May Candis Guest as a citizen of the Choctaw Nation, included in the consolidated case of Rutherford P. Jones et al.

Respectfully,

(SIGNED)

Tame Birby

Chairman.

COPY.

Choctaw 5053

Muskogee, Indian Territory, March 27, 1905.

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

Gentlemen:

You are hereby notified that on the 10th day of March, 1905, the Secretary of the Interior affirmed the decision of this Commission, rendered February 6, 1905, denying the applications for the enrollment of the several persons included in the consolidated case of Rutherford P. Jones et al., as citizens of the Choctaw Nation, copy of which decision was mailed you on February 6, 1905.

Respectfully,

(SIGNED)

Tamc Dixby

Chairman.

Handwritten text, possibly a signature or name, including the letters 'S', 'A', 'B', 'S'.

Muskogee, Indian Territory, August 3, 1901.

Mr. J. W. Ludlow,
Comanche, Ind, Ter.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 31st ultimo, requesting to be advised as to the present status of the case of Rutherford P. Jones, et.al., against the Choctaw Nation.

You are informed that the records of this office show that Rutherford P. Jones of Duncan, Indian Territory, 60 years of age, and his two minor children, Roandes and Nellie Jones, were admitted to citizenship in the Choctaw Nation by a judgment of the United States Court for the Southern District of Indian Territory rendered at Ardmore, Indian Territory, January 18 1898, in Court case number 148. On January 17 1900, the United States Court for the Southern District of Indian Territory, at Ardmore, Indian Territory, rendered a judgment correcting the former judgment of the Court issued January 17 1898, by striking therefrom the names of ~~xxxxxxxx~~ Rutherford P. Jones, Roandes and Nellie Jones, with the names of numerous other persons, and a notation was entered opposite the names of these parties, as follows:

"Name stricken from original judgment by order of the U. S. Court", since which time no further consideration has been given the matter.

Yours truly,

7-8053

Muskogee, Indian Territory, July 28, 1902.

H. B. Lockett,

Attorney at Law,

Cousanoche, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 23rd instant, enclosing the application for enrollment as a citizen of the Choctaw Nation of May Candis Guest, infant daughter of Joe S. and Nellie Rutherford Guest, nee Jones, born March 31, 1902, and the same is returned to you herewith.

It is stated in your letter that the mother of the child is dead; therefore that part of the application has not been filled. You are advised that the mother being dead it is necessary that you furnish the Commission with the affidavits of two disinterested parties who know of the birth of this child and the fact that it is still living.

Upon return of the application, accompanied by the affidavits requested herein, the matter will receive further consideration.

Yours truly,

McM--95

Commissioner in Charge.

7-5033.

Muskogee, Indian Territory, August 12, 1902.

H.B. Lockett,

Attorney at Law,

Senneche, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 9th inst., enclosing the application for enrollment as a citizen of the Choctaw Nation of May Gaudis Guest, infant daughter of Joe S. and Nellie Wetherford Guest; and the same is returned to you herewith for the reason that you have neglected to affix your notarial seal to the affidavit of the attending physician.

Upon return of the application for the enrollment of this child properly executed, the matter will receive further consideration.

Yours truly,

Enc. B.I. 53.

Acting Chairman.

7-5055.

Muskogee, Indian Territory. August 20, 1902.

F.B. Lockett,

Comanche, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the affidavits of Jennie Donalson, W.A. Pigg and W.H. Montgomery, relative to the birth of May Candis Guest, infant daughter of Joe S. and Nellie Rutherford Guest, March 31, 1902, and the same have been accepted and filed as evidence of the birth of this child.

You are informed that it appears from our records that Rutherford P. Jones, of Duncan, Indian Territory, 60 years of age, and his two minor children, Roandis and Nellie Jones, were admitted to citizenship in the Choctaw Nation by a judgment of the United States Court for the Southern District of Indian Territory, at Ardmore, Indian Territory, January 17, 1898, in court case number 148. On January 17, 1900, the United States Court for the Southern District of Indian Territory, at Ardmore, Indian Territory, rendered a judgment correcting the former judgment issued January 17, 1898, striking therefrom the names of Rutherford P. Jones, Roandis and Nellie Jones.

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It does not appear from our records that the mother of the child for whom application is made was ever recognized by the lawfully constituted tribal authorities of the Cheatew Nation, or admitted to citizenship by this Commission, or by a judgment of the United States Court for Indian Territory; and your attention is therefore called to the act of Congress approved May 31, 1900, which provides as follows:

"But it (the Commission) shall not receive, consider, or make any record of any application of any person for enrollment as a member of any tribe in Indian Territory who is not a recognized citizen thereof, and duly and lawfully enrolled or admitted as such."

Yours truly,

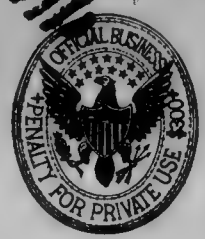
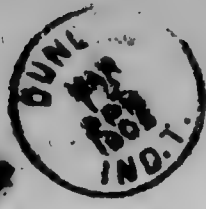
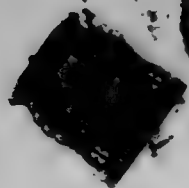
Acting Chairman.

Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

7-10-53
2000

Register No. 1000000000
Muskogee, Ind. Ter.

unclaimed



FEB 18 1898
MUSKOGEE, IND. TER.

COMMISSIONERS:
TAMM BIXBY,
THOMAS B. NEEDLES,
C. E. BRECKINRIDGE,
WM. O. BRALL,
Secretary.

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

REFER IN REPLY TO THE FOLLOWING:

Choctaw 5053

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 6, 1905.

Rutherford P. Jones,
Duncan, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 6, 1905, denying the application for the enrollment of yourself, your two daughters, Reodes Jones and Nellie A. Jones, and of your grand daughter, May Candis Guest, as citizens of the Choctaw Nation, included in the consolidated case of Rutherford P. Jones, et al.

The decision, with the record of proceedings had 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,

Registered.

Chairman.

Incl. 7-5053

Choc 5054 Lonie F. Scott

Transferred to 7-6069
Feb 14, 1907

5054

EMPTY

Choc 5055 William A. Jones

5055

COMMISSIONERS:
TAMM BIXBY,
THOMAS B. NEEDLES,
C. E. HESKINRIDGE,
WM. O. BEALL,
Secretary.

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

REFER TO COPY TO THE FOLLOWING:

Chectaw 5065

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, March 27, 1905.

William A. Jones,
Tatums, Indian Territory,

Dear Sir:

You are hereby notified that on the 10th day of March, 1905, the Secretary of the Interior affirmed the decision of this Commission, rendered February 6, 1905, denying the application for your enrollment as a citizen of the Chectaw Nation, included in the consolidated case of Rutherford P. Jones et al.

Respectfully,

Chairman.

W.H. Jones

COPY.

7-5053.

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

In the matter of the application for the enrollment of Rutherford P. Jones, et al., as citizens of the Choctaw Nation consolidating the applications of:

Rutherford P. Jones, et al.,	4253
William A. Jones	4251
John T. Jones, et al.,	5256
Robert J. Jones	5257
William J. Jones, et al.,	5252
Brinkley W. Jones, et al.,	5251
Ananda M. Jones	5255
Charles M. Jones, et al.,	5257
Garland W. Jones, et al.,	5258

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

It appears from the record herein that on September 22, 1898 application was made to this Commission for the enrollment, as citizens of the Choctaw Nation, of Rutherford P. Jones, Reuntes Jones, Nellie M. Jones, William A. Jones, John T. Jones, Mary A. Jones, William J. Jones, George W. Jones, Walter J. Jones, Lizzie M. Jones, Wilburn M. Jones, Pearl W. Jones, Robert J. Jones, William J. Jones, Sallie M. Jones and her minor children Alta F. Jones and Noma Lila Jones; that on October 17, 1898 application was made to this Commission for the enrollment, as citizens of the Choctaw Nation, of Brinkley W. Jones, Elizabeth M. Jones, Nellie M. Jones, Ananda M. Jones, Charles M. Jones and his minor son Lynn W. Jones, Garland W. Jones and his minor children Jennie W. Jones and Ruth W. Jones; and that subsequent thereto written applications were made to this Commission for the enrollment of May Candis Guest, born March 31, 1902 and who is a daughter of the applicant Nellie M. Jones and Joe S. Guest, a non-citizen, and of Herman Hampton Jones and Donal Wilburn Jones, born March 9, 1900 and March 11, 1902, respectively, sons of the applicant Sallie M. Jones and Gus W. Jones, a non-citizen.

It does not appear from the evidence in this case or the records in the possession of the Commission that any of the applicants herein has ever been enrolled by the tribal authorities of the Choctaw Nation, or admitted to citizenship in the Choctaw Nation by the legally constituted authorities of said nation, or admitted to citizenship in said nation by the Commission to the Five Civilized Tribes, or by the United States Court in Indian Territory, in accordance with the provisions of the Act of Congress approved June 10, 1896 (29 Stat., 321).

It further appears from the records of the Commission that on January 17, 1896 the United States Court for the Southern District of Indian Territory, in the case entitled "Walter W. Jones, vs. Choctaw Nation" (Citizenship Case number 146), entered of

record a decree admitting to citizenship in the Choctaw Nation, among others, the applicants Rutherford B. Jones (as Rutherford Penmore Jones), Seandis Jones (as Seandier Jones), Nellie Jones (as Nellie Rutherford Jones), William A. Jones (as William Albert Jones), John G. Jones (as John Gandy Jones), Mary A. Jones, William G. Jones (as William Oscar Jones), George B. Jones (as Joe B. Jones), Walter J. Jones, Lizzie E. Jones, Wilburn J. Jones, Pearl J. Jones (as Pearlie V. Jones), Robert J. Jones, William J. Jones (as William James Jones), Callie B. Jones, Prinkley B. Jones (as Prinkley Wilburn Jones), Elizabeth B. Jones (as Elizabeth Bay Jones), Callie B. Jones (as Callie Fisher Jones), Amanda M. Jones (as Amanda Elvina Jones), Charles W. Jones (as Charlie Marion Jones and Garland J. Jones (as Garland Rutherford Jones), and on January 17, 1900 entered of record a judgment annulling as of January 15, 1899, correcting said original judgment striking therefrom the names of Rutherford B. Jones as Rutherford Penmore Jones), Seandis Jones (as Seandier Jones), Nellie Jones (as Nellie Rutherford Jones), William A. Jones (as William Albert Jones), John G. Jones (as John Gandy Jones), Mary A. Jones, William G. Jones (as William Oscar Jones), George B. Jones, Walter J. Jones, Lizzie E. Jones, Wilburn J. Jones, Pearl J. Jones (as Pearlie V. Jones), Robert J. Jones, William J. Jones (as William James Jones), Callie B. Jones, Prinkley B. Jones (as Prinkley Wilburn Jones), Elizabeth B. Jones (as Elizabeth Bay Jones), Callie B. Jones (as Callie Fisher Jones), Amanda M. Jones (as Amanda Elvina Jones), Charles W. Jones (as Charlie Marion Jones) and Garland J. Jones (as Garland Rutherford Jones).

It further appears from the records 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 (30 Stat., 411), "set aside, annulled, vacated and held for naught" the aforesaid judgment of the United States Court for the Southern District of Indian Territory. Said case as to certain of the applicants therein was duly appealed to 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, but as to the applicants herein Rutherford B. Jones (as Rutherford Penmore Jones), Seandis Jones (as Seandis Jones or Seandis Jones), Nellie B. Jones (as Nellie Rutherford Jones), William A. Jones (as W. Albert Jones), John G. Jones (as John Gandy Jones), Mary A. Jones, William G. Jones (as William Oscar Jones), George B. Jones, Walter J. Jones, Lizzie E. Jones, Wilburn J. Jones, Pearl J. Jones (as Pearlie V. Jones), Robert J. Jones, William J. Jones (as William James Jones), Callie B. Jones, Prinkley B. Jones (as Prinkley Wilburn Jones), Elizabeth B. Jones (as Elizabeth Bay Jones), Callie B. Jones (as Callie Fisher Jones), Amanda M. Jones (as Amanda Elvina Jones), Charles W. Jones (as Charlie Marion Jones) and Garland J. Jones (as Garland Rutherford Jones) said Choctaw and Chickasaw Citizenship Court on November 26, 1904 in case number 107 upon its Tishomingo docket entered of record a decree dismissing the petition of said applicants for want of jurisdiction.

It is, therefore, the opinion of this Commission that the application for the enrollment of Rutherford B. Jones, Seandis Jones, Nellie B. Jones, William A. Jones, John G. Jones, Mary A. Jones, William G. Jones, George B. Jones, Walter J. Jones, Lizzie E. Jones, Wilburn J. Jones, Pearl J. Jones, Robert J. Jones,

William J. Jones, Sallie W. Jones, Alta P. Jones, Noma Lila Jones, Brinkley W. Jones, Elizabeth . Jones, Sallie E. Jones, Amanda T. Jones, Charles T. Jones, Lynn Jones, Garland W. Jones, Jennie P. Jones, Ruth C. Jones, Jay Landis West, Herman Hampton Jones and Donal Wilburn Jones as citizens of the Choctaw Nation should be denied, in accordance with the provisions of the Act of Congress approved June 28, 1894 (30 Stat., 488), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

SIGNED

James D. ...

Chairman.

I. E. ...

Commissioner.

SIGNED

C. E. ...

Commissioner.

Muskogee, Indian Territory,

FEB 6 - 1905

Choctaw 5055

COPY.

Muskogee, Indian Territory, February 6, 1905.

William A. Jones,

Tatums, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 6, 1905, denying the application for your enrollment as a citizen of the Choctaw Nation, included in the consolidated case of Rutherford P. Jones et al.

The decision, with the record of proceedings had 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,

James S. Sisco

Chairman.

Registered.

Incl. 7-5055

Choctaw 5055

COPY.

Muskogee, Indian Territory, March 27, 1905.

William A. Jones,

Tatums, Indian Territory,

Dear Sir:

You are hereby notified that on the 10th day of March, 1905, the Secretary of the Interior affirmed the decision of this Commission, rendered February 6, 1905, denying the application for your enrollment as a citizen of the Choctaw Nation, included in the consolidated case of Rutherford P. Jones et al.

Respectfully,

~~W. H. H. H.~~

Ch. H. H.

COMMISSIONERS:
TAMM HIXBY,
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:

Choctaw 5055

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 6, 1905.

William A. Jones,
Tatums, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 6, 1905, denying the application for your enrollment as a citizen of the Choctaw Nation, included in the consolidated case of Rutherford P. Jones et al.

The decision, with the record of proceedings had 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,

Registered.

Chairman.

Incl. 7-5055

Choc 5056 John G. Jones

5056

7-5053

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

COPY

In the matter of the application for the enrollment of Rutherford P. Jones, et al., as citizens of the Choctaw Nation, consolidating the applications of:

Rutherford P. Jones, et al..	5053
William A. Jones,	5055
John G. Jones, et al.,	5056
Robert J. Jones	5057
William J. Jones et al.,	5092
Brinkley W. Jones, et al.,	5221
Amanda M. Jones	5283
Charles M. Jones et al.,	5287
Garland R. Jones, et al.,	5288

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

It appears from the record herein that on September 28, 1898 application was made to this Commission for the enrollment, as citizens of the Choctaw Nation, of Rutherford P. Jones, Reades Jones, Nellie R. Jones, William A. Jones, John G. Jones, Mary A. Jones, William O. Jones, George . Jones, Walter J. Jones, Lizzie B. Jones, Wilburn B. Jones, Pearl V. Jones, Robert J. Jones, William J. Jones, Sallie M. Jones, and her minor children Alta F. Jones and Nona Lila Jones; that on October 27, 1898 application was made to this Commission for the enrollment, as citizens of the Choctaw Nation, of Brinkley W. Jones, Elizabeth L. Jones, Sallie F. Jones, Amanda M. Jones, Charles M. Jones and his minor son Lynn P. Jones, Garland . Jones and his minor children Jennie F. Jones and Ruth C. Jones; and that subsequent thereto written applications were made to this Commission for the enrollment of May Candis Guest, born March 31, 1902, and who is a daughter of the applicant Nellie R. Jones and Joe S. Guest, a non-citizen, and of Herman Hamilton Jones and Donal Wilburn Jones, born March 9, 1900 and March 11, 1902, respectively, sons of the applicant Sallie F. Jones and G. S. B. Jones, a non-citizen.

It does not appear from the evidence in this case or the records in the possession of the Commission that any of the applicants herein has ever been enrolled by the tribal authorities of the Choctaw Nation, or admitted to citizenship in the Choctaw Nation by the legally constituted authorities of said nation, or admitted to citizenship in said nation by the Commission to the Five Civilized Tribes, or by the United States Court in Indian Territory, in accordance with the provisions of the Act of Congress approved June 10, 1896 (29 Stat., 321).

It further appears from the records of the Commission that on January 15, 1898 the United States Court for the Southern District of Indian Territory, in the case entitled "Walter W. Jones, vs. Choctaw Nation" (Citizenship Case number 148), entered of

record a decree admitting to citizenship in the Choctaw Nation, among others, the applicants Rutherford P. Jones (as Rutherford Penymore Jones), Reandes Jones (as Reandis Jones), Nellie R. Jones, (as Nellie Rutherford Jones), William A. Jones (as William Albert Jones), John G. Jones (as John Gandy Jones), Mary A. Jones, William O. Jones (as William Oscar Jones) George D. Jones (as Geo D. Jones), Walter J. Jones, Lizzie B. Jones, Lilburn B. Jones, Pearl V. Jones, (as Pearl V. Jones), Robert J. Jones, William J. Jones (as William James Jones), Sallie M. Jones, Brinkley W. Jones (as Brinkley Wilbourn Jones), Elizabeth M. Jones (as Elizabeth May Jones), Sallie F. Jones (as Sallie Fisher Jones), Amanda M. Jones (as Amanda Melvina Jones), Charles M. Jones (as Charlie Marion Jones) and Garland R. Jones (as Garland Rutherford Jones), and on January 17, 1898 entered of record a judgment and decree and as of January 17, 1898 correcting said original judgment by striking therefrom the names of Rutherford P. Jones, (as Rutherford Penymore Jones), Reandes Jones (as Reandes Jones), Nellie R. Jones (as Nellie Rutherford Jones), William A. Jones (as William Albert Jones), John G. Jones (as John Gandy Jones), Mary A. Jones, William O. Jones (as William Oscar Jones), George D. Jones, Walter J. Jones, Lizzie B. Jones, Lilburn B. Jones, Pearl V. Jones (as Pearl V. Jones), Robert J. Jones, William J. Jones (as William James Jones), Sallie M. Jones, Brinkley W. Jones (as Brinkley Wilbourn Jones), Elizabeth M. Jones (as Elizabeth May Jones), Sallie F. Jones (as Sallie Fisher Jones), Amanda M. Jones (as Amanda Melvina Jones), Charles M. Jones (as Charlie Marion Jones) and Garland R. Jones (as Garland Rutherford Jones).

It further appears from the records of the Commission that on December 11, 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 Southern District of Indian Territory. Said cause as to certain of the applicants therein was duly appealed to 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, but as to the applicants herein Rutherford P. Jones (as Rutherford Penymore Jones), Reandes Jones (as Reandes Jones or Reandis Jones), Nellie R. Jones (as Nellie Rutherford Jones), William A. Jones (as Wm. Albert Jones), John G. Jones (as John Gandy Jones), Mary A. Jones, William J. Jones (as William Oscar Jones), George D. Jones, Walter J. Jones, Lizzie B. Jones, Lilburn B. Jones, Pearl V. Jones (as Pearl V. Jones), Robert J. Jones, William J. Jones (as William James Jones), Sallie M. Jones, Brinkley W. Jones (as Brinkley Wilbourn Jones), Elizabeth M. Jones (as Elizabeth May Jones), Sallie F. Jones (as Sallie Fisher Jones), Amanda M. Jones (as Amanda Melvina Jones), Charles M. Jones (as Charlie Marion Jones) and Garland R. Jones (as Garland Rutherford Jones) said Choctaw and Chickasaw Citizenship Court on November 28, 1904 in case number 107 upon its Tishomingo docket entered of record a decree dismissing the petition of said applicants for want of jurisdiction.

It is, therefore, the opinion of this Commission that the application for the enrollment of Rutherford P. Jones, Reandes Jones, Nellie R. Jones, William A. Jones, John G. Jones, Mary A. Jones, William O. Jones, George D. Jones, Walter J. Jones, Lizzie B. Jones, Lilburn B. Jones, Pearl V. Jones, Robert J. Jones,

William J. Jones, Sallie M. Jones, Alta F. Jones, Noma Lila Jones, Brinkley W. Jones, Elizabeth M. Jones, Sallie F. Jones, Amanda M. Jones, Charles M. Jones, Lynn Jones, Garland R. Jones, Jennie F. Jones, Ruth C. Jones, May Candis Guest, Herman Hampton Jones and Donal Wilburn Jones as citizens of the Choctaw Nation 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.

(SIGNED),

[Signature]

Chairman.

(SIGNED),

I. B. [Signature]

Commissioner.

(SIGNED),

C. S. [Signature]

Commissioner.

Muskogee, Indian Territory,

1898 - 1005

Choctaw 5056

COPY.

Muskogee, Indian Territory, February 6, 1905.

John G. Jones,

Aradore, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 6, 1905, denying the application for the enrollment of yourself, and of your children, Mary A. Jones, William O. Jones, George D. Jones, Walter J. Jones, Lizzie B. Jones, Lilburn B. Jones and Pearl V. Jones, as citizens of the Choctaw Nation, included in the consolidated case of Rutherford P. Jones, et al.

The decision, with the record of proceedings had 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)

James Dixon

Chairman.

Registered.

Incl. 7-5056

Choctaw 5056

CONF.

Muskogee, Indian Territory, March 27, 1905.

John G. Jones,

Ardmore, Indian Territory,

Dear Sir:

You are hereby notified that on the 10th day of March, 1905, the Secretary of the Interior affirmed the decision of this Commission, rendered February 6, 1905, denying the application for the enrollment of yourself and children, Mary A. Jones, William O. Jones, George D. Jones, Walter J. Jones, Lizzie F. Jones, Lilburn B. Jones and Pearl V. Jones, as citizens of the Choctaw Nation, included in the consolidated case ofutherford P. Jones et al.

Respectfully,

SIGNED:

Chairman.

7-5086.

Muskogee, Indian Territory, August 23, 1902.

John C. Jones,
Comanche, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 20th instant, requesting a list of the names appearing in the rolls in the Walter W. Jones case.

It appears from the records of the Commission that on September 27, 1898, John C. Jones and his children, Mary A., William C., George D., Walter J., Lizzie B., Lilburn D. and Pearl V. Jones made application to the Commission for enrollment as citizens of the Choctaw Nation, having been admitted to such citizenship on January 17, 1898, by a judgment of the United States Court for the Southern District of Indian Territory, Court case No. 148, and their names having been subsequently stricken from said original judgment by order of the Court.

No final action has been taken by the Commission in the matter of the enrollment of these parties as citizens of the Choctaw Nation.

The names of many other persons were included in the original cause of Walter W. Jones, et al., vs. the Choctaw Nation, but it

J. G. J., 2.

is impracticable to give you the status of the applications of all of these parties at this time. If you desire more information regarding the applications of any of these persons other than the ones above referred to, and will furnish the Committee with their names, the matter will receive further consideration.

Yours truly,

Acting Chairman.

7-5052.

Muskogee, Indian Territory, May 10, 1905.

William Oscar Jones.

Comanche, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the affidavits of Ledonna Delilia Jones and Lizzie Jones to the birth of Rozenna Izetta Jones, daughter of William Oscar and Ledonna Delilia Jones, August 17, 1904. These affidavits were not received at this office until May 6, 1905.

You are advised it appears from our records that the mother of this child is a citizen of the United States and that on February 6, 1905, the Commission refused your application for enrollment as a citizen of the Choctaw Nation.

As the Commission was authorized by the act of Congress approved March 3, 1905, for a period of sixty days from that date to receive applications for the enrollment of children born to citizens by blood of the Choctaw and Chickasaw Nations whose enrollment had prior to that date been approved by the Secretary of the Interior, you will therefore see that the Commission was without authority to enroll your child even if the affidavits had been received within the sixty days above referred to.

Respectfully,

Chairman.

7-5056

Muskogee, Indian Territory, August 7, 1905.

W. A. Rayburn,

Doyle, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of July 22, 1905, stating that your name appears upon the records as Mary Ann Jones and that you claim to be a Choctaw by blood.

In reply to your letter you are advised that it appears from the records of this office that Mary Ann Jones daughter of John G. Jones was admitted to citizenship in the Choctaw Nation by the United States Court of the Southern District of Indian Territory on January 17, 1898, and that subsequently her name was stricken from the original judgment by order of the court.

You are further advised that on February 6, 1905, the Commission to the Five Civilized Tribes rendered its decision refusing the application of Mary Ann Jones for enrollment as a citizen of the Choctaw Nation and on March 10, 1905, this decision was affirmed by the Secretary of the Interior.

Respectfully,

Commissioner.

7-5056

Muskogee, Indian Territory, October 4, 1906.

Mrs. Mary A. Rayburn,
Robberson, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of September 23, 1906, asking the status of your citizenship in the Choctaw Nation and stating that Mary A. Gamblin is a sister of your father John G. Jones.

In reply to your letter you are advised that on February 6, 1905, the Commission to the Five Civilized Tribes rendered its decision refusing the application for the enrollment of John G. Jones and his children among whom was Mary A. Jones as citizens of the Choctaw Nation and on March 10, 1905, this action was approved by the Secretary of the Interior. It does not appear that a petition has been filed for rehearing in this case under the ruling of the Department in the Loula West or Mary Elizabeth Martin cases.

Respectfully,

Commissioner.

uskogee, Indian Territory, September 16, 1907.

Subject:

Choctaw enrollment case
Walter W. Jones et al.

The Honorable,

The Secretary of the Interior.

Sir:

Receipt is hereby acknowledged of Indian Office letter of September 6, 1907, (I.T.D. 73011-1907, File 053) inclosing communication of August 26, 1907, from Mrs. Payburn, Loyal, Indian Territory, relative to her claim to citizenship in the Choctaw Nation.

Mrs. Payburn details the efforts which have been made by the applicants for enrollment in the Choctaw Nation who are involved in the case known as the Walter W. Jones case; shows the trouble and expense incurred in the improvement of lands and for the purpose of securing their rights, and asks for advice with reference to the improvements already made and the propriety of making further improvements on lands now held by them. The Indian Office desires a report on this subject, giving the status of the applications of these people and the situation of the lands held by them if this office has any record of the

Secretary #2.

5010.

Reporting in this matter I have to advise that Walter W. Jones and other members of his family, filed with the Commission to the Five Civilized Tribes a petition for citizenship in the Choctaw Nation, under the act of Congress approved June 10, 1896, in Choctaw Citizenship Case No. 56. This petition was denied by the Commission to the Five Civilized Tribes and on appeal to the United States Court the decision was reversed, and the applicants were admitted as citizens of the Choctaw Nation by the United States Court for the Southern District of Indian Territory, January 17, 1898 in Court Case No. 14 on the citizenship appeal.

It appears that Mrs. M. Ferguson, formerly Jones, is the child of John G. Jones and Lizzie Jones, and the relationship of John G. and Walter W. Jones is not a parent from the records of this office. John G. Jones and his seven children among whom were Mary A. Jones were not applicants to the Commission in 1896 in the Choctaw case of Walter W. Jones et al., but on appeal to the United States Court for the Southern District of the Indian Territory, their names were interpolated in the petition for appeal and they were

Secretary #3.

admitted to citizenship in the Choctaw Nation in case No. 14.

Subsequently on January 17, 1903, the United States Court entered an order striking the names of John A. Jones and his children from the judgment for the reason that they had not made original application to the Commission to the Five Civilized Tribes for citizenship under the Act of Congress approved June 10, 1896; the case of Walter W. Jones et al. was appealed to the Choctaw and Chickasaw District Court and John A. Jones and his children, Mary A., William C., George W., Walter J., Lizzie M., Milburn W., and Pearl W. Jones were dismissed by said court on November 20, 1904 in case No. 107 on the Fishawingo docket, the court holding that it had no jurisdiction of these persons.

February 6, 1903, the Commission to the Five Civilized Tribes rendered a decision refusing the application for the enrollment of John A. Jones and his children Mary A., William C., George W., Walter J., Lizzie M., Milburn W., and Pearl W. Jones as citizens of the Choctaw Nation and this decision was approved by the Secretary of the Interior March 10, 1903.

Walter W. Jones, Fitzhugh Lee Jones, Ruby Estelle Jones, Minnie Cleatus Jones and Jennie V. Jones were the

Secretary 4.

original applicants to the Commission to the Five Civilized Tribes in 1896 in the Choctaw Nation in case No. 56, but the United States Court in its decision of January 17, 1900, admitted forty-three persons to citizenship in the Choctaw Nation.

Walter W. Jones, Annie G. Jones, Ruby J. Jones, and Fitzhugh L. Jones made application for certain land in Sections 19, 20, 29 and 30, Township 1 South, Range 6 West, and Sections 24 and 25, Township 1 South, Range 7 West, and involved in certain Chickasaw Allotment Contest cases which were subsequently dismissed, but the records of this office do not show any contest instituted by Mary A. Jones, or Rayburn, or the members of her immediate family.

The letter of Mrs. A. Rayburn, enclosed with Indian Office letter of September 4, 1907, is herewith returned.

Respectfully,

Acting Commissioner.

Through the
Comptroller of Indian Affairs.

Choctaw 5056.

Birth Affidavit.

Department of the Interior.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation, of Royanne Agetta Jones, born on the 16th day of Aug. 1904; Name of Father: William Oscar Jones, a citizen of the Choctaw Nation. Name of Mother: Edonna Sophia Jones a citizen of the United States Nation. Postoffice, ...

Affidavit of Mother.

United States of America, Indian Territory, Southern District,

I, Edonna Sophia Jones do hereby state that I am 23 years of age, a citizen of the United States Nation; that I am the lawful wife of William Oscar Jones of the Choctaw Nation; that female child was born to me on the 16th day of Aug. 1904; that said child was born Royanne Agetta Jones was living March 8, 1905.

Witnesses to Mark: Edonna Sophia Jones (her mark) William Oscar Jones (her mark) Sadie Moore

Subscribed and sworn to before me on this the 3 day of May 1904. R. H. Hamblin Notary Public. My Commission expires 13 day of April 1908

United States of America, Indian Territory, Southern District,

I, Peggie Jones a midwife do hereby state that I attended on Mrs. Edonna Sophia Jones wife of William Oscar Jones on the 16th day of Aug. 1904; that there was born to her on said date a female child, that said child was living March 4th, 1905, and is said to have been named Royanne Agetta Jones.

Subscribed and sworn to before me, on this the 3 day of May 1905. Peggie Jones (her mark) R. H. Hamblin Notary Public. My Commission expires April 13 1908

COMMISSIONERS:
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRACKENRIDGE.

WM. O. BEALL,
Secretary.

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

11103
REFER IN REPLY TO THE FOLLOWING:

Chectaw 5056

ADDRESS ONLY FOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, March 27, 1905.

John G. Jones,
Ardmore, Indian Territory,

Dear Sir:

You are hereby notified that on the 10th day of March, 1905, the Secretary of the Interior affirmed the decision of this Commission, rendered February 6, 1905, denying the application for the enrollment of yourself and children, Mary A. Jones, William O. Jones, George D. Jones, Walter J. Jones, Lizzie B. Jones, Lilburn B. Jones and Pearl V. Jones, as citizens of the Chectaw Nation, included in the consolidated case of Rutherford P. Jones et al.

Respectfully,

Chairman.

Choc 5057 Robert J. Jones

5057

ART

7-5053

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

COPY.

In the matter of the application for the enrollment of Rutherford P. Jones, et al., as citizens of the Choctaw Nation consolidating the applications of:

Rutherford P. Jones, et al.,	0001
William A. Jones,	1000
John E. Jones, et al.,	3000
Robert J. Jones	0007
William E. Jones, et al.,	3002
Franklin W. Jones, et al.,	3001
Amelia M. Jones	0293
Charles M. Jones et al.,	0287
Garland R. Jones, et al.,	0201

--- FIVE CIVILIZED TRIBES ---

It appears from the records of the Southern District of Georgia, 1898 application filed to this Commission for the enrollment, as citizens of the Choctaw Nation, of Rutherford P. Jones, Roderic Jones, Willie E. Jones, William A. Jones, John E. Jones, Mary A. Jones, William E. Jones, Robert J. Jones, Willie B. Jones, Edward E. Jones, Gerald V. Jones, Robert E. Jones, William J. Jones, Willie V. Jones and their children Ada L. Jones and Norma Lila Jones; that on October 11, 1898 application was made to this Commission for the enrollment, as citizens of the Choctaw Nation, of Brinaley W. Jones, Elizabeth M. Jones, Willie E. Jones, Amanda M. Jones, Charles M. Jones and his minor son Lynn P. Jones, Garland R. Jones and his minor children Jennie E. Jones and Ruth C. Jones; and that subsequent thereto written applications were made to this Commission for the enrollment of May Candis Guest, born March 31, 1902 and she is a daughter of the applicant Willie E. Jones and Joe S. Guest, a non-citizen, and of Herman Hampton Jones and Donal Wilburn Jones, born March 9, 1900 and March 11, 1902, respectively, sons of the applicant Willie E. Jones and Gus B. Jones, a non-citizen.

It does not appear from the records in this case or the records in the possession of the Commission that any of the applicants herein has ever been enrolled by the tribal authorities of the Choctaw Nation, or admitted to citizenship in the Choctaw Nation by the legally constituted authorities of said nation, or admitted to citizenship in said nation by the Commission to the Five Civilized Tribes, or by the United States Court in Indian Territory, in accordance with the provisions of the Act of Congress approved June 10, 1896 (29 Stat., 321).

It further appears from the records of the Commission that on January 15, 1898 the United States Court for the Southern District of Indian Territory, in the case entitled "Walter W. Jones, vs. Choctaw Nation" (Citizenship Case number 145), entered of

record a decree admitting to citizenship in the following names, among others, the applicants Rutherford P. Jones (as Rutherford Pennycore Jones), Reandas Jones (as Reandas Jones), Nellie R. Jones (as Nellie Rutherford Jones), William A. Jones (as William Albert Jones), John G. Jones (as John Gandy Jones), Mary A. Jones, William O. Jones (as William Oscar Jones), George D. Jones (as Geo. D. Jones), Walter J. Jones, Lizzie E. Jones, Lilburn R. Jones, Pearl V. Jones (as Pearl V. Jones), Robert J. Jones, William J. Jones (as William James Jones), Sallie M. Jones, Brinkley W. Jones (as Brinkley Wilbourn Jones), Elizabeth M. Jones (as Elizabeth May Jones), Sallie F. Jones (as Sallie Fisher Jones), Amanda L. Jones (as Amanda Melvina Jones), Charles M. Jones (as Charlie Marion Jones) and Garland R. Jones (as Garland Rutherford Jones), and on January 11, 1900 entered on record a judgment null and void as of January 17, 1898 correcting said original judgment striking therefrom the names of Rutherford P. Jones (as Rutherford Pennycore Jones), Reandas Jones (as Reandas Jones), Nellie R. Jones (as Nellie Rutherford Jones), William A. Jones (as William Albert Jones), John G. Jones (as John Gandy Jones), Mary A. Jones, William O. Jones (as William Oscar Jones), George D. Jones, Walter J. Jones, Lizzie E. Jones, Lilburn R. Jones, Pearl V. Jones (as Pearl V. Jones), Robert J. Jones, William J. Jones (as William James Jones), Sallie M. Jones, Brinkley W. Jones (as Brinkley Wilbourn Jones), Elizabeth M. Jones (as Elizabeth May Jones), Sallie F. Jones (as Sallie Fisher Jones), Amanda L. Jones (as Amanda Melvina Jones), Charles M. Jones (as Charlie Marion Jones), and Garland R. Jones (as Garland Rutherford Jones).

It further appears from the records 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., 841), "set aside, vacated, voided and held for naught" the aforesaid judgment of the United States Court for the Southern District of Indian Territory. Said cause as to certain of the applicants therein was only appealed to 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, but as to the applicants herein Rutherford P. Jones, (as Rutherford Pennycore Jones), Reandas Jones (as Reandas or Reandas Jones), Nellie R. Jones (as Nellie Rutherford Jones), William A. Jones (as Wm. Albert Jones), John G. Jones (as John Gandy Jones), Mary A. Jones, William O. Jones (as William Oscar Jones), George D. Jones, Walter J. Jones, Lizzie E. Jones, Lilburn R. Jones, Pearl V. Jones (as Pearl V. Jones), Robert J. Jones, William J. Jones (as William James Jones), Sallie M. Jones, Brinkley W. Jones (as Brinkley Wilbourn Jones), Elizabeth M. Jones (as Elizabeth May Jones), Sallie F. Jones (as Sallie Fisher Jones), Amanda L. Jones (as Amanda Melvina Jones), Charles M. Jones (as Charlie Marion Jones), and Garland R. Jones (as Garland Rutherford Jones) said Choctaw and Chickasaw Citizenship Court on November 28, 1904 in case number 107 upon its Tishomingo docket entered of record a decree dismissing the petition of said applicants for want of jurisdiction.

It is, therefore, the opinion of this Commission that the application for the enrollment of Rutherford P. Jones, Reandas Jones, Nellie R. Jones, William A. Jones, John G. Jones, Mary A. Jones, William O. Jones, George D. Jones, Walter J. Jones, Lizzie R. Jones, Lilburn R. Jones, Pearl V. Jones, Robert J. Jones,

William J. Jones, Sallie M. Jones, Alta . Jones, Woma Lila Jones, Brinkley W. Jones, Elizabeth M. Jones, Sallie F. Jones, Aranda M. Jones, Charles M. Jones, Lynn Jones, Garland R. Jones, Jennie F. Jones, Ruth C. Jones, May Candis Guest, Herman Hampton Jones and Donal Wilburn Jones as citizens of the Choctaw Nation should be denied in accordance with the provisions of the Act of Congress approved June 28, 1898 (30 Stat., 496), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

(SIGNED)

James H. Huxey

Chairman.

(SIGNED)

Commissioner.

(SIGNED)

O. H. Breckinridge

Commissioner.

Muskogee, Indian Territory,

Dec 1930

Choctaw 5037

COPY.

Muskogee, Indian Territory, February 6, 1905.

Robert J. Jones,
Duncan, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 6, 1905, denying your application for enrollment as a citizen of the Choctaw Nation, included in the consolidated case of Rutherford P. Jones, et al.

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,

(SIGNED)

John B. Smith

Chairman.

Registered.

Incl. 7-5037

Choctaw 5057

COPY

Muskogee, Indian Territory, March 27, 1905.

Robert J. Jones,

Duncan, Indian Territory,

Dear Sir:

You are hereby notified that on the 10th day of March, 1905, the Secretary of the Interior affirmed the decision of this Commission, rendered February 6, 1905, denying your application for enrollment as a citizen of the Choctaw Nation, included in the consolidated case of that of Ford P. Jones et al.

Respectfully,

(SIGNED),

Chairman.

COMMISSIONERS:
TAMM BIXBY,
THOMAS E. NEEDLES,
C. E. BRECKINRIDGE.

WM. O. BRALL,
Secretary.

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

REFER IN REPLY TO THE FOLLOWING:

Chectaw 5057

ADDRESS ONLY HAS
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, March 27, 1905.

Robert J. Jones,
Duncan, Indian Territory,

Dear Sir:

You are hereby notified that on the 10th day of March, 1905, the Secretary of the Interior affirmed the decision of this Commission, rendered February 6, 1905, denying your application for enrollment as a citizen of the Chectaw Nation, included in the consolidated case of Rutherford P. Jones et al.

Respectfully,

Chairman.

Choc 5058 John N. Gamblin

Dismissed Jan 23, 1905

N^o1 Dismissed 2-14-07

N^o2 2-3-4 Granted 2-14-07

see 6072

N^os 2-3-4 Transferred to choc card 6072 Feb 14, 1907

For record see 7-6065 (or 7-6068)

see petition # C-52

March 1, 1909 DEPT REQUESTS REPORT

April 29, 1909 REPORT TO DEPT

June 1, 1909 DEPT declines to take action looking to enrollment of applicants

June 10, 1909 Parties notified

5058

3/18/1916 7-5058

When this jacket
was returned to

P. J. Henry, Esq.,

Att. Gen. the
record therein
was missing.

R. Shampert.

Choc 5059 Amanda L Reed

transferred to 7-0068 PL 19/07

5059

EMPTY

EMPTY

Choc 5061 orin m. nichols

Cancelled

transferred to Choctaw cards 6027 + 6028

Aug 8, 1906

5061

EMPTY

Choc 5062 Andrew J. Peck

Cancelled

Transferred to checkow card 6223

Aug 13, 1906

5062

EMPTY

Choc 5063 Jane Campbell

6-7 Dismissed Dec 12, 1904

5063

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

--oOo--

Record in the matter of the application for enrollment
as a citizen by blood of the Choctaw Nation of
Ava Velia Campbell, 7-5063.

14209

ACTAW.

20

IN RE

Application for Enrollment of

INFANT CHILD

Ava Velia Campbell

as a citizen of

Nation.

Approved, *[Signature]* OCT 1 1901 190

Commissioner.

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

FILED

OCT 1 1901

[Signature] ACTING CHAIRMAN.

ACTAW.

5063

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

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,
of *Ava Velia Campbell*, born on the *20* day of *October*, 1900.
(Here insert name of child.)
Name of Father: *James S. Campbell*, a citizen of the *Choctaw* Nation,
Name of Mother: *Dora Campbell*, a citizen of the *Choctaw* Nation,
Post-office, *Duncan, Ark.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA.

INDIAN TERRITORY.

Southern District.

I, *Dora Campbell*, on oath state that I am *20*
years of age and a citizen, by *Indian marriage*, of the *Choctaw* Nation;
that I am the lawful wife of *James S. Campbell*, who is a citizen, by
blood, of the *Choctaw* Nation, and a *female* child was
born to me on the *20* day of *October*, 1900, that said child has been
named *Ava Velia Campbell*, and is now living.

WITNESSES TO MARK

(Must be Two)
Witnesses

E. H. Bond
W. J. Kelso

Subscribed and sworn to before me this *12* day of *April*, 1901.

H. F. Gilman
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA.

INDIAN TERRITORY.

Southern District.

I, *Ellen Jones*, on oath state that I
attended on Mrs. *Dora Campbell*, wife of *James Campbell*,
on the *20* 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
named *Ava Velia Campbell*.

WITNESSES TO MARK

(Must be Two)
Witnesses

Dr. Jones
Dr. Kelly

J. E. Jones

Subscribed and sworn to before me this *17* day of *April*, 1901.

H. F. Gilman
NOTARY PUBLIC

*Atty
Gen*

7-5063.

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

--oOo--

In the matter of the application of Ava Velia Campbell
for enrollment as a citizen by blood of the Choctaw Nation.

--oOo--

The applicant, Ava Velia Campbell, claims the right to
enrollment as a citizen by blood of the Choctaw Nation through her
father, James S. Campbell.

The right of the applicant's father, James S. Campbell
(as James Salathal Campbell), 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
73 upon the Tishomingo docket of said court, it is hereby ordered
that the application of Ava Velia Campbell for enrollment as a
citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.



Chairman.

Muskogee, Indian Territory,

Dec. 1, 1904

7-5063

COPY

Muskogee, Indian Territory, December 13, 1904.

James S. Campbell,

Duncan, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 12, 1904, dismissing the application for the enrollment of your minor child, Ava Velia Campbell as a citizen by blood of the Choctaw Nation.

Respectfully,

SIGNED

Chairman.

Registered.

Incl. 7-5063.

COPY.

7-5063

Muskogee, Indian Territory, December 13, 1904.

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

Gentlemen:

Inclosed herewith you will find copies of the orders of this Commission, dated December 12, 1904, dismissing the applications for the enrollment of Ava Nellie Campbell and Arminna Gaddie (Arminnie Bell Gaddie) as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED,

Chairman.

Incl. 7-5063.

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

--oOo--

Record in the matter of the application of Arminda B.
Gaddie (Arminnie Bell Gaddie) for enrollment as a citizen by blood
of the Choctaw Nation.

7-5063.

CHOCTAW.

20

IN RE

Application for Enrollment of
INFANT CHILD

Arminie Bell Gooch
as a citizen of

Choctaw Nation.

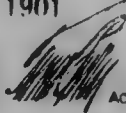
Approved NOV 30 1901 1901

C. R. Beckwith
Commissioner.

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

FILED

NOV 30 1901



ACTING CHAIRMAN

CHOCTAW.

5063.

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

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation.
of *Annabelle Belle Gaddie*, born on the *24* day of *November*, 1900
(Here insert name of child.)
Name of Father: *Hugh E Gaddie* a citizen of the *United States* Nation.
Name of Mother: *Lucindy Louella Gaddie* ne *Campbell* citizen of the *United States* Nation.
Post-office *Duncan, Ok.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, *Lucindy Louella Gaddie*, 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 *Hugh E Gaddie*, who is a citizen, ~~of~~
of the *United States* Nation; that a *female* child was
born to me on *24* day of *November*, 1900 that said child has been
named *Annabelle Belle Gaddie*, and is now living.

WITNESSES TO MARK: *Lucindy Louella Gaddie*
(Must be Two Witnesses) *E. H. Bond*
B. F. Floyd

Subscribed and sworn to before me this *25* day of *November*, 1901.
R. H. T. ...
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, *J. T. Morton*, a *Physician* on oath state that I
attended on Mrs. *Lucindy Gaddie*, wife of *Hugh E Gaddie*
on the *24* 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
named *Annabelle Belle Gaddie*.

WITNESSES TO MARK: *J. T. Morton, M.D.*
(Must be Two Witnesses) *E. H. Bond*
B. F. Floyd

Subscribed and sworn to before me this *25* day of *November*, 1901.
R. H. T. ...
NOTARY PUBLIC

CAP
150

7-5063.

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

--c0c--

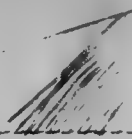
In the matter of the application of Arminda B. Gaddie (Arminnie Bell Gaddie) for enrollment as a citizen by blood of the Choctaw Nation.

--c0c--

The applicant, Arminda B. Gaddie (Arminnie Bell Gaddie), claims the right to enrollment as a citizen by blood of the Choctaw Nation through her mother, Lucinda L. Gaddie (nee Campbell).

The right of the applicant's mother, Lucinda L. Gaddie, nee Campbell, (as Lucinda Campbell or Lucinda Louella Campbell) 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 73 upon the Tishomingo docket of said court, it is hereby ordered that the application of Arminda B. Gaddie (Arminnie Bell Gaddie) for enrollment as a citizen by blood of the Choctaw nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.



Chairman.

Muskogee, Indian Territory,

DEPT. OF THE INTERIOR

7-5063

Muskogee, Indian Territory, December 13, 1904.

Lucinda L. Gaddie,

Duncan, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 13, 1904, dismissing the application for the enrollment of your minor child, Armina B. Gaddie (Arminnie Bell Gaddie) as a citizen by blood of the Cheetaw Nation.

Respectfully,

M. S. G. N. O.

Chairman.

Registered.

Incl. 7-5063.

COPY.

7-5063

Muskogee, Indian Territory, December 13, 1904.

Gilbert and Gilbert,
Attorneys at Law,
Duncan, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 12, 1904, dismissing the application for the enrollment of Armina B. Gaddie (Arminnie Bell Gaddie) as a citizen by blood of the Choctaw Nation.

Respectfully,

K. S.

Chairman.

Registered.

Incl. 7-5063.

COPY,

7-5063

Muskogee, Indian Territory, December 13, 1904.

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

Gentlemen:

Inclosed herewith you will find copies of the orders of this Commission, dated December 12, 1904, dismissing the applications for the enrollment of Ava Velia Campbell and Arminda B. Gaddie (Arminnie Bell Gaddie) as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Chairman.

Incl. 7-5063.

Muskogee, Indian Territory, February 19, 1901.

Gilbert & Gilbert,
Attorneys at Law,
Duncan, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 10th instant enclosing affidavits as to the birth of Ava Velia Campbell, the infant daughter of James and Dora Campbell, born October 20th, 1900. You request in your letter that she be enrolled and receipt acknowledged of the affidavits to you.

Replying to your letter you are informed that the records of the Commission show that James S. Campbell, 22 years of age and the son of G. W. Campbell, deceased, and Jane Campbell, was listed for enrollment as a citizen of the Choctaw Nation on September 22nd, 1898, having been admitted to such citizenship by judgment of the United States Court for the Southern District of the Indian Territory, rendered at Ardmore, Indian Territory, December 20th, 1897 in court case No. 96.

The Commission has no knowledge of ~~the~~ life of this applicant being listed for enrollment and before further attention can be paid this application, it will be necessary that the Commission be furnished with either the original or certified copy of the marriage license and certificate of James S. Campbell and his wife, Dora Campbell. Also to be informed if she ever claimed any rights to citizenship either by blood or intermarriage in the Choctaw

G & G 1
Nation. For the purpose of making applications for the enrollment of infant children born to recognized citizens of the Choctaw and Chickasaw nations, the Commission uses a blank, one of which is enclosed you herewith, upon which may be stated all the information necessary in the matter of the enrollment of this child. 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 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.

Upon receipt of this application in proper form and of the evidence of the marriage of James S. and Dora Campbell, the matter of the application for the enrollment of this child, will be given further consideration.

Yours truly,

Acting Chairman.

Enc 3

7-5063

Muskegee, Indian Territory, October 1, 1901.

Messrs. Gilbert & Gilbert,
Attorneys at Law,
Duncan, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 27th ultimo enclosing marriage license and certificate between J. S. Campbell and Dora Jones, 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 Ava Velia Campbell, born October 20, 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.

Your request that the marriage license and certificate be returned cannot be complied with, it being necessary to retain this evidence of the marriage of the parents of the child for whose enrollment application is made. Should occasion require a certified copy of the same will be furnished upon written application.

Yours truly,

Muskogee, Indian Territory, October 16, 1901.

James S. Campbell,

Comanche, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 14th instant, in which you desire to be furnished with blank application for the enrollment of your wife as a citizen by intermarriage of the Choctaw Nation.

Replying to your request, you are informed that if your wife is desirous of making application for enrollment as a citizen by intermarriage of the Choctaw Nation, it will be necessary for her to present herself in person before the Commission at its office at Muskogee, Indian Territory.

The Commission has no blank applications for the enrollment of intermarried citizens of any of the Five Tribes of the Indian Territory.

Yours truly,

Acting Chairman.

Muskogee, Indian Territory, December 2, 1901.

Gilbert & Gilbert,

Duncan, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of November 25th, enclosing me a petition for enrollment as a citizen of the Choctaw Nation of Arminah Bell Gaddie, the infant daughter of Hugh E. and Lucindy Louella Gaddie, born December 24, 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.

You are requested to forward to this office, either the original or certified copy of the marriage license and certificate between Hugh E. Gaddie and Lucindy Louella Campbell as authority for the changing of the name of Mrs. Gaddie upon our records from her maiden name to her present married name.

Yours truly,

Commissioner in Charge.

Muskogee, Indian Territory, December 2, 1901.

Hugh E. Gaddie,

Duncan, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Arminda Bell Gaddie, the infant daughter of Hugh E. and Lucindy Louella Gaddie, born November 24, 1900, 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.

You are requested to forward either the original or certified copy of the marriage license between yourself and your wife, as authority for the changing of her name upon our records from her maiden name of Lucinda L. Campbell to her present married name.

Yours truly,

Commissioner in Charge.

7-5063

Muskogee, Indian Territory, December 14, 1901.

Mr. E. Gaddie,

Duncan, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of certified copy of marriage license and certificate between E. E. Gaddie and Ella Campbell, and the same has been duly filed with the records of this office.

The letter of the Commissioner of the 2nd District returned by you, is enclosed you herewith.

Yours truly,

Commissioner in Charge.

7-5063

Enc y 97

Muskogee, Indian Territory, April 10, 1903.

Readmond Bond,

Duncan, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of April 5, asking whether Jim Gamell is enrolled as a Choctaw or Chickasaw.

In reply to your letter you are advised that it appears from our records that James S. Campbell, son of James and G. W. Campbell was admitted to citizenship by a judgment of the United States Court for the Southern District of the Indian Territory, rendered at Ardmore, December 20, 1897, in court case citizenship number 93.

On December 17, 1902, the Choctaw-Chickasaw citizenship Court, created under the act of Congress of July 1, 1902, vacated and set aside all decisions of the United States Courts in Indian Territory, admitting persons to citizenship in the Choctaw and Chickasaw Nations.

Respectfully,

Chairman.

7-5063

Muskogee, Indian Territory, May 15, 1906.

James S. Campbell,
Moody, Texas.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 5, 1906, asking the status of your citizenship and requesting a blank application for enrollment.

In reply to your letter you are advised that on November 29, 1904, the Choctaw and Chickasaw Citizenship Court denied your citizenship in the Choctaw Nation. Your case is therefore considered closed.

In compliance with your request there is enclosed herewith blank application for the enrollment of an infant child.

Respectfully,

P. C.

Acting Commissioner.

Jane Campbell and others.

James S. Sampbell says:

I and my mother and this family have lived
in the Territory about 4 years.

Jeanna Isabel was admitted as "leona Isabel"

Lucinda Luella was admitted as " Lucinda Lorella".

Jane Campbell

James S. Campbell

Jeanna Isabel Campbell

Lucinda Luella Campbell

Walter S. Campbell

Indiana State 1898.

enrolled.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

DEC 1901

*Filed
Dec 1901*

*Dec 1899
District of Columbia
I. C. M. Campbell
Clerk*

Ord. on file at Ardmore

Certificate of Record of Marriage

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
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. *H. B. Joadie*

AND
M. *Ella Campbell*

were filed in my office in said Territory and District the *27* day of *Dec* A. D. *1899* and duly recorded in Book *12* of Marriage Record, Page *431*

WITNESS my hand and Seal of said Court, at Ardmore, this *27* day of *Dec* A. D. *1899*

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.

MARRIAGE LICENSE.



UNITED STATES OF AMERICA,
INDIAN TERRITORY, } ss.
SOUTHERN 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. H. E. Gaddie
of Duncan in the Indian Territory, aged 19 years,
and M. Ella Campbell of Duncan
in the Indian Territory, aged 17 years, according to law, and
do you officially sign and return this License to the parties therein
named.

Witness my hand and official seal, this 18 day
of Dec, A. D. 1899

S. H. Matton

Deputy

W. M. Campbell
Clerk of the United States Court
Ryan

Certificate of Marriage.

United States of America,
Indian Territory, } ss.
Southern District.

I,

G. S. Yates
Minister

do

do hereby certify, that on the 26 day of Dec, 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 26 day of Dec, A. D. 1899

My credentials are recorded in the office of the Clerk of the United States Court, Indian
Territory, Southern District, at Ardmore, Book A, Page 206.

NOTE—The person officiating should fill in the
spaces for book and page and sign here.

G. S. Yates
Minister

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 creden-
dentials have first been recorded in the Clerk's office.

1-12-01

Certificate of Record of Marriage.

UNITED STATES OF AMERICA,
THE INDIAN TERRITORY,
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. *J. B. Campbell* and M. *Ana*

were filed in my office in said Territory and District the *27* day of *Dec*

A. D. *1899*, and did record in Book *11* of Marriage Record page *101*

WITNESS my hand and seal of said Court at Ardmore, this *27* day of *Dec*

A. D. *1899*
C. M. Campbell CLERK

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
OCT 1 1901

[Signature]
ACTING CHAIRMAN

C. M. CAMPBELL

NOTARY,
[Signature]



MARRIAGE LICENSE.

UNITED STATES OF AMERICA,)
INDIAN TERRITORY,) ss: To Any Person Authorized by Law to Solemnize Marriage--Greeting:
SOUTHERN DISTRICT)

You are hereby Commanded, To solemnize the Rite and
publish the Banns of Matrimony between

Mr. J. D. Dancy of Duncan
in the Indian Territory, aged 24 years, and
Miss Dora Jones of Duncan
in the Indian Territory, aged 17 years,
according to law; and do you officially sign and return this License to
the parties therein named.

Witness my hand and official seal, this 7th day
of December A. D. 1899

Clerk of the United States Court

Certificate of Marriage.

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

do hereby certify, that on the 25 day of December 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 26 day of December A. D. 1899

My credentials are recorded in the office of the Clerk of the United States Court,
Indian Territory, Southern District, at Ardmore Book of Page 2006

J. J. Yates
Clerk

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 creden-
tials have first been recorded in the Clerk's office.

Choc 5064 John N. Sanders

Dec 12, 1904

John R. Nellie May

+

James Allen Saunders

5064

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

--oOo--

Record in the matter of the applications for enrollment
as citizens by blood of the Choctaw Nation of
John R. Sanders, et al., 7-5064.

CHOCTAW.

20

INDEXED

IN RE

Application for Enrollment of

INFANT CHILD

Lucia May Sanders
as a citizen of

Choctaw

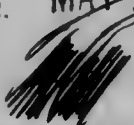
Nation

Enc w

Approved.

MAY 21 1901

190



Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER OF THE FIVE CIVILIZED TRIBES

FILED

MAY 21 1901



CHOCTAW.

5064.

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

IN RE Application for Enrollment, as a citizen of the *Apache* Nation,
of *Marie May Snyder* Born on the *11* day of *December*, *1901*
(here insert name of child)
Name of Father: *John A. Snyder*, a citizen of the *Apache* Nation.
Name of Mother: *Martha A. Snyder*, a citizen of the *Apache* Nation.
Post-office, *Chino*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, *Martha A. Snyder*, on oath state that I am
years of age and a citizen, by *Martha A. Snyder* of the *Apache* Nation;
that I am the lawful wife of *John A. Snyder*, who is a citizen, by
John A. Snyder of the *Apache* Nation, that a *female* child was
born to me on the *11* day of *December*, *1901*; that said child has been
named *Marie May Snyder* and is now living.

WITNESSES TO MARK

(Must be Two Witnesses)

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

NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, *Dr. R. A. Throckmole*, on oath state that I
attended on Mrs. *Martha A. Snyder*, wife of *John A. Snyder*,
on the *11* 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 *Marie May Snyder*.

WITNESSES TO MARK:

(Must be Two Witnesses)

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

NOTARY PUBLIC

Handwritten initials and numbers:
C.A.S.
760

7-5064.

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

--s0c--

In the matter of the applications of John R. Sanders and
Nellie May Sanders for enrollment as citizens by blood of the Choctaw
Nation.

--s0c--

The applicants, John R. Sanders and Nellie May Sanders
claim the right to enrollment as citizens of the Choctaw
Nation through their father, John R. Sanders.

The right of the applicants' father, John R. Sanders, to
citizenship in the Choctaw Nation having been adversely affected
by a decree of the Choctaw and Chickasaw Citizenship Court of
November 22, 1904, in case number 7, upon the testimony of a
decret of said Court, it is hereby ordered that the applications of John
R. Sanders and Nellie May Sanders for enrollment as citizens by
blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Handwritten signature

Chairman.

Muskogee, Indian Territory, *

DEC 1 1904

COPY

7-5064

Muskogee, Indian Territory, December 13, 1904.

John N. Sanders,

Alma, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 12, 1904, dismissing the application for the enrollment of your minor children, John R. Sanders and Nellie May Sanders as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

Chairman.

Registered.

Incl. 7-5064.

7-5064

COPY.

Muskogee, Indian Territory, December 13, 1904.

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

Gentlemen:

Inclosed herewith you will find copies of the orders of this Commission, dated December 12, 1904, dismissing the applications for the enrollment of John R. Sanders, Nellie May Sanders and James Allen Sanders as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Chairman.

2 Incls. 7-5064.

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

--oOo--

Record in the matter of the application for enrollment
as a citizen by blood of the Choctaw Nation of
James Allen Sanders, 7-5064.

IN RE

Application for Enrollment of

INFANT CHILD

James Allen Saunders
as a citizen of the

_____ Nation.

Approved OCT 2 1902 190

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

OCT 2 1902

ACTING CHAIRMAN

7-5064

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

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the _____ Nation,
of James Sanders, born on the 23 day of May, 1902.
(Here insert name of child.)
Name of Father: Thomas Sanders, a citizen of the Seaton Nation.
Name of Mother: Mary Sanders, a citizen of the Seaton Nation.
Post-Office: Albion

AFFIDAVIT OF MOTHER.

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

I, Mary Sanders, on oath state that I am 15
years of age and a citizen, by marriage, of the Seaton Nation;
that I am the lawful wife of Thomas Sanders, who is a citizen, by
blood, of the Seaton Nation, that a male child was
born to me on the 23 day of May, 1902; that said child has been
named James Sanders, and is now living.

WITNESSES TO MARK

Mrs. Mary Sanders

(Must be Two Witnesses.)

Subscribed and sworn to before me this 22 day of Sept., 1902.

J. H. [Signature]
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, R. B. [Signature], on oath state that I
attended on Mrs. Mary Sanders, wife of Thomas Sanders
on the 23 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
named James Sanders.

WITNESSES TO MARK

[Signature]

(Must be Two Witnesses.)

Subscribed and sworn to before me this 22 day of Sept., 1902.

J. H. [Signature]
Notary Public.

AB
1904

7-5064.

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

--oOo--


In the matter of the application of James Allen Sanders
for enrollment as a citizen by blood of the Choctaw Nation.

--oOo--

The applicant, James Allen Sanders, claims the right to
enrollment as a citizen by blood of the Choctaw Nation through
his father, Thomas W. Sanders.

The right of the applicant's father, Thomas W. Sanders
(as Thomas Wilson Sanders) 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
73 upon the Tishomingo docket of said court, it is hereby ordered
that the application of James Allen Sanders for enrollment as a
citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.



Chairman.

Muskogee, Indian Territory,

DEC 1 1904

COPY?

7-5064

Muskogee, Indian Territory, December 15, 1904.

Thomas W. Sanders,

Alma, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 12, 1904, dismissing the application for the enrollment of your minor child, James Allen Sanders as a citizen by blood of the Choctaw Nation.

Respectfully,

~~W. C. M. W.~~

Chairman.

Registered.

Incl. 7-5064.

7-5064

CCPY.

Muskogee, Indian Territory, December 13, 1904.

Mansfield, McMurray and Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find copies of the orders of this Commission, dated December 12, 1904, dismissing the applications for the enrollment of John R. Sanders, Nellie May Sanders and James Allen Sanders as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Chairman.

Incls. 7-5064.

John H. Sanders. 526

1847
Judgment for the 10th of
Sept. 1847

For and with others
John H. Sanders & others
of the County of

John N. Sanders and others.

John N. Sanders says:

I came here from Arkansas in May 1895, and have been living in the Chickasaw Nation about 3 years . I have been here all the while but my family are residing in Mo. They have never been in the Territory.

Winnie R. was admitted as "Minnie R".

John N. Sanders
Mary M. Sanders
William N. Sanders
Thomas W. Sanders
Winnie R. Sanders
Nancy E. Sanders.

Ardmore, Sept. 23 1898.

(The son John R. Sanders was omitted from the original judgment.)

At *Duncan*, October 18th, a supplemental judgment was presented, and the child John R. Sanders was enrolled on card with the family).

John R. Sanders

enrolled.

NEW BORN #1219

1906

IN RE

Application for Enrollment of

MINOR CHILD

Act of Congress Approved
April 26, 1906.

Nellie May Sanders

as a citizen of

MISSISSIPPI

Nation.

Approved.

1906

Commissioner.

Born Dec 14, 1900

ACT OF CONGRESS APPROVED APRIL 26, 1906.

JUL 11 1906

File # 5064

NOTARY

RECEIVED

111

JUL 11 1906

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 *Hellie May Sanders*, born on the *14* day of *Dec* 1900
(Here insert name of child)
Name of Father: *Jos H Sanders*, a citizen of the *Choctaw* Nation
Name of Mother: *Martha C. Sanders*, a citizen of the *Choctaw* Nation
Tribal enrollment of father: *Pending* Tribal enrollment of mother: *Pending*
Postoffice: *Osage St.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory,

Southern District
Martha C. Sanders on oath state that I am *47*
years of age and a citizen by *Marriage* of the *Choctaw* Nation;
that I am the lawful wife of *Jos H. Sanders* who is a citizen, by
Blood of the *Choctaw* Nation, that *Female* child was
born to me on *14* day of *Dec* 1900, that said child has been named
Hellie May Sanders and was living March 4, 1906

Martha C Sanders

WITNESSES TO MARK:

[Must be Two Witnesses]

Subscribed and sworn to before me this *4* day of *July* 1906.
J. K. Harrison
Notary Public
My Commission expires *Dec 6-08*

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory,

Southern District
Sarah Zumwalt a *midwife* on oath state that I
was present at the birth of *Hellie May Sanders* and that *Dr. R. Thraill*
attended on *Martha C. Sanders* wife of *Jos. H. Sanders*
Dr. R. Thraill has moved away from *this country* and his
on the *14* day of *Dec* 1900 that there was born to her on said date a *Female*
whereabouts are unknown is the reason we Male or Female
child; that said child was living March 4, 1906, and is said to have been named *Hellie May Sanders*
use Mrs Zumwalt's affidavit as midwife and witness.

Sarah Zumwalt

WITNESSES TO MARK:

[Must be Two Witnesses]

Subscribed and sworn to before me this *9* day of *July* 1906.
J. K. Harrison
Notary Public
My Commission expires *Dec 6-08*

DEPARTMENT OF COMMERCE
COMMISSION TO THE

FILED

OCT 2 1902

~~RECEIVED~~
OCT 2 1902

AN.

1,04

Certified Copy of
-4501-
MARRIAGE LICENSE.

ISSUED TO
Thomas H. Sandell
AND
Mary M. Reensuy
on the *9* day of *July* 1901

FILED FOR RECORD
on the *18*th day of *July* 1901
J. H. Kaeck R.M.
RECORDED

in marriage Record *Vol.* at page *457*
Frank Edwards
Recorder of Deeds

By _____ Deputy

FEE, \$1.00.

SEC. 3847. Revised Statutes, 1886. *Penalty for failure to Record or return License.* * * * * * Every officer or person who shall fail to return a License within ninety days after the issuing of the same, or who shall make a false return thereon, or any Recorder who shall willfully make a false record of any marriage license or return thereon, shall be deemed guilty of a misdemeanor, and on conviction shall be fined in any sum not less than five nor more than one hundred dollars.

SEC. 3907. Revised Statutes, 1886. * * * * * And every person not authorized by law to solemnize marriages who shall falsely represent that he is so authorized, and who, by any pretended marriage ceremony which he may perform, shall deceive any innocent person or persons into the belief that they have been legally married, shall, on conviction, be adjudged guilty of a misdemeanor, and be punished by imprisonment in the county jail not exceeding one year, or by fine not less than five hundred dollars, or by both such fine and imprisonment.

NOTICE TO PERSONS SOLEMNIZING MARRIAGES.

If you are not a citizen of the United States, besides possessing the other necessary legal qualifications, you cannot solemnize marriages, and would be liable to both fine and imprisonment for so doing. Read License carefully.

A Certificate of Marriage must be given by the person performing this ceremony to the persons married, showing the names, residence, date of marriage, date of License, etc. Sec. 6849, R. S. 1889, and Acts of 1895. (Use the attached blank for this purpose. And the person performing the ceremony must keep a RECORD of the same under penalty of a fine of five hundred dollars. Sec. 6851, R. S. 1889.

*The Book for this purpose can be purchased from **SAML DODSWORTH BOOK CO.**, Leavenworth, Kansas.*

CERTIFICATE OF TRUE COPY.

4082

Printed and for sale by Samp' Doleworth Book Co., Leavenworth, Kan

STATE OF MISSOURI.

County of *Christian* ss. *Frank Edwards*
Recorder of Deeds in and for said County, hereby certify that the above is a true copy of the original
Marriage License & Certificate of Marriage of
Thomas H. Sanders & Mary M. Ramsey
as the same appears of record in Book 6 Page 457. in my office.

Witness my Hand and Seal at office in *Oza. K. Mo.*
this *5th* day of *September* 1902

Frank Edwards Recorder

By

Deputy

STATE OF MISSOURI

MARRIAGE LICENSE



COUNTY OF *Christian*

This license authorizes any judge of a Court of record or justice of the Peace, or any licensed or ordained preacher of the Gospel, who is a citizen of the United States, to solemnize Marriage between *Thomas H. Sanders* of *Wetly* in the County of *Douglas* and State of *Mo.* who is under the age of twenty one years, and *Mary M. Remsey* of *Larrison* in the County of *Christian* and State of *Mo.* who is under the age of eighteen years. The written consent of the Guardian and father of the above named parties is filed in this office.

Witness my hand and seal, this 4th day of July 1881
Frank Edwards
Judge of Courts

By
Elder H. H. Elsey

NOTE—If the parties make no objection to the publication hereinafter mentioned, the Father, or nearest next of Kin, or Mother or Guardian of the persons named in the said A B or C D is to cause a return to be made to the said Marriage

STATE OF MISSOURI

COUNTY OF *Christian* SS.

Elder H. H. Elsey do hereby certify that the undersigned did, at residence of *Bridie Parents* in said County, on the *14th* day of *July* 1881, solemnize the marriage of the above named persons and further certify that I am a citizen of the United States and legally qualified under the laws of the State of Missouri to solemnize Marriages.

Elder H. H. Elsey

NEW BORN # 1220

190

IN RE

Application for Enrollment of

MINOR CHILD

Act of Congress Approved
April 26, 1906.

James Allen Sanders

as a citizen of

CHOCTAW

Nation.

Approved.

190

Commissioner.

Born May 23, 1902

DEPARTMENT OF THE INTERIOR
COMMISSIONER

AUG 7 1906

CHOCTAW

RECEIVED
JUL 17 1906

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

ENROLLMENT OF MINORS. ACT OF CONGRESS, APPROVED APRIL 20, 1906.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the *Choctaw* Nation,
of *James Allen Sanders*, born on the *23* day of *May*, 1902
Name of Father: *Thos. W. Sanders* a citizen of the *Choctaw* Nation
Name of Mother: *Mary M. Sanders* a citizen of the *U.S.* Nation
Tribal enrollment of father: *Pending* Tribal enrollment of mother: *Pending*
Postoffice: *Alma I.T.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory.

Southern District.
I, *Mary M. Sanders*, do hereby state that I am *22*
years of age and a citizen by *Marriage* of the *Choctaw* Nation,
that I am the lawful wife of *Thos. W. Sanders* who is a citizen by
Blood of the *Choctaw* Nation; that a *Male* child was
born to me on *23* day of *May*, 1902; that said child has been named
James Allen Sanders and was living March 4, 1906.
Mary M Sanders.

WITNESSES TO MARK:

[Must be Two Witnesses]

Subscribed and sworn to before me this *13* day of *July*, 1906.

J. C. Harrison
Notary Public
My Commission Expires Dec 6 - 08

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory.

W. R. Throckmold Physician on oath state that I
attended on *Mary M Sanders* wife of *Thos. W. Sanders*
on the *23* day of *May*, 1902; 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 *James Allen Sanders*
W. R. Throckmold M. D.

WITNESSES TO MARK:

[Must be Two Witnesses]

Subscribed and sworn to before me this *16* day of *July*, 1906.

February 14, 1907

Wm. Watson
Notary Public.

Muskegee, Indian Territory, March 12, 1900.

Mr. John N. Sanders,

Alma, Indian Territory,

Dear Sir:

Your letter of February 24, addressed to the Honorable Secretary of the Interior, in which you inclose the affidavit of Martha C. Sanders in the matter of the enrollment of your son, John Roy Sanders, has been referred to this Commission.

You are informed that the records of this Commission show that John N., William N., Thomas W., Minnie R., Nancy E. and John R. Sanders were duly listed for enrollment as citizens of the Choctaw Nation, September 22, 1898, by this Commission, in pursuance of the judgment of the United States Court at Ardmore, December 27, 1897, in court case Number 96. The Commission is now in receipt of an order from the United States Court for the Southern District of the Indian Territory, excluding from the original judgment entered in this cause certain names, among which is that of John Roy Sanders.

You are informed that this party, having been listed by this Commission for enrollment in accordance with said judgment, and the recent order of the court striking out the name of John Roy Sanders, The Commission, in accordance with said order has stricken his name from the list of applicants for citizenship in the Choctaw Nation.

Yours truly,

In replying to this letter
Choctaw C 109.

Acting Chairman.

Muskogee, Indian Territory, August 17, 1900.

Mr. J. J. Sanders,

Muskogee, Indian Territory,

Dear Sir:

The Commission is in receipt of your letter of August 16th, in which you inquire concerning the enrollment of your family. In reply to your letter, you are advised that the records of the Commission show that John L. Sanders, forty four, Mrs. Julia, formerly Mary Sanders, nineteen, William L. Sanders, eighteen, Thomas W. Sanders, sixteen, Winnie R. Sanders, ten, Nancy J. Sanders, eight, and John R. Sanders, twelve, were listed for enrollment September 22nd, 1896, pursuant to judgment rendered by the United States Court for the Indian Territory, Southern District, at Ardmore, rendered in December 20th, 1897, in court case number 95, with the exception of John R. Sanders, who was admitted by supplemental judgment, rendered October 15th, 1898, and since that date the said court issued an order striking the name of John R. Sanders from the judgment for the reason that his name did not appear in the original application made to this Commission in 1896.

Yours truly,

Acting Chairman.

Muskegee, Indian Territory, December 31, 1900.

John N. Sanders,

Alma, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 18th instant in which you desire to be furnished with a blank application for the enrollment of an infant child, and in which you ask to be informed if your son John Sanders is listed for enrollment by this Commission.

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 signatures are attested by two disinterested parties. The Notary Public taking the acknowledgments of the mother and attending physician or nurse must affix his notarial jurat and seal to each separate affidavit.

You are informed that the records of the Commission show that John R. Sanders, 12 years of age, the son of John N. and Martha C. Sanders, is listed for enrollment as a citizen of the Choctaw Nation, having been admitted to such citizenship by supplementary judgment of the United States Court for the Southern District of the Indian Territory, rendered at Ardmore, Indian Territory, October 15th, 1898 in court case No. 93.

Yours truly,

Muskogee, Indian Territory, January 23, 1901.

John N. Sanders,

Alma, Indian Territory.

Dear Sir:

The Commission is in receipt of the application for enrollment as a citizen of the Choctaw Nation of Nellie May Sanders, the infant daughter of John N. and Martha C. Sanders, born December 14th, 1900.

The same is returned to you herewith for the reason that it will be necessary for the Commission to be supplied with either the original or certified copy of the marriage license and certificate between yourself and Martha C. Sanders, before the matter of the application for the enrollment of this child can be given further consideration.

Upon receipt of evidence of your marriage as requested above and the return of the application, the matter will be given further attention.

Yours truly,

Acting Chairman.

7-5064

Enc w

Muskogee, Indian Territory, April 3, 1901.

Mr. John Sanders,

Comanche, I. T.

Dear Sir:-

The Commission is in receipt of your letter of March 19, 1901, relative to the application for enrollment of your infant daughter, Nellie May Sanders, which was returned to you January 23, 1901 with the request that you furnish the Commission with evidence of the marriage of the parents of this child.

You state in your letter that you are unable to furnish any other evidence than an affidavit by your brother, who was a witness to the ceremony. You are informed that upon the presentation of such affidavit, together with the return of the application, the matter will receive due consideration.

Yours truly,

Acting Chairman

7- 5064

Muskogee, Indian Territory, May 21, 1901.

Mr. John N. Sanders,

Alma, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 17th inst., enclosing an application for the enrollment, as a citizen of the Choctaw Nation of Nellie May Sanders, the infant daughter of John N. and Martha C. Sanders, born December 14, 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.

Receipt is also acknowledged of the affidavit of J. W. Sanders, stating that he was present at the marriage of John N. Sanders and Martha C. Sanders, on the 31st day of September, 1874.

You are informed that the same has been duly filed with the records of the Commission.

Yours truly,

Acting Chairman.

7-5064.

Muskogee, Indian Territory, July 18, 1901.

Mr. W. T. Morrison,

do, Indian Territory,

Dear Sir:-

Enclosed is a copy of a letter and a letter of the 24th instant, in which a desire is expressed if your orders and other necessary papers are sent to the citizens of the Chickasaw Nation.

Further to your inquiry, you are informed that John H. Sanders, forty-four years of age, a Citizen, Indian Territory, was on Census of 1896, of the Chickasaw Nation of this Territory, listed for enrollment as a citizen of the Chickasaw Nation, for purposes of enrollment of the Chickasaw Nation for the Southern District of the Indian Territory and at Ardmore, Indian Territory, December 29, 1897, no. 100000 number ninety-six.

Further to your inquiry, you are informed that John H. Sanders, Indian Territory, was on October 17, 1898, with his wife and other members of his family, listed for enrollment as a citizen of the Chickasaw Nation, Mr. Sanders and his family having been identified from the 1896 Census roll of Dickson County, Chickasaw Nation.

Yours truly,

7-5064.
9-1377.

Acting Chairman.

Choctaw 5064

Wuskogee, Indian Territory, July 3, 1902.

Thomas W. Sanders,

Alma, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 28, 1902, in which you request that you be supplied with two blanks for the purpose of enrolling your wife and child.

You are advised that the Commission has no blanks for the purpose of making application for enrollment as citizens by intermarriage of the Choctaw Nation, the rules and regulations of this Commission and of the Department of the Interior requiring that applicants for enrollment as citizens by intermarriage of the Choctaw Nation must present themselves in person before the Commission for the purpose of examination under oath.

If you have married a non citizen of the Choctaw Nation who now 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 Commission at Wuskogee, Indian Territory, prior to the date to be fixed or agreed upon terminating the time within which the Commission can receive applications of this character. . In view of the probability of such date being early fixed or agreed upon, it is advisable if

T W S 2

she anticipates making application that she do so as early as practicable.

For the purpose of submitting an application for the enrollment of your child, there is enclosed you herewith a blank. 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 to mark, that such signatures be attested by two disinterested parties, witnesses thereto.

The notary public before whom the acknowledgements of the mother and the attending physician or nurse are made, must affix his notarial jurat and seal to each separate affidavit.

Yours truly,

Commissioner in Charge.

BC

Muskogee, Indian Territory, July 24, 1902.

T. W. Sanders,
Alma, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Chickasaw Nation of James Allen Sanders, infant son of T. W., and Mary M. Sanders, born May 23, 1902.

The same is returned to you herewith for further information relative to the parents of this child.

It does not appear from our records that any person by the name of T. W. Sanders, has ever been listed for enrollment as a citizen of the Chickasaw Nation. Our records do show however that Thomas W. Sanders, sixteen years of age, son of John M. Sanders of Comanche, Indian Territory, was listed for enrollment as a citizen of the Choctaw Nation, September 22, 1898, in pursuance of a judgment of the United States Court, in Indian Territory, for the Southern District, December 20, 1897. If you are the identical Thomas W. Sanders referred to above you are advised that application should be made for the enrollment of your child as a citizen of the Choctaw Nation.

T W S--2

For the purpose of assisting you in this matter a blank application for the enrollment of an infant child is also inclosed you herewith.

You are further advised that the mother of the child being a non-citizen it will be necessary for you to supply the Commission with either your original marriage license and certificate or a certified copy thereof.

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

Yours truly,

Commissioner in charge.

enc.
GR-95.

Muskege, Indian Territory, October 1, 1902.

The undersigned,

Acting Indian Commissioner,

acknowledges:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of James Allen Sanders, infant son of Thomas W. and Mary M. Ramsey, born May 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.

Receipt is also acknowledged of a certified copy of the marriage license and certificate between Thomas W. Sanders and Mary M. Ramsey, and the same has been duly filed with the records of the Commission in the matter of the application for the enrollment of the above named child.

Receipt is further acknowledged of the original certificate of marriage between Thomas W. Sanders and Mary M. Ramsey, and the same is returned to you herewith.

Respectfully,

Enc B I 38.

Acting Chairman.

Choctaw 5064

Muskogee, Indian Territory, December 5, 1905.

Thomas W. Sanders,
Chickasha, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter without date in which you ask if court citizens in the Choctaw and Chickasaw Nations will receive allotments.

In reply to your letter you are advised that under the provisions of the act of Congress of July 1, 1902, which was ratified by the Choctaw and Chickasaw Nations on September 25, 1902, the Commission is prohibited from enrolling or making any allotment of land in the Choctaw and Chickasaw Nations to any persons whose right to citizenship in said nations is dependent upon judgments of the United States Courts in Indian Territory until a final determination of their right to such citizenship.

Respectfully,

Chairman.

7-5064

Muskogee, Indian Territory, August 7, 1906.

Thos. W. Sanders,

Alma, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of the affidavits of Mary M. Sanders and W. R. Threlkeld to the birth of James Allen Sanders, child of Thos. W. and Mary M. Sanders, May 23, 1902.

Respectfully,

Commissioner.

7-5064

uskogee, Indian Territory, October 11, 1906.

John N. Sanders,

Hope, Indian Territory.

Dear Sir:

Your letter of September 12, 1906, addressed to the Secretary of the Interior has been by him referred to this office for consideration and appropriate action. Therein you ask relative to your right to enrollment of yourself and your family and the cause of the delay in deciding your case. You also desire to be protected in the possession of your land.

In reply to your letter you are advised that it appears from the records of this office that you were denied citizenship in the Choctaw Nation by the Choctaw and Chickasaw Citizenship Court November 29, 1904 in case No. 73 on the Tishomingoocket and it does not appear that petition for rehearing in this case has been filed under the ruling of the Department in the Choctaw enrollment case of Loula West.

You are further advised that the contest sought to be instituted by you for certain land on which you claim to own improvements was dismissed June 1, 1906.

Respectfully,

Commissioner.

36280-1908

Muskogee, Oklahoma, January 7, 1909.

Mr. John H. Sanders,
Hope, Oklahoma,

Sir:

Your letter of December 14, 1908, addressed to the Secretary of the Interior, has been referred to this office for appropriate action. Therein you refer to your right to enrollment as a citizen of the Choctaw Nation.

Relying thereto you are advised that it appears from the records of this office that you and your family denied by the Commission to the Five Civilized Tribes under the act of Congress approved June 10, 1896; that on appeal, you were admitted by the United States Court for the Southern District of the Indian Territory, at Ardmore; that subsequently your case was transferred to the Choctaw and Chickasaw Citizenship Court, which court denied your citizenship in the Choctaw Nation.

You are further advised that the rolls of citizenship of the Five Civilized Tribes were closed on March 4, 1907, and that this office is now without authority to receive or entertain the application of any person for enrollment as a citizen or freedman of any of said Tribes.

J N S 2

Since the date above mentioned there has been no further legislation relative to enrollment in the Five Civilized Tribes nor have I any information as to the probability of the re-opening of the rolls in the future.

Respectfully,

Acting Commissioner.

INDIAN LAND AND MONEY
LFS-6-21-40
Choctaw claim.

June 21, 1940.

Mrs. Luther McLain,
Route 4, Box 7-C,
Duncan, Oklahoma.

Dear Madam:

We have your recent letter in which reference is made to the application for the enrollment of Winnie R. Sanders, Nancy E. Sanders and Nellie May Sanders, on September 22, 1898, by John W. Sanders. As he was unable to furnish proof as to his claim for Indian blood, his application was denied, and his name and the names of his children, were not placed on the approved roll and therefore none of them were entitled to land or money from the Choctaw Nation.

Furthermore, the rolls for the Choctaw Nation were completed and closed on March 4, 1907, as provided by Act of Congress approved April 26, 1906 (34 Stat. 137) and nothing can now be done looking to the enrollment of any one as a citizen of this Nation. Only those persons whose names already appear on the approved rolls received land or money from the Choctaw Nation.

Respectfully,

Asst. to Superintendent.

Choc 5065, Jesse A. Boen JR

#2 Dismissed Dec 12, 1904

Choc
5065

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

--oOo--

Record in the matter of the application for enrollment
as a citizen by intermarriage of the Choctaw nation of
Rosa Bowen, 7-5065.

Jesse A .Bowen, Jr .

Jesse A. Bowen Jr. says:

I came from Arkansas and have been living in the Chickasaw Nation since September 13th 1897 , contin uously.

Jesse A. Bowen Fr. enrolled .

Ardmore, September 22nd 1898.

Jesse A. Bowen meets the Commission at Dunc an, October 18th 1898, and presents copy of supplemental judgment, admitting his wife and child.

He makes the following statement under oath:

Rosa Bowen is my wife.

She was admitted as a citizen by intermarriage. She was married to me 7 years ago under Arkansas law. She moved to the Territory with me September 13th 1897.

Julia Ann Bowen, 4, is my daughter by Rosa Bowen. She was admitted as a citizen by blood .

Ardmore, Sept. 22 1898.

Rosa Bowen
Julia Ann Bowen

enrolled.

Handwritten initials/signature

7-5065.

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

--c0c--

In the matter of the application of Rosa Bowen for enrollment as a citizen by intermarriage of the Choctaw Nation.

--c0c--

The applicant, Rosa Bowen, desires enrollment as a citizen by intermarriage of the Choctaw Nation through her marriage to Jesse A. Bowen, Jr.

The right of the said Jesse A. Bowen, Jr., (as Jesse Anderson Bowen, Jr.) to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court of November 22, 1904, in case number 10 upon the Tishomingo docket of said Court, it is hereby ordered that the application of Rosa Bowen for enrollment as a citizen by intermarriage of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Handwritten signature

Chairman.

Muskogee, Indian Territory.

DEC 1 1904

Choctaw 5065

COPY:

Muskogee, Indian Territory, December 13, 1904.

Rosa Bowen,

Comanche, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 12, 1904, dismissing the application for your enrollment as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

(SIGNED)

Registered.

Chairman.

Incl. 7-5065.

Choctaw 5065

COPY.

Muskogee, Indian Territory, December 13, 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 December 12, 1904, dismissing the application for the enrollment of Rosa Bowen as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

SIGNED

For

Chairman.

Incl. 7-5065.

Chairman.

Rosa Baen. 18
Julia Allen 110

Choc.

Original Judgment, Ad. 96, Dec 20 97
App. Ad. 96, Sep 28 98

Place on card with
Jesse A. Baen enrolled at
Arkmore

Note
Rosa Baen is wife of
Jesse A. Baen married to
him in Arkansas 4 years ago -
Julia Allen is daughter of Jesse & Rosa
lived in Chickasaw Nation since Sep 13, 97

Muskegee, Indian Territory, October 18, 1901.

Mr. Jesse A. Roen,
Addington, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 3rd instant, in which you address the Commission in regard to the rights to enrollment of your wife, Rosa Roen. You state that there evidently has been a misunderstanding in regard to this matter and that your wife's maiden name was Rosa Roen, while you also have a sister of the same name who is now married to a man by the name of Lewis Higgins, and that there has evidently been a mistake in the proper identification of the two Rosa Roens.

It will be advisable, if you can do so, to appear before the Commission in person, as otherwise it would be almost impossible for this office to have a clear and concise understanding of this matter. Such appearance can be made at the office of the Commission at Muskegee, Indian Territory.

Yours truly,

7-5065

Acting Chairman.

COMMISSIONERS:
TAMM BIXBY,
THOMAS B. NEEDLES,
C. E. BRACKINRIDGE.

WM. O. BEALL,
Secretary.

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

REFER IN REPLY TO THE FOLLOWING:

Choctaw 5065

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, December 13, 1904.

Rosa Bowen,

Comanche, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 12, 1904, dismissing the application for your enrollment as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

Registered.

Incl. 7-5065.


Chairman.

Choc 5066 Caldwell M. Brown

Cancelled

Transferred to checkbook card #2000

Aug 13, 1942

5066

EMPTY

Choc 5067 Rosa I. Higgins

Dismissed Dec 12, 1904

5067

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

--oOo--

Record in the matter of the applications of Susie M.
Higgins and Oscar Edward Higgins for enrollment as citizens by
blood of the Choctaw nation.
7-5067.

IN RE

Application for Enrollment of
INFANT CHILD

Dear Edward Higgins
as a citizen of

Choctaw

Nation.

Approved, FEB 5 1901 190



Commissioner.

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

FILED

FEB 5 1901



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

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,
of *Oscar Edward Higgins*, born on the *2*-^d day of *December*, 1900
Here insert name of child
Name of Father: *Louis Fisher*, a citizen of the *Choctaw* Nation.
Name of Mother: *Rosa Isabelle Higgins*, a citizen of the *Choctaw* Nation.
Post-office, *Admission in Per*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.

Do. Do. District.

I, *Rosa Isabelle Higgins*, do hereby state that I am *Twenty four*
years of age and a citizen, by *birth* of the *Choctaw* Nation;
that I am the lawful wife of *Louis Fisher*, who is a citizen, by
marriage, of the *Choctaw* Nation; that a *son* child was
born to me on the *2*-^d day of *December*, 1900, that said child has been
named *Oscar Edward Higgins*, and is now living.

WITNESSES TO MARK

Rosa Isabelle Higgins

(Must be Two Witnesses)

Subscribed and sworn to before me this *2nd* day of *February*, 1901.

Janet S. Aldington
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.

District.

I, *Dr. H. A. Baker*, *Physician*, on oath state that I
attended on Mrs. *Rosa Isabelle Higgins*, wife of *Louis Fisher Higgins*
on the *2*-^d day of *December*, 1900, that there was born to her on
said date a *son* child; that said child is now living and is said to have been
named *Oscar Edward Higgins*.

WITNESSES TO MARK

H. A. Baker M.D.

(Must be Two Witnesses)

Subscribed and sworn to before me this *2* day of *February*, 1901.

Janet S. Aldington
NOTARY PUBLIC

AM
D. C.

7-5067.

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

--oOo--


In the matter of the applications of Susie M. Higgins and Oscar Edward Higgins for enrollment as citizens by blood of the Choctaw Nation.

--oOo--

The applicants, Susie M. Higgins and Oscar Edward Higgins, claim the right to enrollment as citizens by blood of the Choctaw Nation through their mother, Rosa I. Higgins.

The right of the applicant, Oscar, Rosa I. Higgins, as Rosie Isabelle Higgins (ne. Rosen) or her Isaac I. Higgins (ne. Cowen), to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court of November 2, 1904, in case number 75 upon the fisher's pocket of said court, it is hereby ordered that the applications of Susie M. Higgins and Oscar Edward Higgins for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.



Chairman.

Muskogee, Indian Territory,

Dec

Choctaw 5067

COPY,

Muskogee, Indian Territory, December 13, 1904.

Rosa I. Higgins,

Addington, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 13, 1904, dismissing the application for the enrollment of your minor children, Susie M. Higgins and Oscar Edward Higgins, as citizens by blood of the Choctaw Nation.

Respectfully,

W. H. C. S.

Registered.

Chairman.

Incl. 7-5067

Choctaw 5067

COPY.

Muskogee, Indian Territory, December 13, 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 order of this Commission, dated December 12, 1904, dismissing the application for the enrollment of Susie M. Higgins and Oscar Edward Higgins as citizens by blood of the Choctaw Nation.

Respectfully,

(Signed)

[Signature]

Chairman.

Incl. 7-5067.

Muskogee, Indian Territory, February 5, 1901.

Louis Jasper Higgins,

Addington, Indian Territory.

Dear Sir:

The Commission is in receipt of the application for enrollment as a citizen of the Choctaw nation of Oscar Edward Higgins, the infant son of Louis Jasper and Rosa Isabelle Higgins, born December 24th, 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.

7-5067

Choctaw 5067.

Muskegee, Indian Territory, April 27, 1905.

Louis Jasper Higgins,

Comanche, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the affidavits of Rosey Isabell Higgins and R. A. Baker to the birth of Flora Higgins, daughter of L. J. and Rosa Isabell Higgins, December 2, 1903.

It appears from our records that you are a noncitizen and that on November 29, 1904, the Choctaw and Chickasaw Citizenship Court denied the citizenship in the Choctaw Nation of your wife, Rosa I. Higgins, and as the Act of Congress approved March 3, 1905, authorizes the Commission for a period of sixty days from that date to receive applications for the enrollment of children born to citizens by blood of the Choctaw and Chickasaw Nations, whose enrollment had prior to that time been approved by the Secretary of the Interior, you will see that the Commission is without authority to enroll your child.

Respectfully,

Chairman.

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

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,
of Flora Higgins, born on the 2d day of Dec, 1903
(Here insert name of child.)
Name of Father: Louis Jasper Higgins a citizen of the _____ Nation.
Name of Mother: Rosa Isabelle Higgins a citizen of the Choctaw Nation.
Postoffice Comanche Ind Ter

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Southern DISTRICT.

I, Rosa Isabelle Higgins, 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 Louis Jasper Higgins, who is a citizen, by
_____ of the _____ Nation; that a female child was
(Male or Female)
born to me on 2d day of Dec, 1903; that said child has been named
Flora Higgins, and was living March 4, 1905.

WITNESSES TO MARK:

(Must be Two Witnesses.) { Aug M Baker
H A Baker

Subscribed and sworn to before me this 20th day of April, 1905

J. W. McKenney Notary Public.
Com expires Mar 29-1909

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Southern DISTRICT.

I, H A Baker, Physician, on oath state that I
attended on Mrs. Rosa Isabelle Higgins wife of L J Higgins
on the second day of Dec, 1903; that there was born to her on said date a female
(Male or Female.)
child; that said child was living March 4, 1905, and is said to have been named Flora Higgins.

WITNESSES TO MARK:

(Must be Two Witnesses.) { Aug M Baker
J W McKenney

Subscribed and sworn to before me this 20th day of April, 1905

J W McKenney Notary Public.
Com expires Mar 29-1909

Choc 5068 Triphena E. Percy

5068

4765-1909
7 5068

Muskogee, Oklahoma, February 26, 1909.

W. F. Calhoun,
Allen, Oklahoma,

Dear Sir:

Receipt is hereby acknowledged of your letter of February 18, stating that the names of the persons concerning whom you inquired in a previous letter were Tryphena Elizabeth Pearcey, John Wesley Pearcey, Joseph Anderson Pearcey, William Atoka Pearcey, Jim Wesley Pearcey, and you desire to be informed relative to their right to enrollment.

In reply you are advised that it appears from the records of this office that Tryphena E. Pearcey, Joseph A. Pearcey, his wife and eight children, William A. Pearcey and his children, John W. Pearcey, James W. Pearcey, were applicants for enrollment as citizens of the Choctaw Nation, having been admitted to citizenship in said nation by a judgment of the United States Court for the Southern District of the Indian Territory, at Ardmore. This case was subsequently transferred to the Choctaw and Chickasaw Citizenship Court for a trial de novo, which court, June 29, 1904, denied the right to citizenship in the Choctaw Nation of the above named persons and their families.

W F C 2

You are further advised that the rolls of citizenship of the Five Civilized Tribes were closed on March 4, 1907, and that this office is now without authority to receive or entertain the application of any person for enrollment as a citizen or freedman of any of said tribes.

Since the date above mentioned there has been no further legislation relative to enrollment in the Five Civilized Tribes nor have I any information as to the probability of the reopening of the rolls in the future.

Respectfully,

AB

Acting Commissioner.

Triphena E. Pearcy and others.

Triphena E. Pearcy says:

I have been living in the Territory since August 1896. I had never lived here before that time. I have been living here continuously since that time.

Admore Sept. 22, 1898.

Triphena E. Pearcy

enrolled.

Choc 5069 Joseph A. Percy

5069

Choctaw 8069
Choctaw 8098
Choctaw 5101

Muskogee, Indian Territory, March 21, 1903.

R. H. Wall,

Ashland, Indian territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of March 15, asking if the names of Joseph Pearcey, John Pearcey and James Pearcey appear on the citizenship rolls as citizens of the Choctaw Nation.

In reply to your letter you are advised that it appears from our records that Joseph A. Pearcey and his family, John W. Pearcey and his family and James W. Pearcey and his family were admitted to citizenship in the Choctaw Nation by a judgment of the United States Court for the Southern District of the Indian Territory, rendered at Ardmore, February 1, 1898. 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 decisions of the United States Courts in Indian Territory, admitting persons to citizenship in the Choctaw and Chickasaw Nations.

Respectfully,

Chairman.

Joseph A. Percy and others.

Joseph A. Percy says:

I have lived in the Chickasaw Nation 5 years. I came here in March 1894. I came from Texas. I have lived here continuously since that time. I had never before lived here.

I have a son William A. Percy .

Luvisa was admitted as "Louisa".

Ardmore Sept 22 1898.

Joseph A. Percy
 Bettie Percy
 Joseph A. Percy Jr.
 Luvisa Percy
 Elijah Percy
 Ida M. Percy
 Mary Ellen Percy
 Addie Percy
 Blanche Percy
 John F. Percy enrolled.

Choc 5070 William A. Percy

Nº4 Dismissed Sept 15, 1904

5070

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

In the matter of the application for the enrollment as a
citizen by blood of the Choctaw Nation of

NORA E. PEARCY.....7-5070.

Department of the Interior.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,
of *Nora Evaline Piorey*, born on the *27* day of *February*, 189*7*.
Name of father: *William Altona Piorey*, a citizen of the *Choctaw* Nation.
Name of mother: *Christine L. Piorey*, a citizen of the *United States*.
Post Office: *Wilson, S. T.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, *Christine L. Piorey*, on oath, state that I am *25* years of age and a
citizen, of *United States* Nation; that I am the
lawful wife of *William Altona Piorey*, who is a citizen, by *Blood* of the
Choctaw Nation; that a child was born to me on the *27* day
of *February*, 189*7*; that said child has been named *Nora Evaline Piorey*
and is now living.

Subscribed and sworn to before me this *11* day of *August*, 1899.
[Signature]
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, *Mrs. Bettie Piorey*, a *midwife*, on oath, state that I
attended on Mrs. *Christine L. Piorey*, wife of *William Altona Piorey*,
on the *27* day of *February*, 189*7*; 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 *Nora Evaline Piorey*.

Subscribed and sworn to before me this *11* day of *August*, 1899.
[Signature]
Notary Public.

7-5070.

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

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

-----ooOoo-----

It appears from the census card record in this case that
on September 22, 1898, application was made to the Commission to the
Five Civilized Tribes for the enrollment of Nora E. Pearcy as a
citizen by blood of the Choctaw Nation.

It further appears from the record herein and from the
records in the possession of this office that said applicant was
born February 27, 1887, and is the daughter of William A. Pearcy,
who was denied citizenship in the Choctaw Nation by a decree of the
Choctaw and Chickasaw Citizenship Court June 25, 1904, in case No.
18, upon the Wishingo Docket of said Court; and Christine Pearcy,
a non-citizen.

I am, therefore, of the opinion that the application for
the enrollment of Nora E. Pearcy as a citizen by blood of the
Choctaw Nation should be dismissed, and it is so ordered.



Commissioner.

Muskogee, Indian Territory,

FEB 28 1907

7-5070

Muskogee, Indian Territory, March 2, 1907.

William A. Pearcey,
Wilson, Indian Territory.

Dear Sir:

You are hereby notified that the Commissioner to the Five Civilized Tribes on February 28, 1907, rendered his decision dismissing the application for the enrollment of Nora E. Pearcey as a citizen by blood of the Choctaw Nation.

Respectfully,

Commissioner.

Registered.

7-5070

Muskogee, Indian Territory, March 2, 1907.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations.

South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that the Commissioner to the Five Civilized Tribes on February 28, 1907, rendered his decision dismissing the application for the enrollment of Vera E. Piercey as a citizen by blood of the Choctaw Nation.

Respectfully,



Commissioner.

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:

MARY C. PIRACY

7-5070.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Mary Catherine Piercey, born on the 18 day of January, 1899.
Name of father: William Atoka Piercey, a citizen of the Choctaw Nation.
Name of mother: Christine L Piercey, a citizen of the United States Nation.
Post Office: Wilson, S. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District.

I, Christine L Piercey, on oath, state that I am 25 years of age and a
citizen, of United States of the Choctaw Nation; that I am the
lawful wife of William Atoka Piercey, who ^{is} a citizen, by Blood, of the
Choctaw Nation; that a child was born to me on the 18 day
of January, 1899; that said child has been named Mary Catherine Piercey,
and is now living.

Subscribed and sworn to before me this

5 day of August, 1899.

Chas. L. Richards
Notary Public.
Barber County Texas

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District.

I, Thursa M. Holbeck, a midwife, on oath, state that I
attended on Mrs. Christine L Piercey, wife of William Atoka Piercey
on the 18 day of January, 1899; that there was born to her on said date a girl child;
that said child is now living and is said to have been named Mary Catherine Piercey.

Subscribed and sworn to before me this

5th day of August, 1899.

J. M. Richards
Notary Public.
Barber County Texas

960

7-5070

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

In the matter of the application for the enrollment
of Mary C. Pearcy as a citizen by blood of the Choctaw Nation

-----0-----

The applicant, Mary C. Pearcy, claims her right
to enrollment as a citizen by blood of the Choctaw Nation
through her father William A. Pearcy. The right of the ap-
plicant's father, William A. Pearcy, to citizenship in the
Choctaw Nation having been adversely determined by a decree
of the Choctaw and Chickasaw Citizenship Court, June 29, 1904,
in case No. 18 upon the Tishomingo docket of said court, it
is hereby ordered that the application of Mary C. Pearcy for
enrollment as a citizen by blood of the Choctaw Nation be
dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,


Chairman.

Muskogee, Indian Territory,

SEP 15 1904

Choctaw-5070

COPY:

Muskogee, Indian Territory, September 15, 1904.

Christine L. Pearcey,
Wilson, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 15, 1904, dismissing the application for the enrollment of Mary C. Pearcey as a citizen by blood of the Choctaw Nation.

Respectfully,

SIGNED

Fame Sixby.
Chairman.

Registered.

Incl. 7-5070.

COPY: Chocataw 5070

Muskogee, Indian Territory, September 15, 1904.

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

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated September 15, 1904, dismissing the application for the enrollment of Mary C. Plearcy as a citizen by blood of the Chocataw Nation.

Respectfully,

SIGNED

James Dixby.

Chairman.

Incl. 7- 5070..

William A. Percy and others.

(See testimony of Joseph A. Percy, Choctaw Court Card 114).

William A. Percy
William F. Percy
Nora E. Percy

enrolled.

United States of America,
Southern Judicial District.
Ardmore, Indian Territory.

Now comes J.A.Pearcy and upon oath states that James A.Pearcy is his name and that his last office address is Wilson; I.T., and that William Atoka Pearcy was his son and states that William Atoka Pearcy has now died and the mother of Christina L.Pearcy and father of Nora Evaline Pearcy and Mary Catharine Pearcy, died on the 1st day of October A.D.1898, at ~~the~~ place near Wilson in the Chickasaw Nation, Indian Territory.

Witness to sign:

[Signature]

J. A. Pearcy
his

Subscribed and sworn to before me on this the 11th day of August A.D.1899.

[Signature]
Notary Public in and for the Southern Judicial District, Indian Territory.

United States of America,
Southern Judicial District,
Ardmore, Indian Territory.

Now comes J.A.Pearcy and upon oath states that J.A.Pearcy is his name and that he was the father of Addie Pearcy aged 8 years and that the said Addie ~~Pearcy~~ Pearcy died on the 2nd day of January A.D.1899, near Wilson; Chickasaw Nation, Indian Territory.

Witness to sign:

[Signature]

J. A. Pearcy
his

Subscribed and sworn to before me on this the 11th day of August A.D.1899.

[Signature]
Notary Public in and for the Southern Judicial District of the Indian Territory.

REFER IN REPLY TO THE FOLLOWING:

7-5070

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

Muskogee, Indian Territory, March 2, 1907.

William A. Pearcey,
Wilson, Indian Territory.

Dear Sir:

You are hereby notified that the Commissioner to the Five Civilized Tribes on February 28, 1907, rendered his decision dismissing the application for the enrollment of Nora E. Pearcey as a citizen by blood of the Choctaw Nation.

Respectfully,



Commissioner.

Registered.

Choc 5071 Mary Ann Kelly

5071

Mary Ann Kelly
Hampston Boone
+
Choctaw

Madison 88, Dec 21st 1898

Note Mary Ann Kelly
married Wm Kelly
July 21st 1847
Wm Kelly
Hampston Boone

116

Mary Ann Kelly and others.

Mary Ann Kelly says:

I have lived in the Chickasaw Nation about 9 years continuously.

I was admitted as "Mary Ann Boone". Married William Kelly July 21st 189 .

Admored Sept 22 1898.

Mary Ann Kelly
Hampton Boone

enrolled.

Choc 5072 John H. Hill

Nos 10-11 Dismissed SEPT 15, 1904

5072

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

- - -0----

Record in the matter of the application for enrollment as citizens by blood of the Choctaw Nation of:

ARCHIE L. HILL, ET AL.,

7-5072.

John H. Hill and others.

John H. Hill says:

I have been living in the Chickasaw Nation
about 21 years continuously.

Archie L. was born April 8th 1898.

Archie L. Sept 22 1898.

John H. Hill
Louisa T. Hill
John W. Hill
Lycurgus S. Hill
Louada B. Hill
Charley G. Hill
Edith M. Hill
Robert D. Hill
Nola P. Hill
Archie L. Hill

enrolled.

IN RE

Application for Enrollment of

INFANT CHILD

Jesse Marvin Hill,
as a citizen of

Choctaw

Nation.

Approved *DEC 27 1901* 190

[Signature]
Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
DEC 27 1901

[Signature]
ACTING CHIEF

5070

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

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,
of *Jesse Marvin Hill*, born on the *18th* day of *December*, 1901.
(Here insert name of child.)
Name of Father: *John H. Hill* a citizen of the *Choctaw* Nation.
Name of Mother: *Louisa Tommie Shiba Hill* a citizen of the *Choctaw* Nation.
Post-office *Ort. Indian Territory*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY
Southern District.

I, *Louisa J. Hill*, on oath state that I am *40*
years of age and a citizen, by *Intermarriage* of the *Choctaw* Nation;
that I am the lawful wife of *John H. Hill*, who is a citizen, by
blood of the *Choctaw* Nation; that a *male* child was
born to me on *18th* day of *December*, 1901; that said child has been
named *Jesse Marvin Hill*, and is now living.

WITNESSES TO MARK.

(Must be Two
Witnesses.)

Subscribed and sworn to before me this *27th* day of *Dec.*, 1901.

NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY
Southern District.

I, *Dr. J. W. Allen*, a *Physician*, on oath state that I
attended on Mrs. *Louisa Hill*, wife of *John H. Hill*
on the *18th* day of *December*, 1901; that there was born to her on
said date a *male* child; that said child is now living and is said to have been
named *Jesse Marvin Hill*.

WITNESSES TO MARK

(Must be Two
Witnesses.)

Subscribed and sworn to before me this *27th* day of *Dec.*, 1901.

NOTARY PUBLIC

760

7-5072.

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

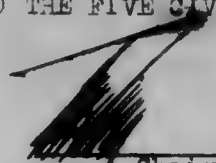
-----0-----

In the matter of the application for the enrollment of Archie L. Hill and Jesse Marvin Hill as citizens by blood of the Choctaw Nation.

-----0-----

The applicants, Archie L. Hill and Jesse Marvin Hill, claim their right to enrollment as citizens by blood of the Choctaw Nation through their father John H. Hill. The right of the applicants' father, John H. Hill, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case No. 62 upon the Tishomingo docket of said court, it is hereby ordered that the application of Archie L. Hill and Jesse Marvin Hill for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



Chairman.

Muskogee, Indian Territory,

SEP 15 1904

Choctaw 72

COPY!

Muskogee, Indian Territory, September 15, 1904.

John H. Hill,

Orr, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated, September 15, 1904, dismissing the application for the enrollment of Archie L. Hill and Jesse Harvin Hill as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

Sam S. Kirby.

Chairman.

Registered.

Vol. 7-5072.

Cheetaw 5072

COPY.

Muskogee, Indian Territory, September 15, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Cheetaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated September 15, 1904, dismissing the application for the enrollment of Archie L. Hill and Jesse Marvin Hill as citizens by blood of the Cheetaw Nation.

Respectfully,

SIGNED

James Dixby.
Chairman.

Incl. 7- 5072.

John H. Hill

Laura T. "

John W. "

Lycurgus J. "

Louisa B.

Charley G. "

Edith M. "

Robert D. "

Nola P. "

Archie L. "

born April 8th 1898

+
Chocoma

Wadsworth, 104, Dec 22, 1898

Muskogee, Indian Territory, December 31, 1901.

John H. Hill,

Orr, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation, of Jesse Marvin Hill, the infant son of John H. and Louisa T. Hill, born December 18, 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.

7-5276

Choc 5073 William & Askew

Dismissed OCT 23, 1906

Notices and decision in 7-5200

see PET # C-105

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C-105
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COF
DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Newt Askew, et al., as citizens of the Choctaw Nation.

DECISION.

It appears from the record herein and from the records in the possession of the Commissioner to the Five Civilized Tribes that application was made to the Commission to the Five Civilized Tribes at Ardmore, Indian Territory, September 23, 1898, by Newt Askew, for the enrollment of himself, his wife, Nancy M. Askew, William H. Askew, Henry E. Askew, Elizabeth V. Askew, Dallas A. Askew and Roxy C. Askew, children of said Newt Askew and Nancy M. Askew, as citizens by blood of the Choctaw Nation; that on April 10, 1900, written application was made for the enrollment of Alpha Marie Hefner as a citizen by blood of the Choctaw Nation; that on April 11, 1902, written application was made for the enrollment of Julius Edward Askew as a citizen by blood of the Choctaw Nation; that on April 25, 1902, written application was made for the enrollment of Nancy Ann Hefner as a citizen by blood of the Choctaw Nation; that application was made by William G. Askew at Ardmore, Indian Territory, September 22, 1898, for the enrollment of himself and minor children, Mattie Askew, Ellen Askew and Tom Askew as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Martha Askew, as a citizen by intermarriage of said nation; that application was made by Rebecca Askew at Ardmore, Indian Territory, September 23, 1898, for the enrollment of herself as a citizen by blood of the Choctaw Nation; that application was made by William T. Askew at Ardmore, Indian Territory, September 22, 1898, for the enrollment of himself and minor children, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew and Lizzie Askew as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Bettie Askew, as a citizen by intermarriage of said nation; that on October 13, 1900, written application was made for the enrollment of Ethel Askew, minor daughter of said William T. Askew and Bettie Askew, as a citizen by blood of the Choctaw Nation; that on August 16, 1902, written application was made for the enrollment of Robert Askew, minor son of the said William T. Askew and Bettie Askew, as a citizen by blood of the Choctaw Nation; that on November 30, 1901, written application was made for the enrollment as a citizen by blood of the Choctaw Nation of Robert Floy Shipman, minor child of Thane Shipman, (nee Askew), by her husband, T.D. Shipman; that application was made by Mary E. Jackson at Ardmore, Indian Territory, September 23, 1898, for the enrollment of herself and her minor children, Taylor F. Jackson, Alma Jackson, Charley Jackson, Roscoe Jackson and Ethel Jackson, as citizens by blood of the Choctaw Nation; that application was made by Mary C. Brewer at Ardmore, Indian Territory, September 23, 1898, for the enrollment of herself and minor children, Emma Brewer and Elmer Brewer, as citizens by blood of the Choctaw Nation;

that on December 18, 1899, written application was made for the enrollment of the applicant, Mary B. Brewer, minor daughter of said Mary C. Brewer and G. F. Brewer, as a citizen by blood of the Choctaw Nation; that application was made by George W. Askew at Ardmore, Indian Territory, September 22, 1898, for the enrollment of himself and minor children, Sophia Askew and Alice Askew, as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Dora Askew, as a citizen by intermarriage of said nation; that application was made by Martha E. Turner, at Ardmore, Indian Territory, September 23, 1898, for the enrollment of herself as a citizen by blood of the Choctaw Nation; that application was made by Sam Askew at Ardmore, Indian Territory, September 23, 1898 for the enrollment of himself as a citizen by blood of the Choctaw Nation, and for the enrollment of his wife, Lena Askew, as a citizen by intermarriage of said nation; that on March 20, 1900, written application was made for the enrollment of Frankie Beatrice Askew, minor daughter of Sam Askew and Lena Askew, as a citizen by blood of the Choctaw Nation; that on April 2, 1901 written application was made for the enrollment of Leo Askew, minor son of Sam Askew and Lena Askew, as a citizen by blood of the Choctaw Nation; that application was made by John Askew, at Ardmore, Indian Territory, September 23, 1898 for the enrollment of himself as a citizen by blood of the Choctaw Nation.

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that the applicants, William Q. Askew, William T. Askew, George W. Askew, Sam Askew, Martha Askew, Mattie Askew, Ellen Askew, Tom Askew, Bettie Askew, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Dora Askew and Sophia Askew 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); that they were denied such admission by a decision of the Commission of December 1, 1896 (1896 Choctaw Citizenship Case No. 1); that from this decision an appeal was taken to the United States Court for the Southern District of Indian Territory, which court on December 21, 1897, in the case entitled "William Q. Askew, et al. vs. Choctaw Nation", rendered a judgment reversing the decision of the Commission to the Five Civilized Tribes as to the applicants, and admitted all of said applicants to citizenship in the Choctaw Nation, except Martha Askew, Bettie Askew and Dora Askew. On March 12, 1898 said court rendered a supplemental decision in said case admitting said Martha Askew, Bettie Askew and Dora Askew to citizenship in the Choctaw Nation.

These judgments were 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 Nation, or Tribes, vs. J. T. Riddle, et al."

Said cause was subsequently certified to the Choctaw and Chickasaw Citizenship Court, created by the Act of Congress approved July 1, 1902 (32 Stats., 641), for a trial de novo, and on September 19, 1904, said Citizenship Court in the case entitled "William Quint Askew et al., vs. Choctaw and Chickasaw Nations" (Choctaw Chickasaw Citizenship Court Case No. 2 Tishomingo Docket), rendered a judgment therein, wherein it was ordered, adjudged and decreed that the petition of the plaintiffs, William Quint Askew, Martha Askew, Mattie Askew, Ellen Askew, Tom Askew, William Thomas Askew, Bettie Askew, Perry Askew, Tommie Askew, or Tommy Askew, Lily Askew or Lillie Askew, Gilbert Askew, Lizzie Askew, Thane Shipman, or Thane Askew, George Washington Askew, Dora Askew, Sophia Askew and

Sam Askew 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."

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that under the provisions of the Act of Congress approved June 10, 1896 (29 Stats. 321), application was made to the Commission to the Five Civilized Tribes for admission to citizenship in the Choctaw Nation of the following named persons: Rebecca Askew, Johnnie Askew, Newton Askew, Nancy Maliney Askew, William Howard Askew, Henry Edward Askew, Elizabeth Viola Askew, Dallas Alexander Askew, Roxie Cordelia Askew, Mrs. May Catherine Brewer, George Brewer, Elma Brewer, Emma Brewer, Mrs. Mary Ellen Jackson, Tom Jackson, Taylor Franklin Jackson, Almer Jackson, Charlie Jackson, Roscoe Jackson, Mrs. Martha Etta Turner, and Marshall A. Turner. All of said applicants were denied admission to citizenship in the Choctaw Nation by a judgment of the Commission on December 1, 1896 (1896 Choctaw Citizenship Case No. 2).

Said cause was subsequently appealed to the United States Court for the Southern District of Indian Territory, which Court on December 21, 1897, reversed the decision of the Commission to the Five Civilized Tribes as to certain of the applicants, and admitted the following as citizens of the Choctaw Nation: John Askew, Newt Askew, William Howard Askew, Henry Edward Askew, Elizabeth Viola Askew, Dallas Alexander Askew, Roxie Cordelia Askew, Mrs. Rebecca Askew, Mrs. Nancy Melinda Askew, Mrs. May Catherine Brewer, Emma Brewer, Elmer Brewer, Mary Ellen Jackson, Taylor Franklin Jackson, Alma Jackson, Charlie Jackson, Roscoe Jackson and Mrs. Martha Etta Turner. In addition thereto the judgment of the Court recited "It further appears that exceptions have been filed to that part of the Master's Report relating to George Brewer, Marshall Turner and Tom Jackson, and it is hereby ordered that this cause stand open as to these three parties, so that exceptions may be considered hereafter".

Said judgment was subsequently vacated, set aside and held for naught by a decree of the Choctaw and Chickasaw Citizenship Court of December 17, 1902, in the test case of "Choctaw and Chickasaw Nations, or Tribes, vs. J.T. Riddle, et al."

Said cause as to certain of the applicants was subsequently certified to the Choctaw and Chickasaw Citizenship Court, created under the Act of Congress approved July 1, 1902 (32 Stats., 641), for a trial de novo, and on September 19, 1904, in the case entitled "Newt Askew, et al., vs. Choctaw and Chickasaw Nations" (Choctaw-Chickasaw Citizenship Court Case No. 1, Tishomingo Docket), rendered a judgment therein, wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, Newt Askew, Nancy Malinda Askew, William Howard Askew, Dallas Alexander Askew, Henry Edward Askew, Roxie Cordelia Carter (nee Askew), or Roxie Cordelia Askew, Jonnie Askew, or John Askew, Mary Catherine Brewer, or May Catherine Brewer, Emma Brewer, Elmer Brewer, Mary Ellen Jackson, Taylor Franklin Jackson, Alma Jackson, Charlie Jackson, Roscoe Jackson, Elizabeth Viola Hefner (nee Askew), or Elizabeth Viola Askew, and Rebecca Askew 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."

On November 12, 1904, the Commission to the Five Civilized Tribes issued orders dismissing the applications for the enrollment of Alpha Marie Hefner, Nancy Ann Hefner, Julius Edward Askew, Mary B. Brewer, Lena Askew, Frankie Beatrice Askew, Leo Askew, Alice Askew, Ethel Askew, Robert Askew, Robert Floy Shipman, and Ethel Jackson, for the reason that the persons through whom they claimed the right to enrollment had been denied citizenship by the Choctaw and Chickasaw Citizenship Court.

On December 3, 1904, the Commission to the Five Civilized Tribes issued an order dismissing the application for the enrollment of Martha E. Turner as a citizen by blood of the Choctaw Nation 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).

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there was filed on March 14, 1906, by Thomas Norman, attorney for the petitioners, a petition praying for the enrollment of the following persons as citizens of the Choctaw Nation: Newt Askew, Nancy Malinda Askew, John Askew, Dallas Alexander Askew, Carrie Margarette Askew, Roxie Cordelia Cotter (nee Askew), Marshall Turner, Mary Ellen Jackson, Tom Jackson, Taylor Jackson, Alma Jackson, Charley Jackson, Roscoe Jackson, Ethel Jackson, Viola Elizabeth Hefner, Joe Hefner, Alpha Marie Hefner, Nancy Ann Hefner, Mary Catherine Brewer, George Brewer, Emma Narcissus Brewer, Elmer Washington Brewer, Mary Belle Brewer, William Howard Askew, Tavia Askew, Julius Edward Askew, Henry Edward Askew, Rebecca Askew, William Quint Askew, Martha Askew, Mattie Askew, Ellen Askew, Tom Askew, William Thomas Askew, Bettie Askew, Perry Askew, Tom Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Askew, Thane Shipman, Floy Shipman, George Washington Askew, Dora Anderson Askew, Sophia Askew, Alice Askew, Sam Askew, Lena Askew and Leo Askew.

It is alleged in the petition that the petitioners are Choctaw Descendants of Choctaw ancestry; that they took up a residence in the Indian Territory between the years 1880 and 1890, and have continued to reside in either the Choctaw or Chickasaw Nation since that time; that they claimed before and after their removal to said nations to be citizens of the Choctaw Nation by virtue of their Choctaw blood and Choctaw descent; that all their kinsfolk on Choctaw Indian side of the family, or a great many of them, are on the roll as citizens of the Choctaw Nation, that they have taken their allotment of lands and drawn their share of money thereof, and that their enrollment has long since been approved by the Secretary of the Interior.

The petitioners further state that among other children, an old half-blood Choctaw Indian, named Aaron Askew, had three children, two boys named Murrill and Tom, and one girl named Elizabeth, or Betty, who married a man named Douglas; that the United States Indian Agent rendered a decision about 1890, which was approved by the Choctaw Council, in which he adjudged the children of Murrill Askew to be citizens of the Choctaw Nation, all of whom are now on the approved roll of Choctaws; that in 1896 the Commission to the Five Civilized Tribes rendered a decision that the children of Elizabeth Douglas were citizens of the Choctaw Nation, and from

this decision no appeal was taken; that all of said children are on the approved Choctaw rolls; that the petitioners herein are the legitimate descendants of the other brother named Tom Askew, and that they as well as the descendants of the said Murrill Askew and Elizabeth Douglas (nee Askew) are citizens of said nation.

On July 19, 1906, written applications were made to the Commissioner to the Five Civilized Tribes for the enrollment of the following persons as citizens by blood of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1906, (34 Stats., 137): Carl Hefner, born February 23, 1906, minor child of Joe H. Hefner and Viola Hefner; Perry C. Askew, born June 4, 1903, minor child of George W. Askew and Dora A. Askew; Oscar G. Askew, born December 22, 1902, and Vernie Askew, born July 11, 1900, minor children of Dallas A. Askew and Carrie M. Askew; Violet Askew, born September 25, 1904, minor child of William H. Askew and Octavia W. Askew; Arthur W. Carter, born January 16, 1904, minor son of Charles Carter and Roxy C. Carter; and Roy Shipman, born August 12, 1905, minor child of Tom Shipman and Thanie Shipman. April 26, 1906, written application was made for the enrollment of Vera Shipman, born September 29, 1903, minor child of Thanie Shipman and T.L. Shipman, as citizens by blood of the Choctaw Nation.

It does not appear from the records in the possession of the Commissioner to the Five Civilized Tribes that any of the applicants has ever been recognized or enrolled as a citizen of the Choctaw Nation by any duly constituted authority.

The names of none of said applicants appear upon any of the tribal rolls of the Choctaw Nation in the possession of the Commissioner to the Five Civilized Tribes.

I am of the opinion that inasmuch as it does not appear from the records herein or from the records in the possession of this office that any of the applicants who applied to the Commission to the Five Civilized Tribes in 1896 possessed any tribal status as citizens of the Choctaw Nation, said Commission had jurisdiction to pass upon their rights as citizens of said nation, and I am without authority to take any action looking to their enrollment as citizens of said nation, and that the petition in so far as it relates to said applicants should be dismissed, and it is so ordered.

I am further of the opinion that as to those persons whose applications were dismissed for the reason that they failed to appeal to the Choctaw and Chickasaw Citizenship Court, or for the reason that their parents had been denied by a decree of said court, said dismissals should be affirmed, and the petition in so far as it relates to said applicants should be dismissed, and it is so ordered.

I am further of the opinion that the applications for the enrollment of Carl Hefner, Perry C. Askew, Oscar G. Askew, Vernie Askew, Violet Askew, Arthur W. Carter, Roy Shipman, and Vera Shipman as citizens by blood of the Choctaw Nation should be denied, under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137), and it is so ordered.

Commissioner. 207

Muskogee, Indian Territory,

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

In the matter of the application for the enrollment of
Lewt Askew, 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 at Ardmore, Indian Territory, September 23, 1898, by Lewt Askew, for the enrollment of himself, his wife, Nancy T. Askew, William T. Askew, Henry E. Askew, Elizabeth T. Askew, Dallas A. Askew and Poxey T. Askew, children of said Lewt Askew and Nancy T. Askew, as citizens by blood of the Choctaw Nation; that on April 10, 1900, written application was made for the enrollment of Alpha Marie Hefner as a citizen by blood of the Choctaw Nation; that on April 11, 1902, written application was made for the enrollment of Julius Edward Askew as a citizen by blood of the Choctaw Nation; that on April 25, 1902, written application was made for the enrollment of Nancy Ann Hefner as a citizen by blood of the Choctaw Nation; that application was made by William T. Askew at Ardmore, Indian Territory, September 2, 1898, for the enrollment of himself and minor children, Mattie Askew, Ellen Askew, and Tom Askew as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Martha Askew, as a citizen by intermarriage of said nation; that application was made by Pebecca Askew at Ardmore, Indian Territory, September 23, 1898, for the enrollment of herself as a citizen by blood of the Choctaw Nation; that application was made by William T. Askew at Ardmore, Indian Territory, September 22, 1898, for the enrollment of himself and minor children, Thane Askew, Perry Askew, Panny Askew, Lillie Askew, Gilbert Askew and Lizzie Askew as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Bettie Askew, as a citizen by intermarriage of said nation; that on October 13, 1900, written application was made for the enrollment of Ethel Askew, minor daughter of said William T. Askew, and Bettie Askew, as a citizen by blood of the Choctaw Nation; that on August 16, 1902, written application was made for the enrollment of Robert Askew, minor son of the said William T. Askew and Bettie Askew, as a citizen by blood of the Choctaw Nation; that on November 30, 1901, written application was made for the enrollment as a citizen by blood of the Choctaw Nation of Robert Floy Shipman, minor child of Thane Shipman (nee Askew), by her husband, T. F. Shipman; that application was made by Mary E. Jackson at Ardmore, Indian Territory, September 23, 1898, for the enrollment of herself and her

minor children, Taylor B. Jackson, Alma Jackson, Charley Jackson, Poscoe Jackson, and Ethel Jackson, as citizens by blood of the Choctaw Nation; that application was made by Mary C. Brewer at Ardmore, Indian Territory, September 23, 1898, for the enrollment of herself and minor children, Emma Brewer and Elmer Brewer, as citizens by blood of the Choctaw Nation; that on December 18, 1899, written application was made for the enrollment of the applicant, Mary B. Brewer, minor daughter of said Mary C. Brewer and C. P. Brewer, as a citizen by blood of the Choctaw Nation; that application was made by George W. Askev at Ardmore, Indian Territory, September 22, 1898, for the enrollment of himself and minor children, Sophia Askev and Alice Askev, as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Tora Askev, as a citizen by intermarriage of said nation; that application was made by Martha J. Turner at Ardmore, Indian Territory, September 23, 1898, for the enrollment of herself as a citizen by blood of the Choctaw Nation; that application was made by Sam Askev at Ardmore, Indian Territory, September 23, 1898, for the enrollment of himself as a citizen by blood of the Choctaw Nation, and for the enrollment of his wife, Lena Askev, as a citizen by intermarriage of said nation; that on March 2, 1900, written application was made for the enrollment of Frankie Beatrice Askev, minor daughter of Sam Askev and Lena Askev, as a citizen by blood of the Choctaw Nation; that on April 2, 1901, written application was made for the enrollment of Leo Askev, minor son of Sam Askev and Lena Askev, as a citizen by blood of the Choctaw Nation; that application was made by John Askev at Ardmore, Indian Territory, September 23, 1898, for the enrollment of himself as a citizen by blood of the Choctaw Nation.

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that the applicants, William C. Askev, William B. Askev, George W. Askev, Sam Askev, Martha Askev, Mattie Askev, Ellen Askev, Tom Askev, Bettie Askev, Thane Askev, Perry Askev, Tommy Askev, Willie Askev, Gilbert Askev, Lizzie Askev, Dora Askev, and Sophia Askev 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), that they were denied such admission by a decision of the Commission of December 1, 1896, (1896 Choctaw Citizenship Case No. 1); that from this decision an appeal was taken to the United States Court for the Southern District of Indian Territory, which Court on December 21, 1897, in the case entitled "William C. Askev, et al., vs. Choctaw Nation", rendered a judgment reversing the decision of the Commission to the Five Civilized Tribes as to the applicants, and admitted all of said applicants to citizenship in the Choctaw Nation, except Martha Askev, Bettie Askev and Dora Askev. On March 12, 1898, said Court rendered a supplemental decision in said case, admitting said Martha Askev, Mattie Askev and Dora Askev to citizenship in the Choctaw Nation.

These judgments were subsequently vacated, set aside, and held for naught by a decree of the Choctaw and Chickasaw Citizenship Court on December 17, 1901, in the test case of "Choctaw and Chickasaw Nations, or Tribes, vs. J. T. Piddle, et al".

Said cause was subsequently certified to the Choctaw and Chickasaw Citizenship Court, created by the Act of Congress ap-

proved July 1, 1902 (32 Stats., 641), for a trial de novo, and on September 19, 1904, said Citizenship Court in the case entitled "William Quint Askew, et al., vs. Choctaw and Chickasaw Nations" (Choctaw-Chickasaw Citizenship Court Case No. 2, Tishomingo Docket), rendered a judgment therein, wherein it was "ordered Adjudged and decreed that the petition of the plaintiffs, William Quint Askew, Martha Askew, Mattie Askew, Ellen Askew, Tom Askew, William Thomas Askew, Bettie Askew, Perry Askew, Tommie Askew, or Tommy Askew, Lily Askew or Lillie Askew, Gilbert Askew, Lizzie Askew, Thane Shipman, or Thane Askew, George Washington Askew, Dora Askew, Sophia Askew and Sam Askew 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".

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that under the provisions of the act of Congress approved June 10, 1896, (30 Stats., 771), application was made to the Commissioner to the Five Civilized Tribes for admission to citizenship in the Choctaw Nation of the following named persons: Rebecca Askew, Johnnie Askew, Newton Askew, Nancy Maloney Askew, William Howard Askew, Henry Edward Askew, Elizabeth Viola Askew, Dallas Alexander Askew, Foxie Cordelia Askew, Mrs. May Catherine Brewer, George Brewer, Alma Brewer, Emma Brewer, Mrs. Mary Ellen Jackson, Tom Jackson, Taylor Franklin Jackson, Almer Jackson, Charlie Jackson, Roscoe Jackson, Mrs. Martha Etta Turner, and Marshall A. Turner. All of said applicants were denied admission to citizenship in the Choctaw Nation by a judgment of the Commissioner December 1, 1896 (1896 Choctaw Citizenship Case No. 2).

Said cause was subsequently appealed to the United States Court for the Southern District of Indian Territory, which Court on December 21, 1897, reversed the decision of the Commissioner to the Five Civilized Tribes as to certain of the applicants, and admitted the following as citizens of the Choctaw Nation: John Askew, Lewt Askew, William Howard Askew, Henry Edward Askew, Elizabeth Viola Askew, Dallas Alexander Askew, Foxie Cordelia Askew, Mrs. Rebecca Askew, Mrs. Nancy Melinda Askew, Mrs. May Catherine Brewer, Emma Brewer, Almer Brewer, Mary Ellen Jackson, Taylor Franklin Jackson, Alma Jackson, Charlie Jackson, Roscoe Jackson and Mrs. Martha Etta Turner. In addition thereto the judgment of the Court recited "It further appears that exceptions have been filed to that part of the Master's Report relating to George Brewer, Marshall Turner and Tom Jackson, and it is hereby ordered that this cause stand open as to these three parties, so that said exceptions may be considered hereafter".

Said judgment was subsequently vacated, set aside and held for naught by a decree of the Choctaw and Chickasaw Citizenship Court of December 17, 1902, in the test case of "Choctaw and Chickasaw Nations, or Tribes vs. J. I. Piddle, et al."

Said cause as to certain of the applicants was subsequently certified to the Choctaw and Chickasaw Citizenship Court, created under the Act of Congress approved July 1, 1902 (32 Stats., 641), for a trial de novo, and on September 19, 1904, in the case entitled "Lewt Askew, et al., vs. Choctaw and Chickasaw Nations" (Choctaw-Chickasaw Citizenship Court Case No. 1, Tishomingo Docket),

rendered a judgment, therein, where it was "ordered, adjudged and decreed that the petition of the plaintiffs, Hewt Askew, Nancy Malinda Askew, William Edward Askew, Dallas Alexander Askew, Henry Edward Askew, Toxie Cordelia Carter (nee Askew), or some Cordelia Askew, Jonnie Askew, or John Askew, Mar Catherine Askew, or Mar Catherine Brewer, Emma Brewer, Elmer Brewer, and Ellen Jackson, Taylor Franklin Jackson, Alva Jackson, Charlie Jackson, and a Jackson, Elizabeth Viola Hefner (nee Askew), or Elizabeth Viola Askew, and Rebecca Askew be denied, and that the same persons are not citizens of the Choctaw Nation, and not entitled to enrollment as such citizens and not entitled to any rights whatever flowing therefrom".

On November 11, 1904, the Commission to the Five Civilized Tribes issued orders dismissing the applications for enrollment of Alpha Marie Hefner, Nancy Ann Hefner, Julia Leona Askew, or Emma Brewer, Lena Askew, Frankie Beatrice Askew, or Emma Askew, Alice Askew, Ethel Askew, Robert Askew, Robert Elmer Shipman, and Ethel Jackson, for the reason that the persons through whom they claimed the right to enrollment had been denied citizenship by the Choctaw and Chickasaw Citizenship Court.

On December 3, 1904, the Commission to the Five Civilized Tribes issued an order dismissing the application for enrollment of Arthur L. Turner as a citizen by blood, and also a decision in accordance with the opinion of the Chief of the Bureau of Indian Affairs, dated March 1, 1904 (I. B. A. 3041-104), and the order of the Assistant Secretary of the Interior, dated July 3, 1904 (I. B. A. 346-104).

Under the regulations adopted by the Commission to the Five Civilized Tribes January 1, 1905, and amended July 1, 1905, and July 14, 1906, by Thomas M. Anderson, Assistant Secretary of the Interior, requiring that the enrollment of persons claiming descent from citizens of the Choctaw Nation, East and West, and Chickasaw Nation, be made by the following persons: Hewt Askew, Dallas Alexander Askew, Cordelia Carter (nee Askew), Mar Catherine Askew, John Jackson, Taylor Jackson, Alva Jackson, Elmer Jackson, Rebecca Jackson, Frank Jackson, Alva Hefner, Elizabeth Hefner, Joe Hefner, Alpha Marie Hefner, Nancy Ann Hefner, Emma Brewer, Elmer Brewer, Ellen Brewer, Emma Brewer, Willie Howard Askew, Fawia Askew, Julia Leona Askew, Henry Edward Askew, Rebecca Askew, Willie Cord Askew, Martha Askew, John Askew, Allen Askew, Ed Askew, William Thomas Askew, Bettie Askew, Emma Askew, Ed Askew, Lillie Askew, Gilbert Askew, Emma Askew, Ethel Askew, Robert Askew, Phancy Shipman, Elmer Shipman, George Washington Askew, Louis Margaret Askew, Sophia Askew, Alice Askew, Emma Askew, Mar Askew, and Ed Askew.

It is alleged in the petition that the petitioners are Choctaw descendants of Choctaw ancestry; that they had a residence in the Indian Territory between the years 1890 and 1900 and have continued to reside in either the Choctaw or Chickasaw Nation since that time; that they claimed before and after their removal to said nations to be citizens of the Choctaw Nation by virtue of their Choctaw blood and Choctaw descent; that all their kinsfolk on the Choctaw Indian side of the family, a great many of them, are in the roll as citizens of the Choctaw Nation, that they have taken their allotment of lands and drawn their share of moneys thereon, and that their enrollment has long since been ap-

proved by the Secretary of the Interior.

The petitioners further state that among other children, an old half-blood Choctaw Indian, named Aaron Askew, had three children, two boys named Burrill and Tom, and one girl named Elizabeth, or Betty, who married a man named Douglas; that the United States Indian Agent rendered a decision about 1890, which was approved by the Choctaw Council, in which he adjudged the children of Burrill Askew to be citizens of the Choctaw Nation, all of the children on the approved roll of Choctaws; that in 1896 the Commission of the Five Civilized Tribes rendered a decision that the children of Elizabeth Douglas were citizens of the Choctaw Nation, and from the decision to appeal to the Choctaw and Chickasaw Citizenship Court, approved Choctaw roll; that the petitioners herein are the legitimate descendants of the other brother named Al Askew, and that they as well as the descendants of the said Burrill Askew and Elizabeth Douglas (now deceased), are citizens of said Nation.

On July 13, 1904, written application was made to the Commission of the Five Civilized Tribes for the enrollment of the following persons as citizens by blood of the Choctaw Nation, under the provisions of the Act of Congress, approved April 16, 1902 (34 Stats., 147): Earl Leffner, born February 13, 1896, minor child of Joe H. Leffner and Nichol Leffner; George S. Askew, born June 1, 1903, minor child of George S. Askew and Lora A. Askew; Oscar H. Askew, born December 1, 1900, and Fernie Askew, born July 11, 1901, minor children of William S. Askew and Lillian S. Askew; Violet Askew, born March 5, 1901, minor child of William S. Askew and Octavia S. Askew; Arthur S. Leffner, born January 16, 1901, minor son of Charles Carter and Mary S. Carter; and one applicant, born August 14, 1890, minor child of John Shipman and Abbie Shipman. April 26, 1904, a petition was made for the enrollment of Vera Shipman, born February 12, 1890, minor child of Abbie Shipman and T. S. Shipman, as citizen by blood of the Choctaw Nation.

It does not appear from the records in the possession of the Commission of the Five Civilized Tribes that any of the applicants has ever been recognized or enrolled as a citizen of the Choctaw Nation by any duly constituted authority.

The names of none of the applicants appear on any of the tribal rolls of the Choctaw Nation in the possession of the Commissioner to the Five Civilized Tribes.

In view of the opinion that inasmuch as it does not appear from the record herein or from the records in the possession of this office that any of the applicants who applied to the Commission to the Five Civilized Tribes in 1896 possessed any tribal status as citizens of the Choctaw Nation, said Commission had jurisdiction to pass upon their rights as citizens of said Nation, and I am without authority to take any action looking to their enrollment as citizens of said Nation, and that the petition insofar as it relates to said applicants should be dismissed, and it is so ordered.

I am further of the opinion that as to those persons whose applications were dismissed for the reason that they failed to appeal to the Choctaw and Chickasaw Citizenship Court, or for the reason that their parents had been denied by a decree of said court, said dismissals should be affirmed, and the petition in so far as it relates to said applicants should be dismissed, and it is so ordered.

I am further of the opinion that the applications for the enrollment of Carl Hefner, Perry Q. Askew, Oscar G. Askew, Vernic Askew, Violet Askew, Arthur W. Carter, Loy Shipman, and Vera Shipman as citizens by blood of the Choctaw Nation should be denied, under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137), and it is so ordered.

Tams Bixby,

Commissioner.

Muskogee, Indian Territory,
Oct. 23, 1906.

7-5073

Muskogee, Indian Territory, October 23, 1906.

William Q. Askew,

Calvin, Indian Territory,

Dear Sir:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on October 23, 1906, rendered his decision, dismissing the applications and petition for the enrollment of yourself, Mattie Askew, Ellen Askew and Tom Askew as citizens by blood, and for the enrollment of your wife, Martha Askew, as a citizen by inter-marriage, 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,

Registered.

Commissioner.

C-105
7-5200 et al

Askeew, Indian Territory, October 28, 1906.

Thos. W. Wain,
Attorney at Law,
Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith are 11 forms for the enrollment of the following to the Five Civilized Tribes, prepared October 28, 1906, and listing the names and addresses for enrollment of Bert Askew, Nancy M. Askew, Nancy E. Askew, William T. Askew, Elizabeth W. Askew, Dallas A. Askew, Fox C. Askew, Alpa Marie Wefner, Julius Edward Askew, Nancy Ann Wefner, William T. Askew, Mattie Askew, Ellen Askew, Tom Askew, Rebecca Askew, William T. Askew, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Bizzie Askew, Ethel Askew, Robert Elmer Chisman, Robert Askew, Mary E. Jackson, Taylor E. Jackson, Alva Jackson, Charley Jackson, Roscoe Jackson, Ethel Jackson, Mary C. Brewer, Emma Brewer, Elmer Brewer, Mary E. Brewer, George W. Askew, Sophia Askew, Alice Askew, Martha E. Wanner, Sam Askew, Frankie Beatrice Askew, Leo Askew and John Askew, all citizens by blood of the Choctaw Nation, and the application and petition for the enrollment of Martha Askew, Bettie Askew, Lena Askew and Vera Askew as citizens by intermarriage of said nation, and denying the application for the enrollment of Carl Wefner, Perry

T. N. - - #1.

G. Askew, Oscar G. Askew, Vernie Askew, Violet Askew, Arthur W. Carter,
Roy Chapman, and Vera Chipman as citizens by blood 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 the Office is informed to that effect.

Respectfully,

Commissioner.

Respected.

Incl. C-100--7-200 at 1.

C. C. & B. - - #2.

Hefner, Perry Q. Askew, Oscar C. Askew, Vernie Askew, Violet Askew, Arthur W. Carter, Roy Shipman and Vera Shipman as citizens by blood 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,

James P. ...
Commissioner.

Registered.

Incl. C-105--7-5200 et al.

C-105

7-5200 et al.

COPY.

Muskogee, Indian Territory, October 23, 1906.

Chester Howe,
Washington Loan and Trust Building,
Washington, D. C.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 23, 1906, dismissing the applications and petition for the enrollment of Newt Askew, Nancy M. Askew, Henry B. Askew, William T. Askew, Elizabeth V. Askew, Tallas A. Askew, Roxy C. Askew, Alpha Marie Refner, Julius Edward Askew, Nancy Ann Hefner, William Q. Askew, Mattie Askew, Ellen Askew, Tom Askew, Rebecca Askew, William T. Askew, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Elcy Shipman, Robert Askew, Mary E. Jackson, Taylor F. Jackson, Alma Jackson, Charley Jackson, Roscoe Jackson, Ethel Jackson, Mary C. Brewer, Emma Brewer, Elmer Brewer, Mary B. Brewer, George W. Askew, Sophia Askew, Alice Askew, Martha E. Turner, Sam Askew, Frankie Beatrice Askew, Leo Askew, and John Askew, as citizens by blood of the Choctaw Nation, and the applications and petition for the enrollment of Martha Askew, Bettie Askew, Lena Askew, and Dora Askew as citizens by intermarriage of said nation, and denying the application for the enrollment of Carl Hefner, Perry

C. H. --#2.

Q. Askew, Oscar C. Askew, Vernic Askew, Violet Askew, Arthur W. Carter, Roy Shipman and Vera Shipman, as citizens by blood 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,

Tam
Commissioner.

Registered.

Incl. C-105--7-5200 et al.

C-105

7-5200 et al.

COPY.

Muskogee, Indian Territory, October 23, 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 United States Tribes, rendered October 23, 1906, dismissing the applications and petition for the enrollment of Newt Askew, Nancy M. Askew, Henry B. Askew, William H. Askew, Elizabeth V. Askew, Dallas A. Askew, Roxy C. Askew, Alpha Maria Hefner, Julius Edward Askew, Nancy Ann Hefner, William Q. Askew, Mattie Askew, Ellen Askew, Tom Askew, Rebecca Askew, William T. Askew, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Floy Sherman, Robert Askew, Mary E. Jackson, Taylor F. Jackson, A;ma Jackson, Charley Jackson, Foscoe Jackson, Ethel Jackson, Mary C. Brewer, Emma Brewer, Elmer Brewer, Mary B. Brewer, George W. Askew, Sophia Askew, Alice Askew, Martha E. Turner, S m Askew, Frankie Beatrice Askew, Leo Askew and John Askew, as citizens by blood of the Choctaw Nation, and the applications and petition for the enrollment of Martha Askew, Bettie Askew, Lena Askew and Dora Askew as citizens by intermarriage of said nation, and denying the application for the enrollment of Carl Hefner,

M. H. & C. - - #2.

Perry Q. Askew, Oscar G. Askew, Vernie Askew, Violet Askew, Arthur W. Carter, Roy Shipman, and Vera Shipman as citizens by blood 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

Wm. Tamm

Commissioner.

Registered.

Incl. C-105--7-5200 et al.

COPY.

Muskogee, Indian Territory, October 24, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith the record before the Commission to the Five Civilized Tribes and its successor in the matter of the application for the enrollment of Newt Askew, et al., as citizens of the Choctaw Nation, with my decision of October 23, 1906, denying a petition filed with this office by Thomas Norman, attorney at law, Ardmore, Indian Territory, on March 14, 1906, praying for the enrollment of Newt Askew, et al., as citizens of the Choctaw Nation.

This petition was filed under the opinion of the Assistant Attorney General for the Department of the Interior of December 6, 1905, (I.T.D. 3693-1905), in the Loula West case.

The majority of the persons named in the petition submitted by Mr. Norman were denied citizenship in the Choctaw Nation by decrees of the Choctaw and Chickasaw Citizenship Court.

While it is not claimed that the petitioners in question were ever recognized and enrolled by the tribal authorities as citizens of the Choctaw Nation, it is insisted that they are entitled to enrollment by reason of the fact that certain of their co-relatives

(2)

have been duly enrolled as citizens of the Choctaw Nation.

I also enclose for the consideration of the Department in connection with the contention of the petitioners, a brief filed with this office on October 1, 1906, Thomas Norman, Cruce, Cruce & Bleakmore, and Chester Howe, attorneys for the petitioners.

This case was the subject of my report of January 15, 1906, to the Department and of Departmental letter of March 15, 1906 (I.T.D. 4058-1906).

There is also enclosed herewith the original petition directed to the President of the United States and the Secretary of the Interior, which was originally filed with the Department June 20, 1905. The case was also the subject of the Department letter of October 15, 1906, (I.T.D. 18778-1906), enclosing for report a letter of Chester Howe, attorney at law, Washington, D. C., dated October 10, 1906, and addressed to the Department, requesting that the Commissioner to the Five Civilized Tribes be directed to pass upon the case at the earliest practicable date, to the end that a final decision may be secured upon the questions raised.

I have the honor to further report that the principal petitioners have been advised of the action taken by me on October 23, 1906, and that their attorneys and the attorneys for the Choctaw and Chickasaw Nations have been furnished with a copy of my decision of that date.

Respectfully,

Signed Tams Pixby

Through the Commissioner
of Indian Affairs.
OP 24-5

Commissioner.

REFER IN REPLY TO THE FOLLOWING:

7-1973

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

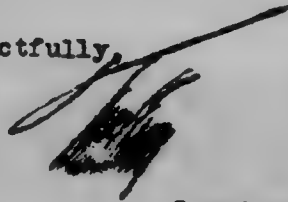
Muskogee, Indian Territory, April 22, 1907.

William Q. Askew,
Calvin, Indian Territory.

Dear Sir:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of October 23, 1906, dismissing the applications and petition for the enrollment of yourself, Mattie Askew, Ellen Askew and Tom Askew as citizens by blood, and for the enrollment of your wife, Martha Askew, as a citizen by intermarriage, of the Choctaw Nation.

Respectfully,



Commissioner.

Choc 5074 George W. Askew

#4 Dismissed Nov 12, 1904

Dismissed OCT 23, 1906

Notice and decision in 7-5200

see Pet #C-105

5074

Choctaw 1074

Muskogee, Indian Territory, February 9, 1903.

C. W. Askew,

Muskogee, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of February 4, asking if you have been placed upon the roll; also when the Land office will be established in the Choctaw Nation and on which land of the seventh grade citizens will be entitled to receive in allotment.

In reply to your letter you are advised that it appears from our records that George W. Askew and his family were admitted to citizenship in the Choctaw Nation by a judgment of the United States Court for the Southern District of the Indian Territory. On December 17, 1902, the "Choctaw-Chickasaw Citizenship Court", created under the act of Congress of July 1, 1902, which was vacated by the Choctaw and Chickasaw Nations on September 25, 1902, vacated and set aside all judgments of the United States Courts 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 allotments, will not be allotted to any citizen until the rights of the said

G W A 2

court claimants are finally determined.

There is inclosed you herewith a schedule of the appraised value of the lands of the Choctaw and Chickasaw Nations, which also contains a table showing the number of acres of land of the different grades which constitutes an allotment in the Choctaw and Chickasaw Nations.

Respectfully,

Acting Chairman.

AB 1-9

7-5074

Muskogee, Indian Territory, March 1, 1904.

George W. Askew,
Newburg, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of February 25, 1904, in which you state that you were admitted by the United States some five years ago and ask why you are not permitted to file on your land.

In reply to your letter you are informed it appears from our records that the matter of your application for citizenship is now pending before the Choctaw-Chickasaw Citizenship Court, and under the Act of Congress, approved July 1, 1902, (32 Stats., 641), the Commission is estopped from enrolling or making any allotments to any person whose rights to citizenship in the Choctaw and Chickasaw Nations are dependent upon judgments of the United States Court in Indian Territory, until their right to such citizenship is finally determined.

Respectfully,

Commissioner in Charge.

7-5074

Muskogee, Indian Territory, March 1, 1904.

Commissioner in Charge,

Choctaw Band Office,

Atoka, Indian Territory.

Dear Sir:

You are hereby advised that the following notation, in red ink, has this day been made upon original Choctaw enrollment card, number 5074:

"Judgment of U. S. Court, admitting
Nos. 1, 2 and 3. Vacated and set
aside by decree of Choctaw-Chick-
asaw Citizenship Court Dec. 17'02.
Now in C.C.C.C. Case 2 T. 2/5/03."

and the following notation in black ink thereon:

"Nos. 1, 2 and 3 Denied by Dawes
Com. in 1896. Case #1."

You are therefore requested to make like notations upon the duplicate card in your possession.

Respectfully,

Commissioner in Charge.

7-5074

Muskogee, Indian Territory, March 1, 1904.

Commissioner in Charge,

Chickasaw Land Office,

Tishomingo, Indian Territory.

Dear Sir:

You are hereby advised that the following notation, in red ink, has this day been made upon original Choctaw enrollment card, number 5074:

"Judgment of U.S. Court, admitting
Nos. 1, 2 and 3. Vacated and set
aside by decree of Choctaw-Chicka-
saw Citizenship Court Dec. 17'02.
Now in C.C.C.C. Case 2 T. 2/5/03."

and the following notation in black ink thereon:

"Nos. 1, 2 and 3 denied by Dawes
Com. in 1896. Case #1."

You are therefore requested to make like notations upon the duplicate card in your possession.

Respectfully,

Commissioner in Charge.

Choctaw 5074

Muskogee, Indian Territory, December 29, 1904.

G. W. Askew,

Holdenville, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of December 26, asking to be notified if you can file and in reply you are advised that on September 19, 1904, the Choctaw and Chickasaw Citizenship Court rendered its decree in case number 2 on the Pishomingo Docket denying the citizenship of George Washington Askew, his wife, Dora Askew and their child, Sophia Askew, and on November 12, 1904, the Commission to the Five Civilized Tribes dismissed the application of Alice Askew, child of George Washington and Dora Askew.

If you are not the George Washington Askew referred to herein, and will furnish further information relative to your full name and the names of your family, the matter will receive consideration.

You are further advised that under existing legislation the judgments of the Choctaw and Chickasaw Citizenship Court are final, and the Commission has no jurisdiction over persons whose cases have been adjudicated by that court.

Respectfully,

Chairman.

Muskogee, Indian Territory, January 5, 1906.

G. W. Askew,

Newberg, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of December 31, 1904, asking why you are not allowed to file on your land and stating that your own cousins have already selected their allotments.

In reply to your letter you are informed that on September 19, 1904, the Choctaw and Chickasaw Citizenship Court denied the citizenship of George Washington Askew, his wife Dora Askew and their child Sophia Askew and on November 10, 1904, the Commission to the Five Civilized Tribes dismissed the application of Alice Askew, child of George Washington and Dora Askew above referred to.

You are advised that under existing legislation the judgments of the Choctaw and Chickasaw Citizenship Court are final and the Commission has no jurisdiction over persons who have been denied by that court.

Respectfully,

Chairman.

REFER IN REPLY TO THE FOLLOWING:

7-8074

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

Muskogee, Indian territory, April 22, 1907.

George W. Askew,
Calvin, Indian Territory.

Dear Sir:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of October 23, 1906, dismissing the applications and petition for the enrollment of yourself, Sophia Askew and Alice Askew, as citizens by blood, and the enrollment of Dora Askew, as a citizen by intermarriage of the Choctaw Nation, and denying the application for the enrollment of Perry Q. Askew as a citizen by blood of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1906.

Respectfully


Commissioner.

George W. Askew

Dora "

Sophia "

Alice "

born Sep 10th 1897

+

Choctaw

+

Baltimore 71, Dec 21 1897

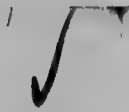
+

Note, Dora Askew ad
mitted as an un-
married citizen

5-119

NEW BORN

1906



IN RE

Application for Enrollment of

MINOR CHILD

Act of Congress Approved
April 26, 1906.

Alice Asken

as a citizen of

Germany Nation.

Approved 1906

Commissioner.

Born Sept. 10, 1847

ACT OF CONGRESS, APRIL 26, 1906.

RECEIVED

AUG 1906

Handwritten notes:
6897 - 50 1/2

CHC
7-25-06

RECEIVED
AUG 19 1906

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 Alice Askew, born on the 10 day of Sept 1897
(Here insert name of child)
Name of Father: Geo W Askew a citizen of the Choctaw Nation.
Name of Mother: Dora A Askew a citizen of the Choctaw Nation.
Tribal enrollment of father: Choctaw Tribal enrollment of mother: Choctaw
Postoffice: Calvin, T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory,
Central District,
I, Dora A Askew, on oath state that I am 38
years of age and a citizen by marriage of the Choctaw Nation;
that I am the lawful wife of Geo W Askew, who is a citizen, by
Blood of the Choctaw Nation, that a Female child was
born to me on 10 day of Sept, 1897; that said child has been named
Alice Askew, and was living March 4, 1906
Dora Askew

WITNESSES TO MARK:

[Must be Two
Witnesses]

Subscribed and sworn to before me this 5th day of July, 1906.
my commission Expires L. H. Ritter
mech. 11-1909 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory,
Central District,
I, Mary Hines, on oath state that I
attended on Dora Askew wife of Geo W Askew
on the 10 day of Sept, 1897; 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 Alice Askew
Mrs Mary Hines

WITNESSES TO MARK:

[Must be Two
Witnesses]

Subscribed and sworn to before me this 5th day of July, 1906.
my commission Expires L. H. Ritter
mech 11-1909 Notary Public.

C- 105
-5073
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DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED NATIONS.

In the matter of the application for the enrollment of
Nest Askew, et al., as citizens of the Choctaw Nation.

I. N.

It appears from the records of the first Commissioner of the
the possession of the Commissioner of the Five Civilized Tribes
that a application was made to the Commissioner of the Five Civilized
Tribes at Ardmore, Indian Territory, September 20, 1891, by Nest
Askew, for the enrollment of himself, his wife, Nancy Askew,
William T. Askew, Henry T. Askew, Elizabeth V. Askew, Della T.
Askew and Cora T. Askew, children of said Nest Askew and Nancy
Askew, as citizens by blood of the Choctaw Nation; that on April
10, 1900, written application was made for the enrollment of Alpha
Marie Hefner as a citizen by blood of the Choctaw Nation; that on
April 11, 1901, written application was made for the enrollment
of Julius Edward Askew as a citizen by blood of the Choctaw Nation;
that on April 25, 1901, written application was made for the en-
rollment of Nancy Ann Hefner as a citizen by blood of the Choctaw
Nation; that application was made by William T. Askew at Ardmore,
Indian Territory, September 1, 1891, for the enrollment of himself
and minor children, Mattie Askew, Bess Askew, and Iona Askew as
citizens by blood of the Choctaw Nation, and for the enrollment of
his wife, Martha Askew, as a citizen by intermarriage of said
Nation; that application was made by Rebecca Askew, at Ardmore,
Indian Territory, September 12, 1891, for the enrollment of her-
self as a citizen by blood of the Choctaw Nation; that applica-
tion was made by William T. Askew at Ardmore, Indian Territory, Sep-
tember 22, 1891, for the enrollment of herself and minor children,
Thane Askew, Perry Askew, Tommy Askew, Willie Askew, Gilbert
Askew and Lizzie Askew, children by blood of the Choctaw Nation,
and for the enrollment of his wife, Della Askew, as a citizen
by intermarriage of said Nation; that on October 13, 1900, written
application was made for the enrollment of Ethel Askew, minor
daughter of said William T. Askew and Della Askew, as a citizen
by blood of the Choctaw Nation; that on August 16, 1901, written
application was made for the enrollment of Robert Askew, minor son
of the said William T. Askew and Della Askew, as a citizen by
blood of the Choctaw Nation; that on November 30, 1901, written
application was made for the enrollment as a citizen by blood of the
Choctaw Nation of Robert Elmer Shipman, minor child of Thane
Shipman (nee Askew), and her husband, T. S. Shipman; that applica-
tion was made by Mary E. Jackson at Ardmore, Indian Territory,
September 23, 1891, for the enrollment of herself and her minor
children, Taylor E. Jackson, Alma Jackson, Chrissy Jackson, Foscoe

Jackson and Ethel Jackson, as citizens by blood of the Choctaw Nation; that application was made by Mary C. Brewer at Ardmore, Indian Territory, September 23, 1898, for the enrollment of herself and minor children, Emma Brewer and Elmer Brewer, as citizens by blood of the Choctaw Nation; that on December 13, 1898, written application was made for the enrollment of the applicant, Mary C. Brewer, minor daughter of said Mary C. Brewer and G. E. Brewer, as a citizen by blood of the Choctaw Nation; that application was made by George W. Askew at Ardmore, Indian Territory, September 23, 1898, for the enrollment of himself and minor children, Leola Askew and Alice Askew, as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Dona Askew, as a citizen by intermarriage of said nation, that application was made by Martha S. Sumner at Ardmore, Indian Territory, September 23, 1898, for the enrollment of herself as a citizen by blood of the Choctaw Nation; that application was made by Tom Askew at Ardmore, Indian Territory, September 23, 1898, for the enrollment of himself as a citizen by blood of the Choctaw Nation, and for the enrollment of his wife, Lena Askew, as a citizen by intermarriage of said nation; that on March 20, 1901, written application was made for the enrollment of Frankie Beatrice Askew, minor daughter of said Askew and Lena Askew, as a citizen by blood of the Choctaw Nation; that on April 1, 1901, written application was made for the enrollment of Leo Askew, minor son of said Askew and Lena Askew, as a citizen by blood of the Choctaw Nation, and that application was made by John Askew at Ardmore, Indian Territory, September 23, 1898, for the enrollment of himself as a citizen by blood of the Choctaw Nation.

It further appears from the records in the possession of the Commission to the Five Civilized Tribes that the applicants, William C. Askew, William L. Askew, George W. Askew, S. Askew, Martha Askew, Bettie Askew, Milton Askew, Tom Askew, Lettie Askew, Frank Askew, Jerry Askew, Tommy Askew, Willie Askew, Gilbert Askew, Elzbie Askew, Dona Askew and Sophia Askew 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 Stat., 511), that they were denied such admission by a decision of the Commission of December 1, 1896 (1896 Choctaw Citizenship Case No. 1); that on this decision an appeal was taken to the United States Court for the Southern District of Indian Territory, which court on December 31, 1897, in the case entitled "William C. Askew, et al., vs. Choctaw Nation", rendered a judgment reversing the decision of the Commission to the Five Civilized Tribes as to the applicants, and admitted all of said applicants to citizenship in the Choctaw Nation, except Martha Askew, Bettie Askew and Dona Askew. On March 12, 1898, said Court rendered a supplemental decision in said case, admitting said Martha Askew, Bettie Askew and Dona Askew to citizenship in the Choctaw Nation.

These judgments were subsequently vacated, set aside, and held for naught by a decree of the Choctaw and Chickasaw Citizenship Court on December 17, 1901, in the test case of "Choctaw and Chickasaw Nations, or Tribes, vs. J. I. Fields, et al."

Said cause was subsequently certified to the Choctaw and Chickasaw Citizenship Court, created by the Act of Congress approved July 1, 1902 (32 Stats., 641), for a trial de novo, and on September 19, 1904, said Citizenship Court in the case entitled "William Quint Askew, et al., vs. Choctaw and Chickasaw Nations" (Choctaw-Chickasaw Citizenship Court Case No. 1, Tishomingo Locket), rendered a judgment therein, wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, William Quint Askew, Martha Askew, Attie Askew, Ellen Askew, Tom Askew, Willie Thomas Askew, Bettie Askew, Perry Askew, Tommie Askew or Tommy Askew, Lily Askew or Lillie Askew, Gilbert Askew, Lizzie Askew, Phoebe Askew, or Thane Askew, George Washington Askew, or Askew, or Hia Askew and Sam Askew 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."

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that under the provisions of the Act of Congress approved June 18, 1897 (30 Stats., 221), a public hearing was held by the Commissioner of the Five Civilized Tribes for admission to citizenship in the Choctaw Nation of the following named persons: Rebecca Askew, John Askew, Newton Askew, George Elmer Askew, William Howard Askew, Henry Edward Askew, Elizabeth Viola Askew, Dallas Alexander Askew, Toxie Cordelia Askew, Mrs. Catherine Brewer, George Brewer, Emma Brewer, Mrs. Marshall Jackson, Tom Jackson, Walter Franklin Jackson, Alma Jackson, Thirle Jackson, Oscar Jackson and Mrs. Martha Etta Turner and Marshall A. Turner. All of said applicants were denied admission to citizenship in the Choctaw Nation by a judgment of the Commissioner on December 1, 1897 (1897 Choctaw Citizenship, Case No. 1).

Said cause was subsequently appealed to the United States Court for the Southern District of Indian Territory, which Court on December 21, 1897, reversed the decision of the Commissioner to the Five Civilized Tribes as to certain of the applicants, and admitted the following as citizens of the Choctaw Nation: John Askew, Bert Askew, Willie Howard Askew, Henry Edward Askew, Elizabeth Viola Askew, Dallas Alexander Askew, Toxie Cordelia Askew, Mrs. Rebecca Askew, Mrs. Catherine Askew, Mrs. Catherine Brewer, Emma Brewer, Albert Brewer, Marshall Jackson, Walter Franklin Jackson, Alma Jackson, Thirle Jackson, Oscar Jackson and Mrs. Martha Etta Turner. In addition thereto the judgment of the Court recited "It further appears that exceptions have been filed to that part of the master's report relating to George Brewer, Marshall Turner and Tom Jackson, and it is hereby ordered that this cause stand open as to these three parties, so that said exceptions may be considered hereafter".

Said judgment was subsequently vacated, set aside, and held for naught by a decree of the Choctaw and Chickasaw Citizenship Court of December 17, 1902, in the test case of "Choctaw and Chickasaw Nations, or Tribes, vs. J. T. Riddle et al."

Said cause as to certain of the applicants was subsequently certified to the Choctaw and Chickasaw Citizenship Court, created under the act of Congress approved July 1, 1902 (32 Stats., 641), for a trial de novo, and on September 19, 1904, in the case entitled "Newt Askew, et al., vs. Choctaw and Chickasaw Nations" (Choctaw-Chickasaw Citizenship Court Case No. 1, Tishomingo Locket),

rendered a judgment therein, wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, Hewt Askew, Nancy Malinda Askew, William Howard Askew, Dallas Alexander Askew, Henry Edward Askew, Roxie Cordelia Carter (nee Askew), or Roxie Cordelia Askew, Jennie Askew, or John Askew, Mary Catherine Brewer, or May Catherine Brewer, Emma Brewer, Elmer Brewer, Mary Ellen Jackson, Taylor Franklin Jackson, Alma Jackson, Charlie Jackson, Roscoe Jackson, Elizabeth Viola Hefner (nee Askew), or Elizabeth Viola Askew, and Rebecca Askew 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."

On November 12, 1904, the Commission to the Five Civilized Tribes issued orders dismissing the applications for the enrollment of Alpha Marie Hefner, Nancy Ann Hefner, Julius Edward Askew, Mary B. Brewer, Lena Askew, Frankie Beatrice Askew, Leo Askew, Alice Askew, Ethel Askew, Robert Askew, Robert Floy Shipman, and Ethel Jackson, for the reason that the persons through whom they claimed the right to enrollment had been denied citizenship by the Choctaw and Chickasaw Citizenship Court.

On December 3, 1904, the Commission to the Five Civilized Tribes issued an order dismissing the application for the enrollment of Martha E. Turner as a citizen by blood of the Choctaw Nation 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).

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there was filed on March 14, 1906, by Thomas Norman, attorney for the petitioners, a petition praying for the enrollment of the following persons as citizens of the Choctaw Nation: Hewt Askew, Nancy Malinda Askew, John Askew, Dallas Alexander Askew, Carrie Margarette Askew, Roxie Cordelia Carter (nee Askew), Marshall Turner, Mary Ellen Jackson, Tom Jackson Taylor Jackson, Alma Jackson, Charley Jackson, Roscoe Jackson, Ethel Jackson, Viola Elisabeth Hefner, Joe Hefner, Alpha Marie Hefner, Nancy Ann Hefner, Mary Catherine Brewer, George Brewer, Emma Narcissus Brewer, Elmer Washington Brewer, Mary Belle Brewer, William Howard Askew, Tavia Askew, Julius Edward Askew, Henry Edward Askew, Rebecca Askew, William Quint Askew, Martha Askew, Mattie Askew, Ellen Askew, Tom Askew, William Thomas Askew, Bettie Askew, Perry Askew, Tom Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Askew, Thane Shipman, Floy Shipman, George Washington Askew, Dora Anderson Askew, Sophia Askew, Alice Askew, Sam Askew, Lena Askew and Leo Askew.

It is alleged in the petition that the petitioners are Choctaw descendants of Choctaw ancestry; that they took up a residence in the Indian Territory between the years 1880 and 1890, and have continued to reside in either the Choctaw or Chickasaw Nation since that time; that they claimed before and after their removal to said nations to be citizens of the Choctaw Nation by virtue of their Choctaw blood and Choctaw descent; that all their

kinsfolk on Choctaw Indian side of the family, or a great many of them, are on the roll as citizens of the Choctaw Nation, that they have taken their allotment of lands and drawn their share of moneys thereof, and that their enrollment has long since been approved by the Secretary of the Interior.

The petitioners further state that among other children, an old half-blood Choctaw Indian, named Aaron Askew, had three children, two boys named Murrill and Tom, and one girl named Elizabeth, or Betty, who married a man named Douglas; that the United States Indian Agent rendered a decision about 1890, which was approved by the Choctaw Council, in which he adjudged the children of Murrill Askew to be citizens of the Choctaw Nation, all of whom are now on the approved roll of Choctaws; that in 1896 the Commission to the Five Civilized Tribes rendered a decision that the children of Elizabeth Douglas were citizens of the Choctaw Nation, and from this decision no appeal was taken; that all of said children are on the approved Choctaw rolls; that the petitioners herein are the legitimate descendants of the other brother named Tom Askew, and that they as well as the descendants of the said Murrill Askew and Elizabeth Douglas (nee Askew) are citizens of said nation.

On July 19, 1906, written applications were made to the Commissioner of the Five Civilized Tribes for the enrollment of the following persons as citizens by blood of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137): Carl Hefner, born February 23, 1906, minor child of Joe H. Hefner and Viola Hefner; Perry O. Askew, born June 4, 1903, minor child of George W. Askew and Dora A. Askew; Oscar G. Askew, born December 22, 1902, and Vernie Askew, born July 11, 1905, minor children of Dallas A. Askew and Carrie M. Askew; Violet Askew, born September 25, 1904, minor child of William H. Askew and Octavia W. Askew; Arthur W. Carter, born January 16, 1904, minor son of Charles Carter and Roxy C. Carter; and Roy Shipman, born August 12, 1905, minor child of Tom Shipman and Thanie Shipman. April 26, 1906, written application was made for the enrollment of Vera Shipman, born September 29, 1903, minor child of Thanie Shipman and T. W. Shipman, as a citizen by blood of the Choctaw Nation.

It does not appear from the records in the possession of the Commissioner to the Five Civilized Tribes that any of the applicants has ever been recognized or enrolled as a citizen of the Choctaw Nation by any duly constituted authority.

The names of none of said applicants appear upon any of the tribal rolls of the Choctaw Nation in the possession of the Commissioner to the Five Civilized Tribes.

I am of the opinion that inasmuch as it does not appear from the records herein or from the records in the possession of this office that any of the applicants who applied to the Commission to the Five Civilized Tribes in 1896 possessed any tribal status as citizens of the Choctaw Nation, said Commission had jurisdiction to pass upon their rights as citizens of said nation, and I am without authority to take any action looking to their enrollment as citizens of said nation, and that the petition in so far as it relates to said applicants should be dismissed, and it is so ordered.

I am further of the opinion that as to those persons whose applications were dismissed for the reason that they failed to appeal to the Choctaw and Chickasaw Citizenship Court, or for the reason that their parents had been denied by a decree of said court, said dismissals should be affirmed, and the petition in so far as it relates to said applicants should be dismissed, and it is so ordered.

-6-

I am further of the opinion that the applications for the enrollment of Carl Hefner, Perry Q. Askew, Oscar G. Askew, Vernie Askew, Violet Askew, Arthur W. Carter, Roy Shipman, and Vera Shipman as citizens by blood of the Choctaw Nation should be denied, under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137), and it is so ordered.

Tams Birby
Commissioner.

Muskogee, Indian Territory,

Oct. 23, 1906.

7-5074

Muskogee, Indian Territory, October 23, 1906.

George W. Askew,

Calvin, Indian Territory.

Dear Sir:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on October 20, 1906, rendered his decision, dismissing the application and petition for the enrollment of yourself, Sophia Askew and Alice Askew, as citizens by blood, and the enrollment of Nora Askew, as a citizen by intermarriage, of the Choctaw Nation, and denying the application for the enrollment of Perry Q. Askew as a citizen by blood of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1906.

The decision, with the records and 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,

Tams Firo
Commissioner.

Registered.

C-105
7-5200 et al.

COPY.

Muskogee, Indian Territory, October 23, 1906

Thomas Norman,
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 October 23, 1906, dismissing the application and petition for the enrollment of Nest Askew, Nancy M. Askew, Henry E. Askew, William H. Askew, Elizabeth V. Askew, Dallas A. Askew, Roxy C. Askew, Alpha Marie Hefner, Julius Edward Askew, Nancy Ann Hefner, William G. Askew, Mattie Askew, Ellen Askew, Tom Askew, Rebecca Askew, William T. Askew, Thans Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Floy Shipman, Robert Askew, Mary E. Jackson, Taylor F. Jackson, Alma Jackson, Charley Jackson, Roscoe Jackson, Ethel Jackson, Mary C. Brewer, Sam Brewer, Elmer Brewer, Mary E. Brewer, George W. Askew, Sophia Askew, Alice Askew, Martha E. Turner, Sam Askew, Frankie Beatrice Askew, Lee Askew, and John Askew, as citizens by blood of the Choctaw Nation, and the applications and petition for the enrollment of Martha Askew, Bettie Askew, Lena Askew, and Dora Askew as citizens by intermarriage of said nation and denying the application for the enrollment of Carl Hefner, Perry

T. N. - - #2.

Q. Askew, Oscar C. Askew, Vernie Askew, Violet Askew, Arthur W. Carter, Roy Shipman, and Vera Shipman as citizens by blood 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,

Signed. Tams Pixby

Commissioner.

Registered.

Incl. C-108--7-5200 et al.

C-105
7-5200 et al.

COPY.

Muskogee, Indian Territory, October 20, 1906

Cruce, Cruce and Bleakmore,
Attorneys at Law,
Ardmore, Indian Territory.

Gentlemen:

Inclosed here with you will find a copy of the decision of the Commissioner of the United States, rendered October 20, 1906, dismissing the applications and petition for the enrollment of West Askew, Nancy W. Askew, Henry C. Askew, William T. Askew, Elizabeth W. Askew, Calla A. Askew, Roxy C. Askew, Alpha Marie Hefner, Julius Edward Askew, Nancy Ann Hefner, William C. Askew, Mattie Askew, Ellen Askew, Tom Askew, Rebecca Askew, William T. Askew, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Floy Chisman, Robert Askew, Mary E. Jackson, Taylor F. Jackson, Alma Jackson, Charley Jackson, Roncoe Jackson, Ethel Jackson, Mary C. Brewer, Emma Brewer, Elmer Brewer, Mary D. Brewer, George W. Askew, Sophia Askew, Alice Askew, Martha E. Turner, Sam Askew, Frankie Beatrice Askew, Lee Askew, and John Askew, as citizens by blood of the Choctaw Nation, and the applications and petition for the enrollment of Martha Askew, Bettie Askew, Lena Askew, and Dora Askew, as citizens by intermarriage of said nation, and denying the application for the enrollment of Carl

C. C. & B. - - #2.

Hefner, Perry Q. Askew, Oscar C. Askew, Vernie Askew, Violet Askew, Arthur W. Carter, Roy Shipman and Vera Shipman as citizens by blood of the United Nation, under the provisions of the Act of Congress approved April 20, 1896.

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. C-100--7-5200 et al.

C-108

7-5200 et al

Muskogee, Indian Territory, October 23, 1906.

COPY

Quarter No. 1,

Washington Loan and Trust Building,

Washington, D. C.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 23, 1906, dismissing the applications and petition for the enrollment of Newton Askew, Nancy M. Askew, Henry A. Askew, William M. Askew, Elizabeth V. Askew, Dallas A. Askew, Roxy C. Askew, Alpha Marie Hefner, Julius Edward Askew, Nancy Ann Hefner, William J. Askew, Mattie Askew, Ellen Askew, Tom Askew, Rebecca Askew, William T. Askew, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Floy Shipman, Robert Askew, Mary E. Jackson, Taylor B. Jackson, Alma Jackson, Charley Jackson, Rescoe Jackson, Ethel Jackson, Mary C. Brewer, Emma Brewer, Elmer Brewer, Mary B. Brewer, George W. Askew, Sophia Askew, Alice Askew, Martha R. Turner, Sam Askew, Frankie Beatrice Askew, Leo Askew and John Askew, as citizens by blood of the Choctaw Nation, and the applications and petition for the enrollment of Martha Askew, Bettie Askew, Lena Askew and Dora Askew as citizens by intermarriage of said nation, and denying the application for the enrollment of Carl Hefner, Perry

C. M. --#2.

Q. Askew, Oscar C. Askew, Vernie Askew, Violet Askew, Arthur W. Carter, Roy Shipman and Vera Shipman, .. citizens by blood 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 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 *Tama Bibbu*
Commissioner.

Registered.

Incl. C-105--7-3200 et al.

C-108

7-6200 et al

Muskogee, Indian Territory, October 23, 1906.

VanBfield, McKurray & Cernish,

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 23, 1906, dismissing the applications and petition for the enrollment of Newt Askew, Nancy E. Askew, Henry E. Askew, William E. Askew, Elizabeth V. Askew, Dallas A. Askew, Rory C. Askew, Alpha Marie AHefner, Julius Edward Askew, Nancy Ann Hefner, William G. Askew, Mattie Askew, Ellen Askew, Tom Askew, Rebecca Askew, William T. Askew, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Wloy Shipman, Robert Askew, Mary E. Jackson, Taylor F. Jackson, Alma Jackson, Charley Jackson, Roscoe Jackson, Ethel Jackson, Mary C. Brewer, Emma Brewer, Elmer Brewer, Mary B. Brewer, George W. Askew, Sophia Askew, Alice Askew, Martha E. Turner, Sam Askew, Frankie Beatrice Askew, Leo Askew, and John Askew, as citizens by blood of the Choctaw Nation, and the applications and petition for the enrollment of Martha Askew, Bettie Askew, Lena Askew and Dora Askew as citizens by intermarriage of said nation, and denying the application for the enrollment of Carl Hefner, Perry

M. M. & C. - - #2.

Q. Askew, Oscar G. Askew, Vernie Askew, Violet Askew, Arthur W. Carter, Roy Shipman, and Vera Shipman as citizens by blood of the Choctaw Nation, under the provisions of the Act of Congress approved April 20, 1900.

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 G. Smith
Commissioner.

Registered.

Incl. C-105--7-5200 et al.

COPY.

Muskogee, Indian Territory, October 24, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith the record before the Commission to the Five Civilized Tribes and its successor in the matter of the application for the enrollment of Newt Askew, et al., as citizens of the Choctaw Nation, with my decision of October 23, 1906, denying a petition filed with this office by Thomas Norman, attorney at law, Ardmore, Indian Territory, on March 14, 1906, praying for the enrollment of Newt Askew, et al., as citizens of the Choctaw Nation.

This petition was filed under the opinion of the Assistant Attorney General for the Department of the Interior of December 8, 1905, (I.T.D. 3693-1905), in the Loula West case.

The majority of the persons named in the petition submitted by Mr. Norman were denied citizenship in the Choctaw Nation by decrees of the Choctaw and Chickasaw Citizenship Court.

While it is not claimed that the petitioners in question were ever recognized and enrolled by the tribal authorities as citizens of the Choctaw Nation, it is insisted that they are entitled to enrollment by reason of the fact that certain of their co-relatives

(2)

have been duly enrolled as citizens of the Choctaw Nation.

I also enclose for the consideration of the Department in connection with the contention of the petitioners, a brief filed with this office on October 1, 1906, Thomas Norman, Cruce, Cruce & Bleakmore, and Chester Howe, attorneys for the petitioners.

This case was the subject of my report of January 15, 1906, to the Department and of Departmental letter of March 12, 1906 (I.T.D. 4058-1906).

There is also enclosed herewith the original petition directed to the President of the United States and the Secretary of the Interior, which was originally filed with the Department June 20, 1905. The case was also the subject of the Department letter of October 15, 1906, (I.T.D. 12775-1906), enclosing for report a letter of Chester Howe, attorney at law, Washington, D. C., dated October 10, 1906, and addressed to the Department, requesting that the Commissioner to the Five Civilized Tribes be directed to pass upon the case at the earliest practicable date, to the end that a final decision may be secured upon the questions raised.

I have the honor to further report that the principal petitioners have been advised of the action taken by me on October 23, 1906, and that their attorneys and the attorneys for the Choctaw and Chickasaw Nations have been furnished with a copy of my decision of that date.

Respectfully,

Signed Tans Bixby

Commissioner.

Through the Commissioner
of Indian Affairs.
OP 24-5

W.A.
S.C.D.

7-5074.

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

In the matter of the application for the enrollment of
Alice Askew as a citizen by blood of the Choctaw Nation.

-----o-----

The applicant, Alice Askew, claims her right to enrollment
as a citizen by blood of the Choctaw Nation through her father,
George W. Askew (or George Washington Askew).

The right of the applicant's father, George W. Askew (or
George Washington Askew), to citizenship in the Choctaw Nation having
been adversely determined by a decree of the Choctaw and Chickasaw
Citizenship Court, on September 19, 1904, in case No. 2 upon the
Tishomingo Pocket of said court, it is hereby ordered that the ap-
plication of Alice Askew for enrollment as a citizen by blood of
the Choctaw Nation, be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory.

NOV 12 1904



Chairman.

Choctaw 5074

COPY.

Muskogee, Indian Territory, November 12, 1904.

George Washington Askew,
Newburg, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated November 12, 1904, dismissing the application for the enrollment of Alice Askew as a citizen by blood of the Choctaw Nation.

Respectfully,

Registered.

Chairman.

Incl. 7-5074.

Choctaw 5074

Washburn, Indian Territory, November 12, 1904.

Mansfield, McMurray & Gwynn,
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 November 12, 1904, dismissing the application for the enrollment of Alice Asnew as a citizen by blood of the Choctaw Nation.

Respectfully,

Incl. 7- 5074.

Chairman.

Choc 5075 William J. Forsyth

5075

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

Record in the matter of the application for enrollment
as citizens by blood of the Choctaw Nation of:

ROLAND C. FORSYTH, ET AL.,

7-5075.

William J. Forsyth and others.

William J. Forsyth says:

I came from Texas and have lived in the Territory since last feb. I live in the Chickasaw Nation.

I came to the Territory in 1886 and lived here 6 years and went back and then returned to the Territory as above stated.

Roland C. was born Feb. 20th 1898.

Adm'd. S. 11 22 1898.

William J. Forsyth
William F. Forsyth
Lorena Forsyth
Laura Forsyth
Ernest Forsyth
Walter Forsyth
Lizzie Forsyth
Roland C. Forsyth

enrolled.

7-5088

McAlester, Indian Territory, April 19, 1902.

William J. Forsyth,

Doyle, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Clarence Arthur Forsyth, infant son of William J. and Roxie A. Forsyth born February 3, 1902, and the same being in proper form have been duly filed with the records of the Commission and the child listed ~~as~~ enrollment as a citizen of the Choctaw Nation.

Yours truly,

Commissioner in Charge.

William J. Forsyth

William F. "

Louisa "

Laura "

Ernest "

Walter "

Lizzie "

Robert C. "

born Feb 20 1898

Choctaw

Admone 104, Dec 22 1874

Note: Moved into the
Territory in
August 1898

120

Southern District
Ind. Tj

Be it known that
on this the 23rd day of Nov 1849, before
me a Notary Public in and for the
Southern District - Ind. Tj, came and
appeared Wm J. Forsyth of said Ind. Tj,
and well known to me to be the
person whose name is subscribed
to the within Instrument of Testimony,
and after being duly sworn, stated that
he had voluntarily executed the same
for all the purposes and intentions
therein set forth.

And I do so
certify, witness my hand, and
official seal, this the day and year
above written.

Allen G. Robbena
Notary Public,
District Ind. Tj.

Be It Known That I Wm. J. Forsyth
of Dixie Ind. Twp. hereby certify
that I am the husband of Roxie
A Forsyth, and that before my
marriage to her in 1886, she was
known as N. R. Sullivan, (a widow)
and that her maiden name was
Nancy Roxie Anna Lofton, and that
after our marriage "by preference" she
was called and known as, Roxie A.
Forsyth, and that she is the
identical person known in our
marriage certificate in 1886 as
N. R. Sullivan

Witness my hand
at Dixie Ind. Twp. This the 23rd
day of November 1899.

Witness
James J. Reynolds

Wm J Forsyth

Be it known That I Sarah
J Lofton of Dixie Ind. by
certify that I am the mother
of Roxie A. Forsyth of Dixie Ind. by.
and that her maiden name was
Nancy Roxie Anna Lofton and that
in her marriage to George W. Sullivan
her name was recorded as N. R.
Sullivan, and was so known
at the time of her marriage to
Wm. J. Forsyth in the year of 1886.
and that "by preference" after her
last marriage she was called and
known as Roxie A. Forsyth; and
I testify that she is the identical
person known as N. R. Sullivan
in marriage certificate as the
wife of Wm. J. Forsyth.

Witness my
hand at Dixie this the 23rd day
of Nov. 1894.

Witness
James T. Rogsdale

Sarah J Lofton

Southern District
Ind. T.

Be it known that
on this the 23rd day of Nov. 1844
before me a Notary Public in and
for the Southern District Ind. T. Court
and before me a search of دفتر of
Dine Ind. T. and well known to
me to be the person whose name
is subscribed to the within
Instrument of Testimony, and after being
duly sworn stated that she had
voluntarily executed the same for
all the purposes and intentions
therein set forth, and I do so
Certify witness my hand and
Official Seal, this the day and
Year above written

Allen J. Robbins
Notary Public
Dine Ind. T.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,
of *Lula May Forsyth*, born on the *16* day of *May*, 18*94*.
Name of father: *William J Forsyth*, a citizen of the *Choctaw* Nation.
Name of mother: *Roxie A Forsyth*, a citizen of the *United States*
Post Office: *Dixie Chickasaw Nation Ind. T.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District.

I, *Roxie A Forsyth*, on oath, state that I am *30* years of age and a
citizen, by *Blood*, of the *United States* Nation; that I am the
lawful wife of *William J Forsyth* who is a citizen, by *Blood*, of the
Choctaw Nation; that a *girl* child was born to me on the *16* day
of *May*, 18*94*; that said child has been named *Lula May*
and is now living.

Subscribed and sworn to before me this

6 day of *Sept*, 18*94*.

Allen J. Robertson
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District.

I, *J. W. Eads*, a *md*, on oath, state that I
attended on Mrs. *Roxie A Forsyth*, wife of *W. J. Forsyth*
on the *16* day of *May*, 18*94*; 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 *Lula May Forsyth*

Subscribed and sworn to before me this

29 day of *Aug*, 18*94*

J. W. Eads, M.D.
W. H. Howerton
Notary Public.

IN RE

Application for Enrollment of

INFANT CHILD

Corina Arthur Longthorn

a citizen of

Arctic Nation
Approved *[Signature]* 190
Commissioner.

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

FILED

APR 29 1902

[Signature]
ACTING CHAIRMAN

✓

507 -

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

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,
 of *Clarence Arthur Forsyth* born on the *3rd* day of *Feb*, 1902
 (Here insert name of child.)
 Name of Father: *William J Forsyth* a citizen of the *Choctaw* Nation.
 Name of Mother: *Roxie A Forsyth* a citizen of the *U.S.* Nation.
 Post-office *Dixie Ind. T.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Southern District.

I, *Roxie A Forsyth*, on oath state that I am *33*
 years of age and a citizen, by *birth (Blood)* of the *United States* Nation:
 that I am the lawful wife of *William J Forsyth*, who is a citizen, by
(Birth) Blood of the *Choctaw* Nation, that *Male* child was
 born to me on *3rd* day of *February*, 1902 that said child has been
 named *Clarence Arthur Forsyth*, and is now living.

WITNESSES TO MARK:
 (Must be Two Witnesses) *B. S. Taylor*
W. J. Stewart
Roxie A Forsyth her X mark.

Subscribed and sworn to before me this *24th* day of *April*, 1902
Allen G. Robberson NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Southern District.

I, *M. J. Wilson*, as *Midwife*, on oath state that I
 attended on Mrs. *Roxie A Forsyth*, wife of *William J Forsyth*
 on the *3rd* day of *Feb*, 1902 that there was born to her on
 said date a *Male* child: that said child is now living and is said to have been
 named *Clarence Arthur*

WITNESSES TO MARK:
 (Must be Two Witnesses) *B. S. Taylor*
W. J. Stewart
M. J. Wilson

Subscribed and sworn to before me this *24th* day of *April*, 1902
Allen G. Robberson NOTARY PUBLIC.

960

7-5075.

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


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In the matter of the application for the enrollment of Roland C. Forsyth, et al., as citizens by blood of the Choctaw Nation.

-----0-----

The applicants, Roland C. Forsyth, Lula May Forsyth and Clarence Arthur Forsyth, claim their right to enrollment as citizens by blood of the Choctaw Nation through their father William J. Forsyth. The right of the applicants' father, William J. Forsyth, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case No. 62 upon the Tishomingo docket of said court, it is hereby ordered that the application of Roland C. Forsyth, Lula May Forsyth and Clarence Arthur Forsyth for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



Chairman.

Muskogee, Indian Territory,

SEP 15 1904

Choctaw 5075

COPY:

Muskogee, Indian Territory, September 15, 1904.

William J. Forsyth,
Dixie, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 15, 1904, dismissing the application for the enrollment of Roland C. Forsyth, Lula May Forsyth and Clarence Arthur Forsyth as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby.
Chairman.

Registered.

Incl. 7-5075.

Choctaw 5075

COPY:

Muskogee, Indian Territory, September 15, 1904.

Manfield, 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 15, 1904, dismissing the application for the enrollment of Roland C. Forsyth, Lula May Forsyth and Clarence Arthur Forsyth as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

Jame Dixby.

Chairman.

Incl. 7- 5075.

IN THE CHOCTAW AND CHICKASAW CITIZENSHIP CASE.

AT SOUTH O. ALABAMA, INDIAN TERRITORY.

William J. Fosythe et als, Plaintiffs,

vs

Choctaw and Chickasaw Nations, Defendants.

Petition for writ.

Whereas Willie J. Frayte, ...
 Edward, William Frayte, ...
 syth, Walter Forsythe, ...
 William J. ...
 Hill, ...
 Peach ...
 Williams, Edna and Williams, ...
 lians, represent ...
 United States court ...
 territory of ...
 Mrs. Nancy J. Williams against the ...
 docket of said court, ...
 petitioners from the ...
 es, which judgment admitted these petitioners ...
 Williams to citizenship in the Choctaw nation and directed their enrollment as such. ...
 year 1900 the said Mrs. Nancy J. Williams died.

Wherefore these petitioners pray ...
 and the pray that the writs of summons and error issue as provided by
 the rules of this honorable court.

Robert V. Potter
atty for
Petitioners.

We have received a copy of the written petition on this
10th day of Mar. 1903.

Mansfield, McMurray & Conrich.

Choc 5076 Mary Ann Shannon

N03 Dismissed Sept 15, 1904

5076

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

)))0(((

Record in the matter of the application for enrollment as a citizen by blood of the Choctaw Nation of:

EMBERS I. SHANNON

7-507.

Mary Ann Shannon and others.

William J. Forsyth says:

My daughter Mary Ann Shannon was married to Jim Shannon, in December 1897.

She was admitted as "Mary Ann Thompson".

She has been living here with me all the time, and also her family. William, Laura, Ernest and Louisa were in school in July. The mother and family remained in Texas until July, except Mrs. Thompson.

Mary Ann Shannon
Ella Thompson
Embers E. Shannon

Atmore Sept 22 1898.

enrolled.

To Whom it may concern
This is to certify that J. W. Eads M.D.
was present and delivered Mrs
Mary N. Shannon of a son, Oct 3, 1898
(Embryo Elmer Shannon) and do certify
that he is her lawful child
J. W. Eads M.D.

Sworn to and subscribed
before me as Notary Public
this Oct 15th 1898

W. H. Howerton
Notary Public
Southern Judicial Dist
Ind. Ter.

861

7-5076.

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

-----0-----

In the matter of the application for the enrollment of Embers Elmer Shannon as a citizen by blood of the Choctaw Nation.

-----0-----

The applicant, Embers Elmer Shannon, claims his right to enrollment as a citizen by blood of the Choctaw Nation through his mother Mary Ann Shannon. The right of the applicant's mother, Mary Ann Shannon, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case No. 62 upon the Tishomingo docket of said court, it is hereby ordered that the application of Embers Elmer Shannon for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



Chairman.

Muskogee, Indian Territory,

SEP 15 1904

COPY: Choctaw 5076

Muskogee, Indian Territory, September 15, 1904.

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

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated September 15, 1904, dismissing the application for the enrollment of Embers Elmer Shannon as a citizen by blood of the Choctaw Nation.

Respectfully,

SIGNED

Sam Doby.

Incl. 7-5076.

Chairman.

Choctaw 5076

COPY.

Muskogee, Indian Territory, September 15, 1904.

Mary Ann Shannon,
Foster, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 15, 1904, dismissing the application for the enrollment of members Elmer Shannon as a citizen by blood of the Choctaw Nation.

Respectfully,

SIGNED

James Dixey

Chairman.

Registered.

Incl. 7-5076.

Mary Ann Shannon
Ella Thompson

+

Choctaw

+

Widmore, 104, Dec 22, 1897

Note, Mary Ann Shannon
married John Shannon
in Dec 1897

Admitted as
Mary Ann Thompson

11

Muskogee, Indian Territory, April 9, 1901.

W. J. Forsythe,
Dixie, Indian Territory,

Dear Sir:-

Receipt is hereby acknowledged of your letter of March 30, 1901, relative to the death of William Thompson and you ask to be advised as to whether or not the name of Amburs Elma Shannon appears upon the rolls of the Choctaw Nation, if not what steps are necessary to have his name placed thereon.

You are informed that the name of Amburs R. Shannon, son of Mary Ann Shannon, appears upon Choctaw card No. 5076. The records of the Commission show that the mother of this child, Mary Ann Shannon, and her minor child, Ella Thompson, were admitted by the United States Court for the Southern District of Indian Territory, at Ardmore, I.T., December 22, 1897, in Court case No. 104.

Yours truly,

Acting Chairman.

7-5076

11/18

COMMISSIONER,
JAMES RIXBY,
THOMAS NEEDLES,
C. K. BRECKINRIDGE

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

Choctaw 5076

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

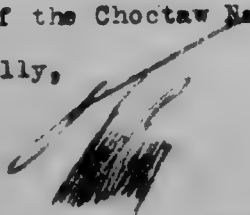
Muskogee, Indian Territory, September 15, 1904.

Mary Ann Shannon,
Foster, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 15, 1904, dismissing the application for the enrollment of Elmer Shannon as a citizen by blood of the Choctaw Nation.

Respectfully,



Chairman.

Registered.

Incl. 7-5076.

Folder

5077

Missing

FOLDER

5077

Missing

Choc 5078 J. W. Hoffman

#6-7 Dismissed Jan 23, 1905

See Penion # C-126

5078

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

.....

In the matter of the application for the enrollment as
citizens of the Choctaw NationOF.....

J. W. HURDMAN, et al.,
C- 126

Choctaw Court Card C/ 123.

In Re application of J. W. Huffman and others.

Sworn by Commissioner McKennon.

Mary Huffman says:

I came from Texas to the Territory 9 years ago.
I have lived here continuously. I have never lived in the
Choctaw Nation.

Ardmore, Sept. 22 1898.

J. W. Huffman
Mary Huffman
Mollie Huffman
Daniel Huffman
Charles Huffman.

enrolled.

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

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation.
of Yourland Florice (here insert name of child.) born on the 31 day of December 1900

Name of Father: Charles F. Florice a citizen of the Choctaw Nation.

Name of Mother: Eva J. Florice a citizen of the Choctaw Nation.

Postoffice Ardmore, Ind. Ter. by intermarriage

AFFIDAVIT OF MOTHER *father*

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Southern DISTRICT

I, Charles F. Florice, on oath state that I am 29 years of age and a citizen by blood of the Choctaw Nation; that I am the lawful husband of Eva J. Florice, who is a citizen, by intermarriage, of the Choctaw Nation; that a female child was born to me on 31st day of December 1900 at said child has been named

Yourland Florice, and is now living. *that my wife Eva J. Florice departed 2 1/2 yrs ago going to the hospital in good health and in good health.* Charles F. Florice.

(Must be Two Witnesses.)

Subscribed and sworn to before me this 1st day of May 1901.

(SEAL)

I. R. Mason.

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MID-WIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Southern DISTRICT

I, W. Hardy, a Physician, on oath state that I attended on Mrs. Eva J. Florice, wife of Charles F. Florice, on the 31st day of December 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

WITNESSES TO MARK: W. Hardy, M.D.

(Must be Two Witnesses.)

Subscribed and sworn to before me this 29 day of June 1901.

(SEAL)

I. R. Mason.

Notary Public.

United States of America,
Southern Judicial District,
Ardmore, Indian Territory.

Now comes Charles Florice, who, after having been sworn to tell the truth, the whole truth and nothing but the truth, says:
My age is 29 years; my post office address is Ardmore, Indian Territory.

In 1896, when the application for the enrollment of myself was filed, in connection with the application of Mary Huffman, and others my mother, Mary Huffman, had my name placed in the application as Charles Florice, which is the name I am known by and my real name but my full name is "Charles F. Florice" or "Charles Franklin", but I am not called by that name. When the application for the enrollment of my infant child, Yourland Florice, was made in said application the Notary requested me to sign Charles F. Florice, by reason of my name being Charles Franklin. I am the identical Charles Florice that made the application to the United States court as Charles Florice, and was admitted by a judgment of said court. In the same application for the enrollment of my child, Yourland Florice, I was asked the name of my wife, Eva Florice, deceased, and I gave her name as Eva J. Florice, her name being Eva Jane. When I was married to her and when I was before the commission, her name was given as Eva Florice. She was rarely ever called by her full name, and for that reason I gave the name Eva. The party mentioned in the affidavit as Eva J. Florice, is the same Eva Florice named in her application to be enrolled as inter-married citizen. Eva Florice is now dead, having died on the 6th day of January, 1901.

Subscribed and sworn before me on this the 23rd day of October, 1901.

& Charles Florice

J. E. Williams

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 Timothy Jackson Cude, born on the 11 day of Sept. 1902
(Here insert name of child.)
Name of Father: W.A. Cude a citizen of the Nation.
Name of Mother: Mollie Cude Nee Huffman a citizen of the Choctaw Nation.
Postoffice: Marietta, I. T.

AFFIDAVIT OF MOTHER. *father*

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Southern DISTRICT

I, Mollie Cude Nee Huffman, 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 W. A. Cude, who is a citizen, by
of the Nation; that a male
born to me on 11 day of Sept. 1902; that said child has been named
Timothy Jackson Cude, and is now living.

WITNESSES TO MARK:

Mollie Cude, formerly Huffman.

(Must be Two Witnesses.)

Subscribed and sworn to before me this 16 day of Oct/ 1902,

(SEAL)

G. D. Bartlett.

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MID-WIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Southern DISTRICT

I, D. Autry, a Physician, on oath state that I
attended on Mrs. Mollie Cude Nee Huffman, wife of W. A. Cude
on the 11 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 named Timothy Jackson Cude

WITNESSES TO MARK:

Dr. Autry, M. D.

(Must be Two Witnesses.)

Subscribed and sworn to before me this 17 day of Sept. 1902.

(SEAL)

D. G. Bartlett.

Notary Public.

Choctaw Court Card C. 125.

IN RE application of Victoria McClerg and others.

Sworn by Commissioner McKennon:

O. W. McClerg says:

I have been living in the Territory with my family since 1892

Jack D. was born September 3d 1897

Ardmore, Sept. 22 1898.

Victoria McClerg
Susie McClerg
Lillie McClerg
Haney McClerg
Jack D. McClerg
Henry Wallis

enrolled.

(COPY)

Chocta Court Card C 124.

In Re application of Frank Puscacurry.

Sworn by Commissioner McKernan.

Frank Puscacurry says:

I have been living continuously in the
Chickasaw nation for 5 or 6 years.

Admission, Sept. 20, 1908.

Frank Puscacurry

Enrolled.

Choctaw Court Card C. 122

IN RE application of Susie Tucker.

Sworn by Commissioner McKennon:

Susie Tucker says:

I came from Texas and have lived continuously in the Territory for 8 years.

Ardmore, Sept. 22 1898.

Susie Tucker,

enrolled.

Choctaw Court Card C. 155.

In Re application of Lucy Cude and others.

Sworn by Commissioner McKennon.

G. W. Cude says:

Clayton was born June 24th 1897; William was born
September 8th 1898.

In have been living in the Territory since I was married, June
11th 1896. I have lived here continuously.

Lucy Cude

Clayton Cude

William Cude

Ardmore, Sept. 22 1898.

Enrolled.

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

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,
of Clarence Cude, born on the 20th day of September, 1900
(Here insert name of child.)
Name of Father: Green William Cude a citizen of the Choctaw Nation.
Name of Mother: Lucy J. Cude a citizen of the Choctaw Nation.
Postoffice Ardmore, Ind. Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Southern DISTRICT

I, Lucy J. Cude, 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 G. W. Cude, who is a citizen, by
intermarriage of the Choctaw Nation, that a male child was
born to me on 20th day of September, 1900 that said child has been named
Clarence Cude, and is now living.

WITNESSES TO MARK:

Lucy J. Cude.

(Must be Two Witnesses.)

(SEAL)

(SEAL) Subscribed and sworn to before me this 1st day of October, 1900

My Commission expires Jan'y 28th, 1903. I. R. Mason

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MID-WIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Southern DISTRICT

I, Walter Hardy, a Physician, on oath state that I
attended on Mrs. Lucy J. Cude, wife of G. W. Cude
on the 20th 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 named Clarence Cude.

WITNESSES TO MARK:

Walter Hardy, M.D.

(Must be Two Witnesses.)

Subscribed and sworn to before me this 1st day of Oct., 1900

(SEAL)

My Commission expires Jan'y 28th 1903. I. R. 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 Vera Cude (Here insert name of child.) , born on the 4th day of March 1902
Name of Father: Green W. Cude a citizen of the Choctaw Nation.
Name of Mother: Mrs. Lucy Cude a citizen of the Choctaw Nation.

Postoffice Ardmore, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Southern DISTRICT

I, Lucy Cude, 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 Green W. Cude, who is a citizen, by
intermarriage of the Choctaw Nation, that a female child was
born to me on 4th day of March 1902; that said child has been named
Vera Cude, and is now living.

WITNESSES TO MARK:

Lucy Cude

(Must be Two Witnesses.)

Subscribed and sworn to before me this 20 day of March 1902.

(SEAL)

J. E. Williams, Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MID-WIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Southern DISTRICT

I, D. Autry, a Physician, on oath state that I
attended on Mrs. Lucy Cude, wife of Green W. Cude,
on the 4 day of March 1902; that there was born to her on said date a female
child; that said child is now living and is said to have been named Vera Cude

WITNESSES TO MARK:

Dr. Autry, M.D.

(Must be Two Witnesses.)

Subscribed and sworn to before me this day of March 1902.

(SEAL)

D. M. Lentzell, Notary Public.

DCL

7-5078

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

In the matter of the application for the enrollment of
Yourland Florice as a citizen by blood of the Choctaw Nation.

The applicant, Yourland Florice, claims the right to enrollment as a citizen by blood of the Choctaw Nation through his father, Charles Florice.

The right of the applicant's father, Charles Florice (as Charles Florice or Chas. Florice), 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 No. 37 upon the Tishomingo docket of said court, it is hereby ordered that the application of Yourland Florice for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

(Signed) Tams Bixby,

Chairman.

Muskogee, Indian Territory,

Jan 23 1905.

DCL

7-5078

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

In the matter of the application for the enrollment of
Timothy Jackson Cude as a citizen by blood of the Choctaw Nation.

The applicant, Timothy Jackson Cude, claims the right
to enrollment as a citizen by blood of the Choctaw Nation through
his mother Mollie Cude.

The right of the applicant's mother, Mollie Cude (as
Mollie Cude (nee Huffman) or Mollie Huffman), to citizenship
in the Choctaw Nation having been adversely determined by a de-
cree of the Choctaw and Chickasaw Citizenship Court, of November
29, 1904, in case No. 37 upon the Tisnomingo docket of said
court, it is hereby ordered that the application of Timothy
Jackson Cude for enrollment as a citizen by blood of the Choctaw
Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

(Signed) Tars Bixby,

Chairman.

Muskogee, Indian Territory,

Jan 23 1905.

7-5080.

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

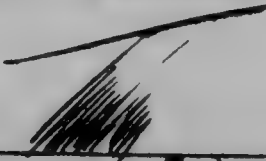
In the matter of the application for the enrollment of Jack D. McClerg as a citizen by blood of the Choctaw Nation.

---oo---

The applicant, Jack D. McClerg, claims the right to enrollment as a citizen by blood of the Choctaw Nation through his mother Victoria McClerg.

The right of the applicant's mother, Victoria McClerg (as Victoria McClurg, nee Florice), 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 No. 37 upon the Tishomingo docket of said court, it is hereby ordered that the application of Jack D. McClerg for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



Chairman.

Muskogee, Indian Territory,

JAN 23 1905

1660

7-5080.

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

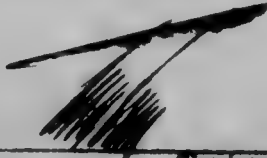
In the matter of the application for the enrollment
of Halley Burtan McClerg as a citizen by blood of the Choctaw
Nation.

- - - - -oOo- - - - -

The applicant, Halley Burtan McClerg, claims the
right to enrollment as a citizen by blood of the Choctaw
Nation through his mother Victoria McClerg.

The right of the applicant's mother, Victoria
McClerg (as Victoria McClerg, nee M'Kerick), 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 no. 37 upon the Tishomingo docket
of said court, it is hereby ordered that the application of
Halley Burtan McClerg for enrollment as a citizen by blood
of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



Chairman.

Muskogee, Indian Territory,

JAN 2 1905

7-5110.

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

In the matter of the application for the enrollment of Clayton Cude, William Cude, Clarence Cude and Vera Cude as citizens by blood of the Choctaw Nation.

-----oOo-----

The applicants, Clayton Cude, William Cude, Clarence Cude and Vera Cude, claim the right to enrollment as citizens by blood of the Choctaw Nation through their mother Lucy Cude.

The right of the applicants' mother, Lucy Cude (as Lucy Cude, nee Huffman), 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 No. 37 upon the Tishomingo docket of said court, it is hereby ordered that the application of Clayton Cude, William Cude, Clarence Cude and Vera Cude for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



Chairman.

Muskegee, Indian Territory,

(COPY--DoB)

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In Re,)
Mary Huffman et al.)

Comes now the petitioners, Mary Huffman, Frank Puscachummy, Victoria McClurg, Lucy Cude, Susie Tucker, Mollie Huffman, Daniel Huffman, Charles Florice, Susie McClurg, Lillie McClurg, Haney McClurg, and Henry Wallis, and respectfully show that prior to the 10th day of September, 1896, they made application to the Commission to the Five Civilized Tribes for enrollment as members of the Choctaw Tribe of Indians. That notice of said application was served upon the Governor of the Choctaw Nation, and also upon the Governor of the Chickasaw Nation. Thereafter, the said Commission rendered its judgment, denying the application of petitioners. Subsequently, and within the time prescribed by law, these petitioners appealed from the finding of said Commission to the United States Court for the Southern District of the Indian Territory sitting at Ardmore, where said cause was docketed under the style and name of Mary Huffman et al vs. Choctaw Nation; and thereafter, on ____ day of _____, 1897 said United States Court rendered its decree, declaring all these petitioners to be members of the Choctaw Tribe of Indians. Your petitioners state that on the hearing before the said United States Court, no new testimony was introduced, but that said cause was tried solely upon the testimony that was used by the said Commission to the Five Civilized Tribes.

Thereafter, after the Choctaw-Chickasaw Citizenship Court had rendered its decree in the case of the Choctaw and Chickasaw Nations vs. J. T. Riddle, et al, the proceedings in said cause were transferred to the said Citizenship Court. These petitioners state, however, that the said Citizenship Court had no jurisdiction to proceed in said cause, and that these petitioners appeared in said court, protesting against the jurisdiction of said court to hear said matter, and filed a motion to dismiss said proceedings from said court. Petitioners state that said Citizenship Court wrongfully, arbitrarily and unlawfully refused to dismiss said cause, but without jurisdiction and without authority proceeded, without testimony, to render a false and pretended judgment, which falsely and wrongfully recited that these petitioners were not members of the said Choctaw Tribe of Indians.

Your petitioner states that the Choctaw-Chickasaw Citizenship court was without jurisdiction to determine the rights of petitioners; that all of its actions and proceedings wherein it sought to adjudicate said rights, were wrongful and without authority, and that said judgment or decree of the said United States Court for the Southern District of the Indian Territory is still in full force and effect.

That subsequently to the application of the petitioners hereinbefore named, there was born to the petitioner, Victoria McClurg, in lawful wedlock, the petitioners Sybil McClurg, Otto McClurg and May McClurg. And that subsequent to the application enrollment of the petitioner Daniel Huffman, there was born to him, in lawful wedlock, the petitioners, Hazel Huffman, Beulah Huffman and Hosea Huffman. That subsequent to the application for enrollment of the petitioner Lucy Cude, there was born to her, in lawful wedlock, Arthur Clayton Cude, William Cleburne Cude, Clarence Cude, Vera Cude, Velma Cude,

(COPY--DeB)

Cruce, Cruce & Bleakmore
Lawyers
Johnson, Cruce and Cruce Building

A. C. Cruce
W. I. Cruce
W.R. Bleakmore

Ardmore, Ind. Ter.

Indian Territory,)
Southern District.)

I, Roberta Niblack, upon my oath say
that I deposited in the United States postoffice, at Ardmore,
Indian Territory, an envelope addressed to Mansfield, McMurray
& Cornish, at South McAlester, Indian Territory, inclosed
within which was a true and perfect copy of the foregoing
petition, for the enrollment of Mary Huffman et al.

SEAL

Roberta Niblack.

Subscribed and sworn to before me this 20th day of June, 1906.

J. W. Mullen,

Notary Public.

MARRIAGE LICENSE.

NO. 1835/

UNITED STATES OF AMERICA)
INDIAN TERRITORY,) SS
SOUTHERN DISTRICT.)

To Any Person Authorized by Law to Solemnize Marriage:-Granting:
YOU ARE HEREBY COMMANDED to solemnize the Rite and publish the
Banna of Matrimony between Mr. W. A. Cude of Marietta in the
Indian Territory, aged 25 years, and Mollie Huffman, of Ardmore,
in the Indian Territory, aged 24 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
(SEAL) December, A. D. 1901.

C.M.Campbell
Clerk of the United States Court.

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA,) SS:
INDIAN TERRITORY,)
SOUTHERN DISTRICT.)

I, J. A. McCullough, a minister
of the Gospel do hereby certify that on the 18 day of Dec. A. D. ~~190~~
1901, I did duly and according to law as commanded in the fore-
going license, solemnize the Rite and publish the Banns of Matrimony
between the parties therein named.

Witness my hand this 19 day of Dec., 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 65.

J. A. McCullough.

a, winister of the Gospel.

CERTIFICATE OF RECORD OF MARRIAGE.

UNITED STATES OF AMERICA,)
INDIAN TERRITORY,) SGT.
SOUTHERN DISTRICT.)

I, C. M. Campbell, Clerk of the United States Court in the ~~Indian~~ Territory and District aforesaid, do hereby certify that the License for and Certificate of Marriage of,

Mr. W. A. Cude and Mollie Huffman were filed in my office in said Territory and District the 21 day of Dec. A. D. 1901, and was duly recorded in Book F. of Marriage Record, Page 151.

Witness my hand and Seal of said Court,

at Ardmore, this 12, day of Feb. A. D. 1902.

C. M. Campbell.

CLERK.

F I L E D .

DEC 21 1901 3 p/m/

C. M. Campbell, Clerk.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

F I L E D .

OCT 29 1902.

Tams Bixby, Acting Chairman.

CHOCTAW

5078.

C- 126
7-5077
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DEPARTMENT OF THE INTERIOR.
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of J. W. Huffman, et al., as citizens of the Choctaw Nation.

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

It appears from the record herein and the records in the possession of the Commissioner to the Five Civilized Tribes that a application was made to the Commission to the Five Civilized Tribes at Ardmore, Indian Territory, September 12, 1898, by J. W. Huffman for the enrollment of himself as an intermarried citizen of the Choctaw Nation, and for the enrollment of his wife, Mary Huffman, and her children, Mollie Huffman, Daniel Huffman and Charles Florice as citizens of the Choctaw Nation; that on October 31, 1901, written application was filed with the Commission to the Five Civilized Tribes for the enrollment of Yourland Florice, minor son of Charles T. Florice and his wife, Eva J. Florice, as a citizen of the Choctaw Nation, that on October 20, 1901, written application was filed for the enrollment of Timothy J. Cude, minor son of W. A. Cude and Mollie Cude, nee Huffman, as a citizen of the Choctaw Nation; that on September 12, 1898, application was made to the Commission to the Five Civilized Tribes by O. W. McClurg for the enrollment of Victoria McClurg and her minor children, Susie McClurg, Lillie McClurg, Haney McClurg, Jack McClurg and Henry Wallis as citizens of the Choctaw Nation; that subsequent thereto written application was filed for the enrollment of Halley B. McClurg, minor daughter of O. W. McClurg and the applicant, Victoria McClurg, as a citizen of the Choctaw Nation; that application was made to the Commission to the Five Civilized Tribes at Ardmore, Indian Territory, on September 12, 1898, by Frank Puscachummy for the enrollment of himself as a citizen by blood of the Choctaw Nation; that on September 12, 1898, application was made by Susie Tucker for the enrollment of herself as a citizen of the Choctaw Nation; that on September 12, 1898, application was made by G. W. Cude for the enrollment of Lucy Cude and her children, Clayton Cude and William Cude, as citizens of the Choctaw Nation; that on October 2, 1900, written application was filed for the enrollment of Clarence Cude, minor son of the applicant, Lucy Cude and G. W. Cude, as a citizen of the Choctaw Nation; that on March 24, 1902, written application was filed for the enrollment of Vera Cude, minor daughter of the applicant, Lucy Cude and her husband, G. W. Cude, as a citizen of the Choctaw Nation.

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that the applicants, J. W. Huffman, Mary Huffman (as Mrs. Mary Huffman), Mollie Huffman, Daniel Huffman, Charles Florice, Victoria McClurg (as Mrs. Victoria McClurg), Susie McClurg (as Susie McClurg), Lillie McClurg (as Lily McClurg), Haney McClurg (as Haney McClurg), Frank Puscachummy, Henry Wallis (as Henry Wallis), Susie Tucker and Lucy Cude, 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. 1345; that they were denied such admission by a decision of the Commission on December 8, 1896; that from this decision an appeal was taken to the United States Court for the Southern District of the Indian Territory, which Court on December 22, 1897, rendered a decision reversing the decision of the Commission and admitted said applicants to citizenship in the Choctaw Nation.

Said judgment 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. T. T. Riddle, et al."

Said case was subsequently certified to the Choctaw and Chickasaw Citizenship Court, created under the Act of Congress approved July 1, 1902 (32 Stats. 641), for trial de novo, and on November 29, 1904, in the case entitled "Mary Huffman, et al. vs. Choctaw and Chickasaw Nations," said Court rendered a decree therein wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, Mary Huffman, or Mary Hoffman, nee Puscachummy, J. W. Huffman, Frank Puscachummy, Susie Tucker, Victoria McClurg, nee Florice, Susie McClurg, Lily McClurg, or Lillie McClurg, Henry McClurg, Daniel Huffman, Lucy Cude, nee Huffman, Mollie Cude, nee Huffman, or Mollie Hoffman, Charles Florice, or Chas. Florice and Henry Wallis or Henry Wallace, 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."

On January 23, 1905, the Commission to the Five Civilized Tribes issued orders dismissing the applications for the enrollment of Yourland Florice, Timothy J. Cude, Jack T. McClurg and Halley B. McClurg as citizens of the Choctaw Nation, for the reason that the persons through whom said applicants claimed a right to enrollment had been denied citizenship by the Choctaw and Chickasaw Citizenship Court.

On January 24, 1905, said Commission issued an order dismissing the application for the enrollment of Clayton Cude, William Cude, Clarence Cude and Vera Cude as citizens of the Choctaw Nation, for the reason that Lucy Cude, their mother, had been denied citizenship by the Choctaw and Chickasaw Citizenship Court.

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there was filed on June 22, 1906, by Cruce, Cruce & Bleakmore, attorneys for the petitioners, a petition praying for the enrollment of Mary Huffman, Frank Puscachummy, Victoria McClurg, and her minor children, May McClurg, Sybil McClurg, Otto McClurg, Lucy Cude, and her minor children, Arthur Clayton Cude, William Cleburne Cude, Clarence Cude, Vera Cude, Velma Cude, Susie Tucker, Mollie Huffman (or Mollie Cude) and her minor child, Tim Cude, Daniel Huffman and his minor children, Hazel Huffman, Beulah Huffman and Hosea Huffman, Charles Florice, Susie McClurg, Lillie McClurg, Haney McClurg and Henry Wallis as citizens of the Choctaw Nation.

The principal petitioners are identical with the persons for whose enrollment applications were made under the provisions of the Act of Congress approved June 28, 1898.

It is alleged in the petition that the petitioners are entitled to enrollment, for the reason that the Choctaw-Chickasaw Citizenship Court was without jurisdiction to determine the rights

of the petitioners; that all of its actions and proceedings wherein it sought to adjudicate said rights were wrongful and without authority, and that the judgment of the United States Court for the Southern District of Indian Territory is still in full force and effect.

It does not appear from the trial records of the Choctaw Nation in the possession of the Commissioner to the Five Civilized Tribes, nor is it alleged in the petition that the petitioners were ever recognized or enrolled as citizens of the Choctaw Nation by any duly constituted authority. Their names do not appear on any of the tribal rolls of the Choctaw Nation in the possession of this office.

I am of the opinion that inasmuch as it does not appear from the records in the possession of the Commissioner to the Five Civilized Tribes and is not alleged in the petition that the petitioners ever at any time occupied such a status as would entitle them to enrollment as citizens of the Choctaw Nation, the action of the Choctaw-Chickasaw Citizenship Court of November 29, 1904, denying the application for the enrollment of Mary Huffman, J. W. Huffman, Susie Tucker, Victoria McClurg, Susie McClurg, Lillie McClurg, Henry McClurg (or Haney McClurg), Frank Puscachummy, Daniel Huffman, Mollie Huffman, Charles Florice, Lucy Cude and Henry Wallis is final, and that the application for the enrollment of Mary Huffman, Henry Wallis, Mollie Huffman, Daniel Huffman, Charles Florice, Susie Tucker, Victoria McClurg, Susie McClurg, Lillie McClurg, Haney McClurg, Frank Puscachummy and Lucy Cude, and the petition filed June 12, 1906, in so far as it applies to said applicants, should be denied under the provisions of the Act of Congress approved July 1, 1902 (32 Stat., 641), and it is so ordered.

I am further of the opinion that the application for the enrollment of J. W. Huffman as a citizen by intermarriage of the Choctaw Nation should be denied under the provisions of the Act of Congress approved July 1, 1902 (32 Stat., 641), and it is so ordered.

I am further of the opinion that the petition filed June 12, 1906, in so far as it applies to the petitioners, Arthur Clayton Cude, William Cleburne Cude, Clarence Cude, Vera Cude and Tim Cude, (or Timothy J. Cude), whose applications for enrollment as citizens of the Choctaw Nation have heretofore been dismissed, should be dismissed and it is so ordered.

I am further of the opinion that the petition filed June 12, 1906, in so far as it applies to the petitioners, Sybil McClurg, Otto McClurg, May McClurg, Hazel Huffman, Beulah Huffman, Hosea Huffman and Velma Cude, should be considered as an application for the enrollment of said petitioners as citizens of the Choctaw Nation under the provisions of the Act of Congress approved April 26, 1906 (34 Stats. 137), that said application should be denied, and it is so ordered.

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory.

FEB 15 1907

C-126

Muskogee, Indian Territory, February 15, 1907.

J. W. Huffman,

Marietta, Indian Territory.

Dear Sir:

I inclose herewith a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 15, 1907, denying the application for your enrollment as a citizen by intermarriage and denying the application and petition for the enrollment of Mary Huffman, Daniel Huffman, Mollie Huffman and Charles Florice 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,

SIGNED

W. H. King

Commissioner.

C-126.
Registered.

C-126

COPY

Muskogee, Indian Territory, February 15, 1907.

Charles Florice,
Marietta, Indian Territory.

Dear Sir:

I inclose herewith a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 15, 1907, denying the application and petition for your enrollment as a citizen 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,

James Lacey

Commissioner.

C-126.
Registered.

C-126

Muskogee, Indian Territory, February 15, 1907.

Victoria McClerg,

Ardmore, Indian Territory.

Dear Madam:

I inclose herewith a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 15, 1907, denying the application and petition for your enrollment and for the enrollment of Susie McClerg, Lillie McClerg, Haney McClerg and Henry Wallis and denying the application for the enrollment of Sybil McClurg, Otto McClurg and May McClurg 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,

W. S. L.

Commissioner.

C-126.
Registered.

C-126

Or
Muskegee, Indian Territory, February 15, 1907.

Lucy Cude,
Ardmore, Indian Territory.

Dear Madam:

I inclose herewith a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 15, 1907, denying the application and petition for your enrollment, dismissing the petition for the enrollment of Arthur Clayton Cude, William Cleburne Cude, Clarence Cude and Vera Cude and denying the application for the enrollment of Velma Cude 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,

SIGNED

B. C.

Commissioner.

C-126.
Registered.

C-126

COP.

Muskogee, Indian Territory, February 15, 1907.

Mollie Cude,

Marietta, Indian Territory.

Dear Madam:

I enclose herewith copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 15, 1907, denying the application and petition for the enrollment of Mollie Huffman and dismissing the petition for the enrollment of Tim Cude (or Timothy J. Cude) 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,

Commissioner.

C-126.

Registered.

C-126

COPY

Muskogee, Indian Territory, February 15, 1907.

Daniel Huffman,

Marietta, Indian Territory.

Dear Sir:

I inclose herewith a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 15, 1907, denying the application and petition for your enrollment and denying the application for the enrollment of Hazel Huffman, Beulah Huffman and Hosea Huffman 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,

SIGNED

Commissioner.

C-126.
Registered.

C-126

COPY

Muskogee, Indian Territory, February 15, 1907.

Frank Puscachummy,
Ardmore, Indian Territory.

Dear Sir:

I inclose herewith a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 15, 1907, denying the application and petition for your enrollment as a citizen 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,

SIGNED

James D. Dwyer

Commissioner.

C-126.
Registered.

C-126

COPY

Muskogee, Indian Territory, February 15, 1907.

Susie Tucker,

Ardmore, Indian Territory.

Dear Sir:

I inclose herewith a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 15, 1907, denying the application and petition for your enrollment as a citizen 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,

W. H. H. H.

James D. Doby

Commissioner.

C-126.
Registered.

Muskogee, Indian Territory, February 15, 1907.

H. H. Brown,
Attorney at Law,
Ardmore, Indian Territory.

Dear Sir:

I inclose herewith a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 15, 1907, denying the application and petition for the enrollment of Mary Huffman, Henry Wallis, Mollie Huffman, Daniel Huffman, Charles Florice, Susie Tucker, Victoria McClurg, Susie McClurg, Lillie McClurg, Haney McClurg, Frank Puscachummy and Lucy Cude, dismissing the petition for the enrollment of Arthur Clayton Cude, William Clarence Cude, Clarence Cude, Vera Cude, and Tim Cude (or Timothy J. Cude), denying the application for the the enrollment of Sybil McClurg, Otto McClurg, May McClurg, Hazel Huffman, Beulah Huffman, Hosea Huffman and Velma Cudeas citizens and denying the application for the enrollment of J. W. Huffman as a citizen by inter-marriage 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,

Tamc Dixby
Commissioner.

COPY

Muskogee, Indian Territory, February 15, 1907.

March & Wolverton,
Attorneys at Law,
Duncan, Indian Territory.

Gentlemen:

I inclose herewith a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 15, 1907, denying the application and petition for the enrollment of Mary Huffman, Henry Wallis, Mollie Huffman, Daniel Huffman, Charles Florice, Susie Tucker, Victoria McClurg, Susie McClurg, Lillie McClurg, Maney McClurg, Frank Puscachummy, and Lucy Cude, dismissing the petition for the enrollment of Arthur Clayton Cude, William Cleburne Cude, Clarence Cude, Vera Cude, and Tim Cude (or Timothy J. Cude), denying the application for the enrollment of Sybil McClurg, Otto McClurg, May McClurg, Hazel Huffman, Beulah Huffman, Hosea Huffman and Velma Cude as citizens and denying the application for the enrollment of J. W. Huffman as a citizen by intermarriage 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,

SIGNE *Tamm Sibby*

Muskogee, Indian Territory, February 15, 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 February 15, 1907, denying the application and petition for the enrollment of Mary Huffman, Henry Wallis, Mollie Huffman, Daniel Huffman, Charles Florice, Susie Tucker, Victoria McClurg, Susie McClurg, Lillie McClurg, Nancy McClurg, Frank Puscachurry and Lucy Cude, dismissing the petition for the enrollment of Arthur Clayton Cude, William Cleburne Cude, Clarence Cude, Vera Cude and Tim Cude (or Timothy J. Cude), denying the application for the enrollment of Sybil McClurg, Otto McClurg, May McClurg, Hazel Huffman, Beulah Huffman, Horea Huffman and Velma Cude as citizens and denying the application for the enrollment of J. W. Huffman as a citizen by intermarriage 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,

James D. Dyer

Commissioner.

CCF

Muskogee, Indian Territory, February 15, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith record of proceedings in the matter of the enrollment of J. W. Huffman et al., including the decision of the Commissioner to the Five Civilized Tribes, rendered February 15, 1907, denying the application and petition for the enrollment of Mary Huffman, Henry Wallis, Mollie Huffman, Daniel Huffman, Charles Florice, Susie Tucker, Victoria McClurg, Susie McClurg, Lillie McClurg, Haney McClurg, Frank Puscachuray and Lucy Cude, dismissing the petition for the enrollment of Arthur Clayton Cude, William Clarence Cude, Clarence Cude, Vera Cude and Tim Cude (or Timothy J. Cude), denying the application for the enrollment of Sabil McClurg, Otto McClurg, May McClurg, Hazel Huffman, Beulah Huffman, Hosea Huffman and Velma Cude as citizens and denying the application for the enrollment of J. W. Huffman as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

CCF

Commissioner.

C-126.
Through the
Commissioner of Indian Affairs.

D.C. 12634
L.H.S.

Jle.
O.K.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

I. T. D.
6076, 6096, 6126, 6148-07.
6182, 6778, 6808, 6832-08.
6836, 6846, 6842, 6844-07.
6850, 6852, 6856, 6858-07.
6866, 6870, 6882, 6884-07.
6894, 6900, 6950, 6954-07.
6958, 6964, 6966, 6968-07.

March 2, 1907.

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 enclosed:

Title of Case.	Date of Your Letter of Transmittal.
Cye Richardson, Jr., (Freedman),	February 14, 1907.
Ernest and Willie Lee Draper (Freedman),	February 14, 1907.
Mary Dorris Clayton,	February 19, 1907.
Alexander Harland, (Freedman),	February 13, 1907.
Barnest and Louis Fields (Freedman),	February 13, 1907.
Claud Waid Thompson (Freedman),	February 13, 1907.
Levie Frenzy (Freedman)	February 15, 1907.
Kate B. Johnson (Miss. Good)	February 20, 1907.
John Littlejohn et al. (Freedman),	February 23, 1907.
Tobias Louis and James Russell (Freedman),	February 19, 1907.
Hickson Mansley (Freedman),	February 18, 1907.
Mary Plummer,	February 14, 1907.
Zach Alton Callaway,	February 21, 1907.
Riley Cole (Freedman)	February 21, 1907.
Albert F. and Edith Ford,	February 21, 1907.
Blanch Estelle Autrey et al.,	February 21, 1907.
Paul Jones,	February 21, 1907.

Title of Case.	Date of Your Letter of Transmittal.
Frances and Viola Brown (Freedmen),	February 14, 1907.
Nattie Smith (Freedman),	February 19, 1907.
Ora Williams (Freedman),	February 26, 1907.
William J. Manley,	February 21, 1907.
Vera and Nora Eleavens,	February 18, 1907.
Annie Harkins (Freedman),	February 14, 1907.
Francis York,	February 21, 1907.
J. W. Huffman, et al.,	February 18, 1907.
Sam W. and Jos A. Potts,	February 19, 1907.
Eva Wright,	November 20, 1906.
Thomas K. Starks, (intermarried)	February 19, 1907.

A copy hereof and all the papers in the above mentioned cases have been sent to the Indian Office.

Respectfully,

Jesse K. Wilson,

Assistant Secretary.

28 inc. and 56 inc.
for Indian Office.

W.C.F.
2-3-07.

LAND
18338-1907.

--Copy--

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

March 1, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed a report from Commissioner Bixby, dated February 15, 1907, transmitting the record relative to the applications of J. W., Mary, Mollie and Daniel Huffman; Yourland, Charles F. and Eva J. Florice; Timothy J. Cude; Victoria, Susie, Lillie, Haney, Jack and Halley B. McClurg; Henry Wallis; Frank Puscachummy; Sarah Tucker; Lucy, Clayton, William, Clarence, Bera and G. W. Cude; May, Otto and Sybil McClurg (or McClurg); Velma Cude; Hazel, Beulah and Hosea Huffman, for enrollment as citizens by blood and intermarriage of the Choctaw Nation, including the decision of the Commissioner, dated February 15, 1907, adverse to the applicants.

This decision has been examined and found to be correct, and is therefore recommended for approval.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

HRD-EH.

C-126

Muskogee, Indian Territory, April 2, 1907.

J. W. Huffman,

Marietta, Indian Territory.

Dear Sir:

You are hereby advised that on March 2, 1907, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes, rendered February 15, 1907, denying the application for your enrollment as a citizen by intermarriage of the Choctaw Nation and denying the application and petition for the enrollment of Mary Huffman, Daniel Huffman, Mollie Huffman and Charles Florice as citizens of the Choctaw Nation.

Respectfully,

Geo. D. Rogers.

Acting Commissioner.

C-126

Muskogee, Indian Territory, April 2, 1907.

Charles Florice,

Marietta, Indian Territory.

Dear Sir:

You are hereby advised that on March 2, 1907, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes, rendered February 15, 1907, denying the application and petition for your enrollment as a citizen of the Choctaw Nation.

Respectfully,

W. C. Rogers.

Acting Commissioner.

C-126

Muskogee, Indian Territory, April 2, 1907.

Victoria McClerg,

Ardmore, Indian Territory.

Dear Madam:

You are hereby advised that on March 2, 1907, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes, rendered February 15, 1907, denying the application and petition for your enrollment and for the enrollment of Susie McClerg, Lillie McClerg, Hanev McClerg and Henry Wallis and denying the application for the enrollment of Sybil McClerg, Otto McClerg and May McClerg as citizens of the Choctaw Nation.

Respectfully,

Acting Commissioner.

C-126

Muskogee, Indian Territory, April 2, 1907.

Lucy Cude,

Ardmore, Indian Territory,

Dear Madam:

You are hereby advised that on March 2, 1907, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes, rendered February 15, 1907, denying the application and petition for your enrollment, dismissing the petition for the enrollment of Arthur Clayton Cude, William Cleburn Cude, Clarence Cude and Vera Cude and denying the application for the enrollment of Velma Cude as citizens of the Choctaw Nation.

Respectfully,

Acting Commissioner.

C-126

Muskogee, Indian Territory, April 2, 1907.

Mollie Cude,

Marietta, Indian Territory.

Dear Madam:

You are hereby advised that on March 2, 1907, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes, rendered February 15, 1907, denying the application and petition for the enrollment of Mollie Huffman and dismissing the petition for the enrollment of Tim Cude (or Timothy J. Cude) as citizens of the Choctaw Nation.

Respectfully,

Acting Commissioner.

C-126

Muskogee, Indian Territory, April 2, 1907.

Daniel Huffman,

Marietta, Indian Territory.

Dear Sir:

You are hereby advised that on March 2, 1907, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes, rendered February 15, 1907, denying the application and petition for your enrollment and denying the application for the enrollment of Hazel Huffman, Beulah Huffman and Hosea Huffman as citizens of the Choctaw Nation.

Respectfully,

Acting Commissioner.

C-126

Muskogee, Indian Territory, April 2, 1907.

Frank Puscachummy,

Ardmore, Indian Territory.

Dear Sir:

You are hereby advised that on March 2, 1907, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes, rendered February 15, 1907, denying the application and petition for your enrollment as a citizen of the Choctaw Nation.

Respectfully,

W. Rogers

Acting Commissioner.

C-126

Muskogee, Indian Territory, April 2, 1907.

Susie Tucker,

Ardmore, Indian Territory.

Dear Sir:

You are hereby advised that on March 2, 1907, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes, rendered February 15, 1907, denying the application and petition for your enrollment as a citizen of the Choctaw Nation.

Respectfully,

Acting Commissioner.

C-126

Muskogee, Indian Territory, April 2, 1907.

H. H. Brown,
Attorney at Law,
Ardmore, Indian Territory.

Dear Sir:

You are hereby advised that on March 2, 1907, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes, rendered February 15, 1907, denying the application and petition for the enrollment of Mary Huffman, Henry Wallis, Mollie Huffman, Daniel Huffman, Charles Florice, Susie Tucker, Victoria McClerg, Susie McClerg, Lillie McClerg, Hancy McClerg, Frank Puscachummy and Lucy Cude, dismissing the petition for the enrollment of Arthur Clayton Cude, William Cleburne Cude, Clarence Cude, Vera Cude, and Tim Cude (or Timothy J. Cude), denying the application for the enrollment of Sybil McClurg, Otto McClurg, May McClurg, Hazel Huffman, Beulah Huffman, Hosea Huffman and Velma Cude as citizens of the Choctaw Nation and denying the application for the enrollment of J. W. Huffman as a citizen by intermarriage of said nation.

Respectfully,

Acting Commissioner.

C-126

Muskogee, Indian Territory, April 2, 1907.

March & Wolverton,
Attorneys at Law,
Duncan, Indian Territory:

Gentlemen:

You are hereby advised that on March 6, 1907, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes, rendered February 15, 1907, denying the application and petition for the enrollment of Mary Huffman, Henry Fallis, Mollie Huffman, Daniel Huffman, Charles Florice, Susie Tucker, Victoria McClurg, Susie McClurg, Lillie McClurg, Haney McClurg, Frank Puscachummy, and Lucy Cude, dismissing the petition for the enrollment of Arthur Clayton Cude, William Cleburne Cude, Clarence Cude, Vera Cude, and Tim Cude (or Timothy J. Cude), denying the application for the enrollment of Sybil McClurg, Otto McClurg, May McClurg, Hazel ~~Huffman~~, Beulah Huffman, Hosea Huffman and Velma Cude as citizens and denying the application for the enrollment of J. W. Huffman as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

Acting Commissioner.

Muskogee, Indian Territory, April 2, 1907.

Mansfield, McMurray & Cornish,

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

Gentlemen:

You are hereby advised that on March 2, 1907, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes, rendered February 15, 1907, denying the application and petition for the enrollment of Mary Huffman, Henry Wallis, Mollie Huffman, Daniel Huffman, Charles Florice, Susie Tucker, Victoria McClurg, Susie McClurg, Lillie McClurg, Handy McClurg, Frank Pusca-chummy and Lucy Cude, dismissing the petition for the enrollment of Arthur Clayton Cude, William Cleburn Cude, Clarence Cude, Vera Cude and Tim Cude (or Timothy J. Cude), denying the application for the enrollment of Sybil McClurg, Otto McClurg, May McClurg, Hazel Huffman, Beulah Huffman, Hosea Huffman and Velma Cude, as citizens and denying the application for the enrollment of J. W. Huffman as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

7-5078.

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

In the matter of the application for the enrollment
of Yourland Florice as a citizen by blood of the Choctaw
Nation.

-----oo-----

The applicant, Yourland Florice, claims the right
to enrollment as a citizen by blood of the Choctaw Nation
through his father Charles Florice.

The right of the applicant's father, Charles Florice
(as Charles Florice or Chas. Florice), 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 No. 37 upon the Tishomingo docket of said
court, it is hereby ordered that the application of Yourland
Florice for enrollment as a citizen by blood of the Choctaw
Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



Chairman.

Muskogee, Indian Territory,

MAY 10 1905

COPY!

Choctaw 5078

Muskogee, Indian Territory, January 23, 1905.

Charles Florice,

Ardmore, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated January 23, 1905, dismissing the application for the enrollment of your minor child, Yourland Florice, as a citizen by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Chairman.

Registered.

Incl. 7-5078

Chectaw 5078

COPY.

Muskogee, Indian Territory, January 23, 1905.

Brown & Mason,

Attorneys at Law,

Ardmore, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated January 23, 1905, dismissing the application for the enrollment of Yourland Florice as a citizen by blood of the Chectaw Nation.

Respectfully,

SIGNED,

Iamo Staby
Chairman.

Registered.

Incl. 7-5078

Choctaw 5078

COPY.

Muskogee, Indian Territory, January 23, 1905'

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find copies of the orders of this Commission dated January 23, 1905, dismissing the applications for the enrollment of Yourland Florice and Timothy Jackson Cude as citizens by blood of the Choctaw Nation.

Respectfully,

EDGNEEL

- James H. Hargis

Chairman.

2 Incl. 7-5078

7-5078.

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

In the matter of the application for the enrollment of Timothy Jackson Cude as a citizen by blood of the Choctaw Nation.

-----oOo-----

The applicant, Timothy Jackson Cude, claims the right to enrollment as a citizen by blood of the Choctaw Nation through his mother Mollie Cude.

The right of the applicant's mother, Mollie Cude (as Mollie Cude (nee Huffman) or Mollie Huffman), to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, of November 28, 1904, in case No. 37 upon the Tishomingo docket of said court, it is hereby ordered that the application of Timothy Jackson Cude for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



Chairman.

Muskegee, Indian Territory,

JAN 1 1905

Choctaw 5078

COPY.

Muskogee, Indian Territory, January 23, 1905.

Mollie Cude,

Marietta, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated January 23, 1905, dismissing the application for the enrollment of your minor child, Timothy Jackson Cude, as a citizen by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

James D. Dancy

Chairman.

Registered.

Incl. 7-5078

Choctaw 5078

COPY

Muskogee, Indian Territory, January 23, 1905.

D. G. Bartlett,

Marietta, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated January 23, 1905, dismissing the application for the enrollment of Timothy Jackson Cude as a citizen by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

James Jackson

Chairman.

Registered.

Incl. 7-3078

Choctaw 5078

COPY

Muskogee, Indian Territory, January 23, 1905

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find copies of the orders of this Commission dated January 23, 1905, dismissing the applications for the enrollment of Yourland Florice and Timothy Jackson Cude as citizens by blood of the Choctaw Nation.

Respectfully,

W. G. BROWN

W. G. BROWN

Chairman.

2 Incl. 7-5078

C- 126
7-5077
5078
5080
5110

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

In the matter of the application for the enrollment of J. W. Huffman, et al., as citizens of the Choctaw Nation.

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

It appears from the record herein and 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 Ardmore, Indian Territory, September 22, 1898, by J. W. Huffman for the enrollment of himself as an intermarried citizen of the Choctaw Nation, and for the enrollment of his wife, Mary Huffman, and her children, Mollie Huffman, Daniel Huffman and Charles Florice as citizens of the Choctaw Nation; that on October 31, 1901, written application was filed with the Commission to the Five Civilized Tribes for the enrollment of Yourland Florice, minor son of Charles F. Florice and his wife, Eva J. Florice, as a citizen of the Choctaw Nation; that on October 20, 1902, written application was filed for the enrollment of Timothy J. Cude, minor son of W. A. Cude and Mollie Cude, nee Huffman, as a citizen of the Choctaw Nation; that on September 22, 1898, application was made to the Commission to the Five Civilized Tribes by O. W. McClurg for the enrollment of Victoria McClurg and her minor children, Susie McClurg, Lillie McClurg, Haney McClurg, Jack McClurg and Henry Wallis as citizens of the Choctaw Nation; that subsequent thereto written application was filed for the enrollment of Halley B. McClurg, minor daughter of O. W. McClurg and the applicant, Victoria McClurg, as a citizen of the Choctaw Nation; that application was made to the Commission to the Five Civilized Tribes at Ardmore, Indian Territory, on September 22, 1898, by Frank Puscachummy for the enrollment of himself as a citizen by blood of the Choctaw Nation; that on September 22, 1898, application was made by Susie Tucker for the enrollment of herself as a citizen of the Choctaw Nation; that on September 22, 1898, application was made by G. W. Cude for the enrollment of Lucy Cude and her children, Clayton Cude and William Cude, as citizens of the Choctaw Nation; that on October 2, 1900, written application was filed for the enrollment of Clarence Cude, minor son of the applicant, Lucy Cude and G. W. Cude, as a citizen of the Choctaw Nation; that on March 24, 1902, written application was filed for the enrollment of Vera Cude, minor daughter of the applicant, Lucy Cude and her husband, G. W. Cude, as a citizen of the Choctaw Nation.

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that the applicants, J. W. Huffman, Mary Huffman (as Mrs. Mary Huffman), Mollie Huffman, Daniel Huffman, Charles Florice, Victoria McClurg (as Mrs. Victoria McClurg), Susie McClurg (as Susie McClurg), Lillie McClurg (as Lily McClurg), Haney McClurg (as Haney McClurg), Frank Puscachummy, Henry Wallis (as Henry Wallis), Susie Tucker and Lucy Cude, 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, 1890 (29 Stats., 321) in 1896 Choctaw Citizenship Case No. 1845; that they were denied such admission by a decision of the Commission on December 8, 1896; that from this decision an appeal was taken to the United States Court for the Southern District of the Indian Territory, which Court on December 22, 1897, rendered a decision reversing the decision of the Commission and admitted said applicants to citizenship in the Choctaw Nation.

Said judgment 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 case was subsequently certified to the Choctaw and 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 Huffman, et al. vs. Choctaw and Chickasaw Nations," said Court rendered a decree therein wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, Mary Huffman, or Mary Hoffman, nee Puscachummy, J. W. Huffman, Frank Puscachummy, Susie Tucker, Victoria McClurg, nee Florice, Susie McClurg, Lily McClurg, or Lillie McClurg, Henry McClurg, Daniel Huffman, Lucy Cude, nee Huffman, Mollie Cude, nee Huffman, or Mollie Hoffman, Charles Florice, or Chas. Florice and Henry Wallis or Henry Wallace, 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."

On January 23, 1905, the Commission to the Five Civilized Tribes issued orders dismissing the applications for the enrollment of Yourland Florice, Timothy J. Cude, Jack D. McClurg and Halley B. McClurg as citizens of the Choctaw Nation, for the reason that the persons through whom said applicants claimed a right to enrollment had been denied citizenship by the Choctaw and Chickasaw Citizenship Court.

On January 24, 1905, said Commission issued an order dismissing the application for the enrollment of Clayton Cude, William Cude, Clarence Cude and Vera Cude as citizens of the Choctaw Nation, for the reason that Lucy Cude, their mother, had been denied citizenship by the Choctaw and Chickasaw Citizenship Court.

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there was filed on June 22, 1906, by Cruce, Cruce & Bleakmore, attorneys for the petitioners, a petition praying for the enrollment of Mary Huffman, Frank Puscachummy, Victoria McClurg, and her minor children, May McClurg Sybil McClurg, Otto McClurg, Lucy Cude, and her minor children, Arthur Clayton Cude, William Cleburne Cude, Clarence Cude, Vera Cude, Velma Cude, Susie Tucker, Mollie Huffman (or Mollie Cude) and her minor child, Tim Cude, Daniel Huffman and his minor children, Hazel Huffman, Senlah Huffman and Hosea Huffman, Charles Florice, Susie McClurg, Lillie McClurg, Haney McClurg and Henry Wallis as citizens of the Choctaw Nation.

The principal petitioners are identical with the persons for whose enrollment applications were made under the provisions of the Act of Congress approved June 28, 1898.

It is alleged in the petition that the petitioners are entitled to enrollment, for the reason that the Choctaw-Chickasaw Citizenship Court was without jurisdiction to determine the rights

of the petitioners; that all of its actions and proceedings wherein it sought to adjudicate said rights were wrongful and without authority, and that the judgment of the United States Court for the Southern District of Indian Territory is still in full force and effect.

It does not appear from the tribal records of the Choctaw Nation in the possession of the Commissioner to the Five Civilized Tribes, nor is it alleged in the petition that the petitioners were ever recognized or enrolled as citizens of the Choctaw Nation by any duly constituted authority. Their names do not appear on any of the tribal rolls of the Choctaw Nation in the possession of this office.

I am of the opinion that inasmuch as it does not appear from the records in the possession of the Commissioner to the Five Civilized Tribes and is not alleged in the petition that the petitioners ever at any time occupied such a status as would entitle them to enrollment as citizens of the Choctaw Nation, the action of the Choctaw-Chickasaw Citizenship Court of November 29, 1904, denying the application for the enrollment of Mary Huffman, J. W. Huffman, Susie Tucker, Victoria McClerg, Susie McClerg, Lillie McClerg, Henry McClerg (or Haney McClerg), Frank Puscachummy, Daniel Huffman, Hollie Huffman, Charles Florice, Lucy Cude and Henry Wallis is final, and that the application for the enrollment of Mary Huffman, Henry Wallis, Hollie Huffman, Daniel Huffman, Charles Florice, Susie Tucker, Victoria McClerg, Susie McClerg, Lillie McClerg, Haney McClerg, Frank Puscachummy and Lucy Cude, and the petition filed June 22, 1906, in so far as it applies to said applicants, should be denied under the provisions of the Act of Congress approved July 1, 1902 (32 Stat., 641), and it is so ordered.

I am further of the opinion that the application for the enrollment of J. W. Huffman as a citizen by intermarriage of the Choctaw Nation should be denied under the provisions of the Act of Congress approved July 1, 1902 (32 Stat., 641), and it is so ordered.

I am further of the opinion that the petition filed June 22, 1906, in so far as it applies to the petitioners, Arthur Clayton Cude, William Cleburne Cude, Florence Cude, Vera Cude and Tim Cude, (or Timothy J. Cude), whose applications for enrollment as citizens of the Choctaw Nation have heretofore been dismissed, should be dismissed and it is so ordered.

I am further of the opinion that the petition filed June 22, 1906, in so far as it applies to the petitioners, Sybil McClurg, Otto McClurg, May McClurg, Hazel Huffman, Beulah Huffman, Hosea Huffman and Velma Cude, should be considered as an application for the enrollment of said petitioners as citizens of the Choctaw Nation under the provisions of the Act of Congress approved April 26, 1906 (34 Stats. 137), that said application should be denied, and it is so ordered.

(Signed) Tams Bixby.

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory.

FEB 15 1907

COMMISSIONERS:
TAMM BIXBY,
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:

Choctaw 5076

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1905.

Mollie Cude,

Marietta, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated January 23, 1905, dismissing the application for the enrollment of your minor child, Timothy Jackson Cude, as a citizen by blood of the Choctaw Nation.

Respectfully,

Registered.

Chairman.

Incl. 7-5078

Choc 5079 Frank Puscachummy

See Pet C#126

Record in Choc #5078

5079

choctaw 5079

Muskogee, Indian Territory, June 9, 1909.

R. T. Breedlove,
Owl, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 1st instant, requesting that you be informed if Frank Pusachumney is on the Choctaw or Chickasaw roll.

You are advised that it appears from the records of this office that on September 22, 1898, Frank Pusachumney, 53 years of age, of Ardmore, Indian Territory, was listed for enrollment by this Commission as a citizen by blood of the Choctaw Nation, having been admitted to such citizenship by judgment of the United States Court for the Southern District of the Indian Territory, rendered at Ardmore, Indian Territory, December 22, 1897.

Yours truly,

Acting Chairman.

C- 126
7-5077
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COPY

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

In the matter of the application for the enrollment of
J. W. Huffman, et al., as citizens of the Choctaw Nation.

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

It appears from the record herein and 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 Ardmore, Indian Territory, September 22, 1898, by J. W. Huffman for the enrollment of himself as an intermarried citizen of the Choctaw Nation, and for the enrollment of his wife, Mary Huffman, and her children, Mollie Huffman, Daniel Huffman and Charles Florice as citizens of the Choctaw Nation; that on October 31, 1901, written application was filed with the Commission to the Five Civilized Tribes for the enrollment of Yourland Florice, minor son of Charles F. Florice and his wife, Eva J. Florice, as a citizen of the Choctaw Nation; that on October 20, 1901, written application was filed for the enrollment of Timothy J. Cude, minor son of W. A. Cude and Mollie Cude, nee Huffman, as a citizen of the Choctaw Nation; that on September 22, 1898, application was made to the Commission to the Five Civilized Tribes by O. W. McClurg for the enrollment of Victoria McClurg and her minor children, Susie McClurg, Lillie McClurg, Hanev McClurg, Jack McClurg and Henry Wallis as citizens of the Choctaw Nation; that subsequent thereto written application was filed for the enrollment of Halley B. McClurg, minor daughter of O. W. McClurg and the applicant Victoria McClurg, as a citizen of the Choctaw Nation; that application was made to the Commission to the Five Civilized Tribes at Ardmore, Indian Territory, on September 22, 1898, by Frank Puscachumny for the enrollment of himself as a citizen by blood of the Choctaw Nation; that on September 22, 1898, application was made by Susie Tucker for the enrollment of herself as a citizen of the Choctaw Nation; that on September 22, 1898, application was made by G. W. Cude for the enrollment of Lucy Cude and her children, Clayton Cude and William Cude, as citizens of the Choctaw Nation; that on October 2, 1900, written application was filed for the enrollment of Clarence Cude, minor son of the applicant, Lucy Cude and G. W. Cude, as a citizen of the Choctaw Nation; that on March 24, 1902, written application was filed for the enrollment of Vera Cude, minor daughter of the applicant, Lucy Cude and her husband, G. W. Cude, as a citizen of the Choctaw Nation.

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that the applicants, J. W. Huffman, Mary Huffman (as Mrs. Mary Huffman), Mollie Huffman, Daniel Huffman, Charles Florice, Victoria McClurg (as Mrs. Victoria McClurg), Susie McClurg (as Susie McClurg), Lillie McClurg (as Lily McClurg), Hanev McClurg (as Hanev McClurg), Frank Puscachumny, Henry Wallis (as Henry Wallis), Susie Tucker and Lucy Cude, 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. 1345; that they were denied such admission by a decision of the Commission on December 8, 1896; that from this decision an appeal was taken to the United States Court for the Southern District of the Indian Territory, which Court on December 28, 1897, rendered a decision reversing the decision of the Commission and admitted said applicants to citizenship in the Choctaw Nation.

Said judgment 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 text case of "Choctaw and Chickasaw Nations or Tribes vs. J. T. Riddle, et al."

Said case was subsequently certified to the Choctaw and 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 Huffman, et al. vs. Choctaw and Chickasaw Nations," said Court rendered a decree therein wherein it was ordered, adjudged and decreed that the petition of the plaintiffs, Mary Huffman, or Mary Hoffman, nee Puscachumny, J. W. Huffman, Frank Puscachumny, Susie Tucker, Victoria McClurg, nee Florice, Susie McClurg, Lily McClurg, or Lillie McClurg, Henry McClurg, Daniel Huffman, Lucy Cude, nee Huffman, Lillie Cude, nee Huffman, or Lollie Hoffman, Charles Florice, or Chas. Florice and Henry Wallis or Henry Wallace, 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."

On January 23, 1905, the Commission to the Five Civilized Tribes issued orders dismissing the applications for the enrollment of Yourland Florice, Timothy J. Cude, Jack D. McClure and Halley B. McClure as citizens of the Choctaw Nation, for the reason that the persons through whom said applicants claimed a right to enrollment had been denied citizenship by the Choctaw and Chickasaw Citizenship Court.

On January 24, 1905, said Commission issued an order dismissing the application for the enrollment of Clayton Cude, William Cude, Clarence Cude and Vera Cude as citizens of the Choctaw Nation, for the reason that Lucy Cude, their mother, had been denied citizenship by the Choctaw and Chickasaw Citizenship Court,

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there was filed on June 22, 1906, by Cruce, Cruce & Bleakmore, attorneys for the petitioners, a petition praying for the enrollment of Mary Huffman, Frank Puscachumny, Victoria McClure, and her minor children, May McClurg, Sybil McClurg, Otto McClurg, Lucy Cude, and her minor children, Arthur Clayton Cude, William Cleburne Cude, Clarence Cude, Vera Cude, Velma Cude, Susie Tucker, Lollie Huffman (or Lollie Cude) and her minor child, Tim Cude, Daniel Huffman and his minor children, Hazel Huffman, Beulah Huffman and Hosesa Huffman, Charles Florice, Susie McClurg, Lillie McClurg, Nancy McClurg and Henry Wallis as citizens of the Choctaw Nation.

Choc 5080 Victoria McClery

#5-7 Dismissed

see C.126

Record in doctaw #5078

5680

J. W. Hoffman

Mary "

Mollie "

Daniel "

Charles Florence

Choctaw

Widmore Dec 22 1894

Note: Charles Florence
child of Mary by
former husband

to 12th

Muskogee, Indian Territory, March 28, 1900.

Mr. I. W. Polson,

Armore, Indian Territory,

Dear Sir:

The Commission is in receipt of your letter of March 22, in which you desire to be informed if Mary, Mollie, and Dan Huffman and Frank Norman (Puskachummy) are enrolled as Choctaws by blood. You are informed that the records of this Commission show that J. W. Hoffman and his wife, Mary, together with their children, Mollie and Daniel Hoffman and Frank Puskachummy were duly listed for enrollment by this Commission September 22, 1898, in pursuance of a judgment rendered by the United States Court for the Southern District of the Indian Territory, at Armore, December 22, 1897, which said judgment admitted these parties to citizenship in the Choctaw Nation.

Yours truly,

Acting Chairman.

In replying to this letter,
please refer to Choctaw 3078.

Muskogee, Indian Territory, July 2, 1901.

Messrs. Brown & Mason,
Attorneys at Law,
Ardmore, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 29th ultimo, enclosing an application for enrollment as a citizen of the Choctaw Nation of Yourland Florice, the infant son of Charles F. and Eva J. Florice, born December 31, 1900, and the same is returned to you herewith for the reason that the statements contained in the application do not correspond with the records of the Commission.

It is stated in the affidavit of the father that his name is Charles F. Florice and that his wife's name was Eva J. Florice, and that she died January 6, 1901.

You are informed that the records of the Commission show that the father of this child was admitted by the United States court as Charles Florice and was listed for enrollment by this Commission under the same name. The records further show that application was made for the enrollment of his wife as an intermarried citizen of the Choctaw Nation under the name of Eva Florice. You are requested to have him explain why he now makes use of the initial "F" in

B. & M.--2.

his name, and also the reason for the use of the initial "J" in the name of his wife.

Upon return of this application, together with the information requested herein, the enrollment of this child will receive further consideration.

Yours truly,

Commissioner in Charge.

7-5078

Mail
124

Muskogee, Indian Territory, October 31, 1901.

H. H. Brown,

Attorney at Law,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 26th instant, enclosing the application for enrollment as a citizen of the Choctaw Nation of Yourland Florice, the infant daughter of Charles F. and Eva J. Florice, deceased, born December 31, 1900. Also the affidavit of Charles Florice as to the proper spelling of his own and his deceased wife's names and also the affidavits of Susie Tucker and Mrs. Mattie Whitney as to the death of Eva J. Florice on January 6, 1901.

The evidence of the death of Eva Florice being in proper form, has been filed and her death made a matter of record.

The affidavit of Charles Florice has also been filed as sufficient evidence of the discrepancy in the names of Mr. Florice and his wife and the application for the enrollment as a citizen of the Choctaw Nation of Yourland Florice, 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,

No. 7 D 393

~~2-10-01~~

7 5978

7-507A.

Muskogee, Indian Territory, October 30, 1908.

D.G. Bartlett,

Marietta, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 17th inst., enclosing the application for enrollment as a citizen of the Choctaw Nation of Timothy Jackson Gude, infant son of W.A. and Mollie Gude, nee Hoffman, born September 11, 1908; and the same being in proper form has been duly filed with the records of the Commission, and the child listed for enrollment as a citizen of the Choctaw Nation.

You are requested to inform the parents of this child that legal evidence of their marriage should be furnished the Commission, as authority for the change of the name of the mother upon our records from her maiden name to her present married name.

This matter should receive prompt attention.

Respectfully,

Acting Chairman.

Choctaw 5078.

Muskogee, Indian Territory, August 3, 1904.

Thomas Norman,

Attorney at Law,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of July 27, relative to the case of Mary Huffman et al., vs. the Choctaw and Chickasaw Nations. You state that these persons were applicants to the Commission in 1896 under the provisions of the Act of Congress approved June 10, 1896; that, as they were mixed Choctaw and Chickasaw blood, they had notice served on both of the tribes, and the person who so served both of the tribes made his return accordingly.

Having been denied citizenship by this Commission, they, in due time, appealed their cases to the United States Court for the Southern District of Indian Territory, which court admitted them to citizenship. You state that subsequently, the parties to this application, believing that the judgment of the Choctaw and Chickasaw Citizenship Court theretofore rendered had annulled and vacated the judgment admitting them to citizenship, erroneously appealed their case from said court to the Choctaw-Chickasaw Citizenship Court, and their case coming on to be heard by said court, they asked to have their case dismissed. This the citizenship court refused, and the applicants then refused to submit their case to that court,

rightly believing that this court had no jurisdiction over their case.

You further state that the Citizenship Court has not yet rendered any decision in the case, but, judging from decisions rendered in other cases, you expect a decision refusing the citizenship of these persons, and as you are uninformed what steps are necessary for them to take to get this matter before the Commission, you request such information, as you are confident the Citizenship Court had no jurisdiction whatever over these parties and that the Commission to the Five Civilized Tribes should, upon proper showing being made, enroll them. You state that you desire to present this case fully to the Commission under such rules as may be prescribed in such a case, to the end that these persons may secure their enrollment by the Commission, or upon appeal, if it be allowed, by the Secretary of the Interior.

In reply to your letter, you are informed that Mary Huffman and the persons included in her application, having appealed their cases to the Choctaw and Chickasaw Citizenship Court, and it appearing that the same are now pending before said court, the Commission is without jurisdiction, under the provisions of the Act of Congress approved July 1, 1902; to determine the rights of the persons herein named as citizens of the Choctaw and Chickasaw Nations.

Respectfully,

Commissioner in Charge.

Choctaw 5080

Muskogee, Indian Territory, May 8, 1903.

O. W. McClurg,

Ardmore, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of April 29, asking the status of your application for enrollment as an intermarried citizen, and requesting to be informed if you can select allotments for your wife and minor children.

In reply to your letter you were advised that it appears from the records that Victoria McClurg and her six minor children were admitted to citizenship in the Choctaw Nation by a judgment of the United States Court for the Southern District of the Indian Territory. It further appears that Victoria McClurg is the wife of O. W. McClurg, a noncitizen, and that no application has been made by him to this Commission for enrollment as an intermarried citizen of said nation.

Relative to the selection of allotments at this time for your wife and children you are advised that under the provisions of the Act of Congress of July 1, 1902, which was ratified by the Choctaw and Chickasaw Nations on September 25, 1902, the Commission is prohibited from enrolling or make allotment of land to any persons whose rights to citizenship in the Choctaw and Chickasaw Nations are

O W McC 2

dependent upon judgments of the United States Courts in Indian Territory, until their final rights have been determined.

For your information there is inclosed you herewith a copy of the rules and regulations governing the selection of allotments and the designation of homesteads in the Choctaw and Chickasaw Nations.

Respectfully,

Chairman.

Rules for allotment.

7-5080

D.C. 5440-1904

Ardmore, Ind. Ter. Feby. 1, 1904.

Dawes Commission,

Tishomingo, I.T.

Gentlemen:

At the request of my client, Mr. C. W. McClurg, I desire to inform you that his last child's name, as shown on the rolls is wrong and should be Spille McClurg. He has forgotten the name which appears on the roll, but it is the last name that appears among his children.

Mrs. Victoria McClurg, wife of C. W. McClurg and her children are all Court Claimants.

Respectfully,

(Signed) James A. Mathews.

Chapter 9980

Muskogee, Indian Territory, February 24, 1904.

James M. Mathers,

Arkmore, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of February 15, in which you state that your wife, Victoria Mathers, is registered with the Commission for the purpose of practicing law. You write this at the request of Mr. J. M. Mathers, who informs me that Victoria Mathers, wife of J. M. Mathers, is the wife of all court clerks.

It feels you are advised that the name of the source of the name of Victoria Mathers, wife of O. W. Mathers, who appears on our records as being J. M. Mathers, has been made a matter of record.

Respectfully,

Commissioner in charge.

7-5030

Muskogee, Indian Territory, July 21, 1906.

Victoria McClurg,

Arbore, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of June 26, 1906, in which you state that a petition for citizenship was forwarded in your behalf by Gruce, Gruce & Bleakmore as you claim the Choctaw-Chickasaw Citizenship Court had no jurisdiction in your case, and you ask if the same has been received.

In reply you are advised that a motion, "to reopen and reconsider the action dismissing applications of, and refusing to enroll applicants" signed by Gruce, Gruce & Bleakmore, was forwarded in your case and was received at this office February 23, 1906, and this motion was refused April 19, 1906, under Departmental authority of April 11, 1906.

Respectfully,

Commissioner.

Victoria McElroy
Lucie " ✓
Lillie " ✓
Honey " ✓
Jack D. " ✓
born Sep 3^d 1897

Henry Wallis ✓ 125
Choctaw

Admore Dec 22 1897

Notes: Honey admitted as
"Henry McElroy"

Henry admitted as
"Honey Wallis"

Henry Wallis child of Victoria
by former husband

U.S. Court Dec 10/14
Arduene I. 9113

No. _____

**Affidavit of Attending Physician
at Birth of Child.**

IN RE APPLICATION OF

Mary H. [unclear]

FOR CITIZENSHIP IN

Arduene

NATION

Arduene I. 9113
Arduene I. 9113
Arduene I. 9113

3.21

Affidavit of Attending Physician at Birth of Child.

INDIAN TERRITORY,)

Sooner District)

I, *W. S. J.* being duly sworn, on oath, state that I was the physician who attended on Mrs. *John A. McCleary* on the 3 day of *September* 1889, and that there was born to her on said date a *Male* child, and that said child was named *John A. McCleary* is now living.

W. S. J.

Subscribed and sworn to before me this *2* day of *September* 1889

F. M. Lyman

NOTARY PUBLIC

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7-5077
5078
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5110

COPY

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

In the matter of the application for the enrollment of
J. W. Huffman, et al., as citizens of the Choctaw Nation.

REPORT

It appears from the record herein and 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 Ardmore, Indian Territory, September 22, 1897, by J. W. Huffman for the enrollment of himself as an intermarried citizen of the Choctaw Nation, and for the enrollment of his wife, Mary Huffman, and her children, Mollie Huffman, Daniel Huffman and Charles Florice as citizens of the Choctaw Nation; that on October 31, 1901, written application was filed with the Commission to the Five Civilized Tribes for the enrollment of Yourland Florice, minor son of Charles F. Florice and his wife, Eva J. Florice, as a citizen of the Choctaw Nation; that on October 22, 1901, written application was filed for the enrollment of Timothy J. Cude, minor son of W. A. Cude and Mollie Cude, nee Huffman, as a citizen of the Choctaw Nation; that on September 22, 1897, application was made to the Commission to the Five Civilized Tribes by C. W. McClurg for the enrollment of Victoria McClurg and her minor children, Susie McClurg, Lillie McClurg, Haney McClurg, Jack McClurg and Henry Wallis as citizens of the Choctaw Nation; that subsequent thereto written application was filed for the enrollment of Halley E. McClurg, minor daughter of C. W. McClurg and the applicant Victoria McClurg, as a citizen of the Choctaw Nation; that application was made to the Commission to the Five Civilized Tribes at Ardmore, Indian Territory, on September 22, 1898, by Frank Puscachummy for the enrollment of himself as a citizen by blood of the Choctaw Nation; that on September 22, 1898, application was made by Susie Tucker for the enrollment of herself as a citizen of the Choctaw Nation; that on September 22, 1898, application was made by G. W. Cude for the enrollment of Lucy Cude and her children, Clayton Cude and William Cude, as citizens of the Choctaw Nation; that on October 2, 1900, written application was filed for the enrollment of Clarence Cude, minor son of the applicant, Lucy Cude and G. W. Cude, as a citizen of the Choctaw Nation; that on March 24, 1902, written application was filed for the enrollment of Vera Cude, minor daughter of the applicant, Lucy Cude and her husband, G. W. Cude, as a citizen of the Choctaw Nation.

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that the applicants, J. W. Huffman, Mary Huffman (as Mrs. Mary Huffman), Mollie Huffman, Daniel Huffman, Charles Florice, Victoria McClurg (as Mrs. Victoria McClurg), Susie McClurg (as Susie McClurg), Lillie McClurg (as Lily McClurg), Haney McClurg (as Haney McClurg), Frank Puscachummy, Henry Wallis (as Henry Wallis), Susie Tucker and Lucy Cude, 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. 1345; that they were denied such admission by a decision of the Commission on December 8, 1896; that from this decision an appeal was taken to the United States Court for the Southern District of the Indian Territory, which Court on December 22, 1897, rendered a decision reversing the decision of the Commission and admitted said applicants to citizenship in the Choctaw Nation.

Said judgment 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 case was subsequently certified to the Choctaw and 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 Huffman, et al. vs. Choctaw and Chickasaw Nations," said Court rendered a decree therein wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, Mary Huffman, or Mary Hoffman, nee Puscachummy, J. W. Huffman, Frank Puscachummy, Susie Tucker, Victoria McClurg, nee Florice, Susie McClurg, Lily McClurg, or Lillie McClerg, Henry McClurg, Daniel Huffman, Lucy Cude, nee Huffman, Mollie Cude, nee Huffman, or Mollie Hoffman, Charles Florice, or Chas. Florice and Henry Wallis or Henry Wallace, 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."

On January 23, 1905, the Commission to the Five Civilized Tribes issued orders dismissing the applications for the enrollment of Yourland Florice, Timothy J. Cude, Jack D. McClerg and Halley B. McClerg as citizens of the Choctaw Nation, for the reason that the persons through whom said applicants claimed a right to enrollment had been denied citizenship by the Choctaw and Chickasaw Citizenship Court.

On January 24, 1905, said Commission issued an order dismissing the application for the enrollment of Clayton Cude, William Cude, Clarence Cude and Vera Cude as citizens of the Choctaw Nation, for the reason that Lucy Cude, their mother, had been denied citizenship by the Choctaw and Chickasaw Citizenship Court,

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there was filed on June 22, 1906, by Cruce, Cruce & Bleakmore, attorneys for the petitioners, a petition praying for the enrollment of Mary Huffman, Frank Puscachummy, Victoria McClurg, and her minor children, May McClurg, Sybil McClurg, Otto McClurg, Lucy Cude, and her minor children, Arthur Clayton Cude, William Cleburne Cude, Clarence Cude, Vera Cude, Velma Cude, Susie Tucker, Mollie Huffman (or Mollie Cude) and her minor child, Tim Cude, Daniel Huffman and his minor children, Hazel Huffman, Beulah Huffman and Hosea Huffman, Charles Florice, Susie McClurg, Lillie McClurg, Haney McClurg and Henry Wallis as citizens of the Choctaw Nation.

The principal petitioners are identical with the persons for whose enrollment applications were made under the provisions of the Act of Congress approved June 28, 1898.

It is alleged in the petition that the petitioners are entitled to enrollment, for the reason that the Choctaw-Chickasaw Citizenship Court was without jurisdiction to determine the rights of the petitioner; that all of its actions and proceedings wherein it sought to adjudicate said rights were wrongful and without authority, and that the judgment of the United States Court for the Southern District of Indian Territory is still in full force and effect.

It does not appear from the tribal records of the Choctaw Nation in the possession of the Commissioner to the Five Civilized Tribes, nor is it alleged in the petition that the petitioners were ever recognized or enrolled as citizens of the Choctaw Nation by any duly constituted authority. Their names do not appear on any of the tribal rolls of the Choctaw Nation in the possession of this office.

I am of the opinion that inasmuch as it does not appear from the records in the possession of the Commissioner to the Five Civilized Tribes and is not alleged in the petition that the petitioners ever at any time occupied such a status as would entitle them to enrollment as citizens of the Choctaw Nation, the action of the Choctaw-Chickasaw Citizenship Court of November 29, 1904, denying the application for the enrollment of Mary Huffman, J. W. Huffman, Susie Tucker, Victoria McClerg, Susie McClerg, Lillie McClerg, Henry McClerg (or Haney McClerg), Frank Puscachummy, Daniel Huffman, Mollie Huffman, Charles Florice, Lucy Cude and Henry Wallis is final, and that the application for the enrollment of Mary Huffman, Henry Wallis, Mollie Huffman, Daniel Huffman, Charles Florice, Susie Tucker, Victoria McClerg, Susie McClerg, Lillie McClerg, Haney McClerg, Frank Puscachummy and Lucy Cude, and the petition filed June 22, 1906, in so far as it applies to said applicants, should be denied under the provisions of the Act of Congress approved July 1, 1902 (32 Stat., 641), and it is so ordered.

I am further of the opinion that the application for the enrollment of J. W. Huffman as a citizen by intermarriage of the Choctaw Nation, should be denied under the provisions of the Act of Congress approved July 1, 1902 (32 Stat., 641), and it is so ordered.

I am further of the opinion that the petition filed June 22, 1906 in so far as it applies to the petitioners, Arthur Clayton Cude, William Cleburne Cude, Clarence Cude, Vera Cude and Tim Cude, (or Timothy J. Cude), whose applications for enrollment as citizens of the Choctaw Nation have heretofore been dismissed, should be dismissed and it is so ordered.

I am further of the opinion that the petition filed June 22, 1906, in so far as it applies to the petitioners, Sybil McClurg, Otto McClurg, May McClurg, Hazel Huffman, Beulah Huffman, Hosea Huffman and Velma Cude, should be considered as an application for the enrollment of said petitioners as citizens of the Choctaw Nation under the provisions of the Act of Congress approved April 27, 1904 (34 Stat., 137), that said application should be denied, and it is so ordered.

SIGNED *Jame Dwyer*

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory,

FEB 15 1907

DCL

7-50.0

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

In the matter of the application for enrollment
of Halley Burton McClurg as a citizen of the Choctaw
Nation.

-----oO-----

The applicant, Halley Burton McClurg, claims the
right to enrollment as a citizen by blood of the Choctaw
Nation through his mother, Victoria McClurg.

The right of the applicant's mother, Victoria
McClurg (as Victoria Clark, nee Floride), to citizenship in
the Choctaw Nation has been adversely determined by a
decree of the Choctaw and Chickasaw Citizenship Court, of
November 19, 1904, in case No. 31 upon the Tishomingo docket
of said court, it is hereby ordered that the application of
Halley Burton McClurg for enrollment as a citizen by blood
of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

(Signed) Wams Wink,

Chairman.

Waskoee, Indian Territory,

Jan 23 1905.

DCL

7-5080.

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

In the matter of the application for the enrollment
of Jack D. McClerg as a citizen by blood of the Choctaw Na-
tion.

-----oOo-----

The applicant, Jack D. McClerg, claims the right to
enrollment as a citizen by blood of the Choctaw Nation through
his mother Victoria McClerg.

The right of the applicant's mother, Victoria
McClerg (as Victoria McClerg, nee Florice), 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 No. 37 upon the Tishomingo docket
of said court, it is hereby ordered that the application of
Jack D. McClerg for enrollment as a citizen by blood of the
Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

(Signed) Tams Day.

Chairman.

Muskogee, Indian Territory,

'JAN 23 1905

Choctaw 5080.

COPY!

Muskogee, Indian Territory, January 23, 1905.

James H. Mathers, 1

Ardmore, Indian Territory,

Dear Sir:

Inclosed herewith you will find copies of the orders of the Commission to the Five Civilized Tribes dated January 23, 1905, dismissing the applications for the enrollment of Halley Burtan McClerg and Jack T. McClerg as citizens by blood of the Choctaw Nation.

Respectfully,

W. H. D. L.

W. H. D. L.

Chairman.

Registered.

Incl. 7-5080.

Choctaw 5080.

COPY.

Muskogee, Indian Territory, January 23, 1900.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find copies of the orders of this Commission dated January 23, 1900, dismissing the applications for the enrollment of Halley Burton McClurg and Jack B. McClurg as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

James Dixby

Chairman.

2 Incl. 7-5080.

COPY

Choctaw 5080

Muskogee, Indian Territory, January 23, 1905.

Victoria McClerg,

Ardmore, Indian Territory,

Dear Madam:

Inclosed herewith you will find copies of the orders of the Commission to the Five Civilized Tribes, dated January 13, 1905, dismissing the applications for the enrollment of your minor children, Halley Burton McClerg and Jack D. McClerg as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED:

Registered.

Chairman.

2 Incl. 7-5080.

Choctaw 5080.

COPY.

Muskogee, Indian Territory, January 23, 1905.

James H. Mathers,
Ardmore, Indian Territory,

Dear Sir:

Inclosed herewith you will find copies of the orders of the Commission to the Five Civilized Tribes dated January 23, 1905, dismissing the applications for the enrollment of Halley Burtan McGlerg and Jack D. McGlerg as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Wm. D. Dancy

Chairman.

Registered.

Incl. 7-5080.

Choctaw 5080.

COPY.

Muskogee, Indian Territory, January 23, 1905.

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

Gentlemen:

Inclosed herewith you will find copies of the orders of this Commission dated January 23, 1905, dismissing the applications for the enrollment of Halley Burton McClerg and Jack D. McClerg as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

James H. Piche

Chairman.

2 Incl. 7-5080.

Choctaw 5080

COPY.

Muskogee, Indian Territory, January 23, 1905.

Victoria McClerg,

Ardmore, Indian Territory,

Dear Madam:

Inclosed herewith you will find copies of the orders of the Commission to the Five Civilized Tribes, dated January 23, 1905, disallowing the applications for the enrollment of your minor children, Halley Burtan McClerg and Jack D. McClerg as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Registered.

Chairman.

2 Incl. 7-5080.

IN THE UNITED STATES COURT IN THE INDIAN TERRITORY,
SOUTHERN DISTRICT, AT ARIZONA.

Mrs Mary Huffman et al
versus
Choctaw Nation.

D E C R E E

On this the 23rd day of December 1897, the above titled action came before the court for a confirmation of the Master's report herein filed on the 23rd day of June A. D. 1897 which report after styling the action was as follows:

"To the Hon. S. F. Milgore, Judge of said court:

I find the following facts in this case, that Mary Huffman and other petitioners herein named filed their application in due form and in due time, with the commission of the Five civilized tribes from the United States, and that said application was by said commission rejected. That the applicants herein claim to be the descendants of Mrs. Mary Huffman, nee Puscachunay, ~~the sixixx taxixx~~ gave the applicant, Frank Puscachunay, who claims to be a brother of Mrs. Mary Huffman, nee Puscachunay and the applicant, J. W. Huffman, C. W. McClerg, C. W. Gude and S. Tucker who claim an Indian marriage.

I find that Mrs. Mary Huffman, nee Puscachunay and Frank Puscachunay are members of the Choctaw tribe of Indians by blood.

That Mrs. Mary Huffman, nee Puscachunay, was lawfully married to J. W. Huffman, a citizen of the United States, and a white man whom I find to be a member of the Choctaw tribe of Indians by marriage.

I find that Mrs. Victoria McClerg, nee Huffman, Mrs. Gude, Mrs. Susie Huffman, Susie Tucker, nee Huffman, Daniel Huffman, all claim to be the legitimate heirs of J. W. Huffman and Mrs. Mary Huffman, members of the Choctaw Tribe of Indians by blood. I find that Charles Florice is a son of Mrs. J. W. Huffman, nee Puscachunay, his father's husband Sous Florice, deceased, and that he is a member of the Choctaw tribe of Indians by blood.

I find that O. W. Mcclurg, a white man and a citizen of the United States, was married to Mrs. Victoria Huffman, but not in compliance with the Indian law, and I find that Willie McClerg, Billie Mcclurg and Harry Mcclurg are the legitimate children of O. W. Mcclurg and Mrs. Victoria Huffman, and that they are the grandchildren of Mrs. Mary Huffman and J. W. Huffman, they being members of the Choctaw tribe of Indians by blood.

I find that Nancy Wallis is a son of Mrs. Victoria Mcclurg by a former husband, Harry Wallis, deceased, and the grandchild of Mrs. Mary and J. W. Huffman, he therefore being a member of the Choctaw tribe of Indians by blood. I find that C. W. Gude a white man and a citizen of the United States was married to Lucy Gude, nee Huffman, but not in compliance with the Indian law.

That S. Tucker a white man and a citizen of the United States was married to Mrs. Victoria Huffman and he is in compliance with the Indian law.

I therefore recommend that Mrs. Mary Huffman, nee Puscachunay Frank Puscachunay, Mrs. Victoria Mcclurg, Mrs. Lucy Gude, Mrs. Susie Huffman, Susie Tucker, Daniel Huffman, Charles Florice, Susie Mcclurg, Willie Mcclurg, ~~Harry Wallis~~ Harry Mcclurg and Nancy Wallis are members of the Choctaw tribe of Indians by blood, and recommend that they be enrolled as such.

That J. W. Huffman is a member of the Choctaw tribe of Indians by intermarriage and recommend that he be enrolled as such.

I find that O. W. Mcclurg, S. W. Gude and S. Tucker are not members of the Choctaw tribe of Indians and recommend that they be denied citizenship in said Nation.

W. W. S. S. S. S.

Master in Chancery.

It appearing to the court that said report has not been executed to the defendant herein and that the facts set forth are true

The report of the Master in Chancery is hereby in all things confirmed by the court. It is therefore ordered, decreed and adjudged

that the report of the Master be and is in all things confirmed.

It is further ordered, decreed and adjudged that Mrs. Mary Huffman, nee Puscachurry, Frank Puscachurry, Mrs. Victoria McClerg, Mrs. Lucy Cude, Mrs. Susie Tucker, Mollie Huffman, Daniel Huffman, Charles Florice, Susie McClerg, Lillie McClerg, Henry McClerg and Maney Wallis be enrolled as members of the Choctaw tribe of Indians, by blood and that J.W. Huffman be enrolled as a member of the Choctaw tribe of Indians by intermarriage, that O.W. McClerg, S.W. Cude and Sam Tucker be denied the right to be enrolled as members of the Choctaw tribe of Indians.

Given under my hand and seal of this court on this the day and year above written.

Horea Townsend-Judge.

IN THE UNITED STATES COURT IN THE INDIAN TERRITORY,
SOUTHERN DISTRICT, AT ARDMORE.

I, C. E. CAMPBELL, Clerk of the United States Court for the Southern District in the Indian territory do hereby certify the above and foregoing to be a true, perfect and literal copy of the J U D G M E N T of the C o u r t in the above entitled action made and entered upon the J o u r n a l of said C o u r t on the 22nd day of D e c e m b e r 1 8 9 7 .

IN TESTIMONY WHEREOF I have hereunto set my hand and the seal of said Court at Ardmore in said Territory this the 1st day of J a n u a r y 1 8 9 8 .

U.S.Ct. So. Dist. Ind. Terr.

C L E R K,

SUBPENA.

Choctaw and Chickasaw Citizenship Court,
INDIAN TERRITORY,

*Eastern District -
at Tishomingo*

The President of the United States of America,

To

Charlotte Smith Colbert et al Greeting:

We command you, that all and singular business and excuses being laid aside, you and each of you, appear and attend before the Judges of the Choctaw and Chickasaw Citizenship Court in the Indian Territory, at a Court to be held at its Court Room, *at Tishomingo* in the Indian Territory, on the *4th* day of *October*, 190*4*

at *10* o'clock *a.m.* to testify and give evidence in a certain cause pending in said Court, then and there to be tried, between *Mary Huffman et al* Plaintiff, and *Choctaw and Chickasaw Nation* Defendant, on the part of *Plaintiff*

And this you, or any of you, are not to omit, upon the penalty upon you, and every one of you, of two hundred and fifty dollars.

Witness, the Honorable SPENCER B. ADAMS, Chief Judge, WALTER L. WEAVER and HENRY S. FOOTE, Associate Judges of said Court, and the Seal thereof, at *Tishomingo* Indian Territory, this *30th* day of *September*, A. D. 190*4*

John E. ...
Clerk.
By Deputy.

Ind. Territory }
Southern Dist } SS.

My name is Charles Smith; my
past office is Sheriff Ind. Ter.
& am a Texan and 35 years of
age.

I am the same man named
in the attached subpoena. The
said subpoena was served on me
at my home in Colbert & Tom
Hayday October 3, 1864 and I
started the same day. It is
is 40 miles from Tuskomungo
I was brought at the court
room of the Circuit Court
in Tuskomungo at 10 o'clock Tuesday
October 4th but was not put
upon the stand. After court
adjourned everybody left the
building and nothing was said
to me about my fees or why
I was not put on the
stand. I showed my subpoena
to Mr. Cassada the clerk and he
told me to find the parties to
the suit or their lawyer and
get my fees.

I went to the depot & found
Mr. Huffman the attorney

and Frank Buscachumy the ap-
plicant and asked for my fees
They refused to pay them until
just before the train started.
Mr. Higgins paid me security five
cents and left me. That is
all the money I got for my
attendance in the case.

It will be impossible for me
to get home prior to tomorrow
night so that I am en-
titled to three days time
and mileage from Colbert to
Tuesboro, N.C.

I attended only because of
the subpoena and because I
thought I was compelled to do
so under the law.

Charley ^{his} Smith
mark

Witness to mark

W. H. Moore

Subscribed and sworn to be-
fore me this 4th day of October
1904
James B. Cassada

3453

Original

No 375

SUMMONS

IN EQUITY.

Mrs. Mary Huffman et
vs.

Choctaw and Chickasaw Nations.

Summons issued 21 day of
March, 1903. Returnable instanter.

MAR 21 1903

JAS. B. CASSADA

BY

Marshal's Fees.

Service	- - - -	\$
Miles	- - - -	\$
Expenses	- - - -	\$
TOTAL		\$	780

Thomas Merman

Attorneys for Plaintiff.

Mathers Deek & Brown

31st Avenue St
2nd Floor

SUMMONS.

United States of America,

Indian Territory,

88

Choctaw and Chickasaw Citizenship Court.

The President of the United States of America,

To the United States Marshal for the Indian Territory, Southern District,

GREETING:

You are hereby Commanded to Summons P. S. Moseley, Governor of the Chickasaw Nation, to answer on behalf of said nation, in twenty days after the service of this summons upon him, as Governor of said Nation a complaint in Equity filed against the Choctaw and Chickasaw nation in the Choctaw and Chickasaw Citizenship Court, in the Indian Territory, at *Dishonungo*, by *Mrs Mary Huffman et al* and warn him that upon his failure as said Governor to answer on behalf of said nation, the complaint will be taken for confessed, and you will make return of the summons instanter;

And you are further commanded to notify said P. S. Moseley Governor aforesaid, that the papers, files and proceedings in the case of *Mrs Mary Huffman et al* File No. *137* in the District Court for the *Southern* District of the Indian Territory, has been transferred to the Choctaw and Chickasaw Citizenship Court, and that the certificate of the clerk of said court for said *Southern* District, Indian Territory, has been attached thereto.

WITNESS the Honorable Spencer B. Adams, Chief Judge,
Walter L. Weaver and Henry S. Foote, Associate
Judges, and the Seal thereof, at South McAlester,
Indian Territory, aforesaid, this *21*
day of March A. D., 1903.

us B. Cassada Clerk.

By *E L Beritt* Deputy.

Choc 5081

Nos 4-5 Dismissed may 27, 1904
see C-27

5081

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

Record in the matter of the application for enrollment
as citizens by blood of the Choctaw Nation of:

Lillie R. Sessums, et al.,

7-5081.

MOU
83

CHOCTAW

20

IN RE

Application for Enrollment of

INFANT CHILD

Dolly Palace Shummis

as a citizen of

Choctaw Nation

SEP 17 1901

Approved,

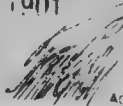


Commissioner

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

FILED

SEP 17 1901



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 *Dolly Palace Lessume*, born on the *5th* day of *July*, 1901
here insert name of child
Name of Father: *Wilson Russel Lessume*, of citizen of the *Choctaw* Nation.
Name of Mother: *Sarah Elizabeth Lessume*, a citizen of the *Choctaw* Nation.
Post-office, *Healdton, Ind. Ter.*

AFFIDAVIT OF MOTHER.

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

I, *Sarah Elizabeth Lessume*, 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 *Wilson Russel Lessume*, who is a citizen, by
blood, of the *Choctaw* Nation, that a *female* child was
male or female
born to me on the *5th* day of *July*, 1901; that said child has been
named *Dolly Palace Lessume*, and is now living.

WITNESSES TO MARK

Sarah Elizabeth Lessume

(Must be Two Witnesses)

Subscribed and sworn to before me this *2* day of *Aug.*, 1901.

W. F. McKinight
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, *John A. Bentley*, a *physician*, on oath state that I
attended on Mrs. *Sarah Elizabeth Lessume*, wife of *Wilson R. Lessume*
on the *5* 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 *Dolly Palace Lessume*

WITNESSES TO MARK:

John A Bentley

(Must be Two Witnesses)

Subscribed and sworn to before me this *3* day of *Aug.*, 1901.

W. F. McKinight
NOTARY PUBLIC

960
7-5081.

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

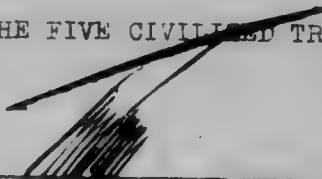
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In the matter of the application for the enrollment of Lillie R. Sessums and Dolly Palace Sessums as citizens by blood of the Choctaw Nation.

---o---

The applicants, Lillie R. Sessums and Dolly Palace Sessums, claim their right to enrollment as citizens by blood of the Choctaw Nation through their father W. R. Sessums, Jr. The right of the applicants' father, W. R. Sessums, Jr., to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, March 9, 1904, in case No. 36, upon the South McAlester docket of said court, it is hereby ordered that the application of Lillie R. Sessums and Dolly Palace Sessums for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,


Chairman.

Muskogee, Indian Territory,

Choctaw 201

COPY:

Muskogee, Indian Territory, June 6, 1904.

W. R. Sessums,

Hewitt, 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 citizens by blood of the Choctaw Nation of Lillie R. Sessums and Dolly Palace Sessums.

Respectfully,

(SIGNED)

James Binby.

Civilian.

Registered.

Incl. 7-5021.

Choctaw 5061

COPY.

Muskogee, Indian Territory, June 6, 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 7, 1904, dismissing the application for enrollment as citizens by blood of the Choctaw Nation of Lillie R. Sessums and Dolly Palace Sessums.

Respectfully,

(SIGNED)

Tame Dixby.

Chairman.

Registered.

Incl. 7-5061.

(See Choctaw 3428 for registry receipt for this letter.)

3001

708

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

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In the matter of the petition for the enrollment of Wilson
B. Sessums, et al., as citizens by blood of the Choctaw Nation.

On January 27, 1906, there was filed with the Commissioner to the Five Civilized Tribes by Tom D. McKeown, attorney for the petitioners, petitions for the enrollment of the following persons as citizens of the Choctaw Nation: Wilson B. Sessums, Wilson B. Sessums, Jr., his two minor children Sealy Caroline Sessums and Willie T. Sessums, Mary E. Harrison, Walter A. Harrison and his minor child, Ruth Hazel Harrison, Mary Bailey and her two minor children, William A. Bailey and Minnie May Bailey.

On February 9, 1906, Tom D. McKeown, attorney for the petitioners, filed with the Commissioner, petitions for the enrollment of the following persons as citizens of the Choctaw Nation: John L. Sessums, his wife, Mary E. Sessums, and her minor children, Fannie M., Carrie E., William D., Charlie V. and John B. Sessums, Jesse Fleming (now Jesse Arns), Arnsa Fleming and her minor children, Ednae C. and Lizzie V. Fleming, Emanuel W. Bailey and her minor children, Homer E. and Hester E. Bailey, Newton Fleming and his minor child, Lois Fleming, Rosa A. Ramsey and her minor child, James Ramsey, Mary A. Bailey (now Bratcher), Minnie M. Will and her minor children, Joseph E., Dorothy E., and William A. Will, Myrtle Sessums (now Moore), and her minor children Mattie L. and Rosa V. Moore, Eva Ma Harrison (now Clayton) and her minor child, Mable Thelma Clayton, Effie A. Bratcher and her minor children, Mary D. Bratcher, Bessie Bratcher, Elberta Bratcher, Nellie A. Bratcher and Walter L. Bratcher.

These petitions have been consolidated and will be considered as one case, inasmuch as the alleged rights of the petitioners to enrollment are derived from the same source.

The petitioners allege that the said persons are the descendants of Bennie Sessums (nee Fisher), who, in her lifetime, was an all blood Choctaw Indian, and was duly enrolled as a citizen of the Choctaw Nation. The petitioners claim descent from said Bennie Sessums (nee Fisher) through Redding Sessums and William Sessums.

No answer to the petition has been filed by the attorneys for the Choctaw and Chickasaw Nations within the fifteen days allowed for that purpose by the regulations adopted by the Commissioner January 2, 1906.

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The records of this office show that the petitioners
 Wilson B. Sessums (under the name of W. B. Sessums), Wilson B. Sessums, Jr. (under the name of W. B. Sessums, Jr.), and his minor son William B. Sessums, Mr. Bailey, William A. Bailey, Annie A. Bailey, (under the name of Annie B. Bailey), Walter B. Harrison, Mary B. Harrison, John B. Sessums (under the name of J. B. Sessums), William B. Sessums, Martha Fleming, Jessie Fleming, Mrs. A. (under the name of Jessie Lee Fleming), Joseph B. Sessums, Mrs. Sessums, East A. Ramsey, Mary A. Bailey (under the name of M. A. Bailey), Mrs. Sessums (under the name of Mrs. Sessums), Mrs. M. Sessums (under the name of M. Sessums), and others, were declared citizens in the Choctaw Nation by the Commission on Five Civilized Tribes and the provisions of the Act of Congress approved June 30, 1896, (29 Stat., 551), and the Act of Congress approved June 30, 1896, (29 Stat., 551), together with the petition of Carl Caroline Sessums (under the name of Carl Sessums), were admitted to citizenship in the Choctaw Nation by a judgment of the United States Court for the Central District of Indian Territory, and on March 9, 1904, they were denied citizenship in the Choctaw Nation by a decree of the Choctaw and Chickasaw Citizenship Court in Case No. 3 on the South McAlester Docket of said court.

The records of this office show that in January, 1904, the Commission on Five Civilized Tribes received the application for the enrollment of Carl Caroline Sessums, Jacob C. Sessums, Jessie C. Fleming, Jessie B. Fleming, Honor B. Bailey, James Earl Ramsey, Mr. B. Bratcher, and Mrs. Bratcher as citizens of the Choctaw Nation, for the reason that the persons through whom they claim citizenship had been denied by the Choctaw and Chickasaw Citizenship Court.

This office has no record of any application ever having been made for the enrollment of the petitioners Walter B. Bailey, Lois Fleming, Winnie M. Will, Joseph E. Will, Dorothy E. Will, William A. Will, Mattie E. Moore, Rosa V. Moore, Mable Thelma Clayton, Nellie A. Bratcher and Walter L. Bratcher as citizens of the Choctaw Nation, prior to the filing of the petitions herein; neither does it appear that any application was ever made for the enrollment of the petitioners Lula M. Sessums and Carrie E. Sessums as citizens of the Choctaw Nation. It is possible, however, that these petitioners are identical with Mr. Sessums and Ethel Sessums, who were admitted to citizenship in the Choctaw Nation by the United States Court of the Central District of Indian Territory on January 20, 1898, and who were denied citizenship by the Choctaw and Chickasaw Citizenship Court on March 9, 1904, in Case No. 3 on the South McAlester Docket of said court.

It does not appear from the records of this office, neither is it alleged in the petitions that any of the petitioners or their ancestors Hedding Sessums or William Sessums were recognized

----3.

or enrolled as citizens of the Choctaw Nation by any duly constituted authority prior to January 20, 1898, the date on which certain of the petitioners heretofore mentioned, were admitted to citizenship in the Choctaw Nation by a judgment of the United States Court for the Central District of Indian Territory. The names of none of the petitioners or of the above named ancestors appear on any of the tribal rolls of the Choctaw Nation in the possession of this office, neither does it appear that Pannie Sessums (nee Fisher) was ever recognized or enrolled as a citizen of the Choctaw Nation by any duly constituted authority; her name does not appear on any of the tribal rolls of the Choctaw Nation in the possession of this office.

U. S. DEPT. OF THE INTERIOR.

I am of the opinion that the petitions fail to allege facts sufficient to warrant a hearing relative to the petitioners' alleged rights to enrollment as citizens of the Choctaw Nation; that the principal petitioners having been denied citizenship by the Choctaw and Chickasaw Citizenship Court, and it not being alleged in the petitions or shown by the records of this office that the petitioners were recognized or enrolled citizens of the Choctaw Nation prior to January 20, 1898, the date on which they were admitted to citizenship in the Choctaw Nation by the United States Court, they do not come under the opinion of the Assistant Attorney General of December 2, 1900, in the Choctaw Enrollment Case of Tom's West, et al., and that there is no authority of law for the enrollment of any of the petitioners as citizens of the Choctaw Nation; that the petition should be denied, and it is so ordered.



COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory.

MAY 9 1900

Muskogee, Indian Territory, May 3, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith petitions filed with this office on January 27 and February 9, 1906, by Tom D. McKean, of Ad., Indian Territory, attorney for the petitioners, praying for the enrollment of John D. Jess and of all persons by blood of the Muskogean race, with the order of the Commissioner to the Field Office of May 1, 1906, in regard to said petitions.

Very respectfully,

Acting Commissioner.

Through the Commissioner
of Indian Affairs.

Inc. CM-8-1.

Muskogee, Indian Territory, May 8, 1906.

Wilson R. Sessums, Sr.,
Coalgate, Indian Territory.

Dear Sir:

There is inclosed herewith a copy of the order of the Commissioner to the Five Civilized Tribes of May 1, 1906, denying the petitions submitted by Tom D. McKeown, attorney at law, Ada, Indian Territory, for the enrollment of yourself and others as citizens of the Choctaw Nation.

The original petitions, with the order of the Commissioner, have this day been transmitted to the Secretary of the Interior for review.

Respectfully,

Acting Commissioner.

Inc. CM-8-19

Register.

Muskogee, Indian Territory, May 8, 1906.

Tom D. McKeown,

Ada, Indian Territory.

Dear Sir:

There is inclosed herewith a copy of the order of the Commissioner to the Five Civilized Tribes of May 8, 1906, denying the petitions submitted by you for the enrollment of Wilson R. Sessums et al. as citizens of the Choctaw Nation.

The original petitions, with the order of the Commissioner, has this day been transmitted to the Secretary of the Interior for review.

Respectfully,

Acting Commissioner.

Inc. CM-8-2.

Register.

Muskogee, Indian Territory, May 8, 1906.

Jessie Arms,

Wynnewood, Indian Territory.

Dear Madam:

You are hereby notified that by order of the Commissioner to the Five Civilized Tribes, dated May 8, 1906, the petitions submitted by Tom D. McKeown for the enrollment of yourself and others as citizens of the Choctaw Nation were denied, and that on the same date the original petitions, with a copy of the order of the Commissioner, were forwarded to the Secretary of the Interior for review.

Respectfully,

Acting Commissioner.

Register.

Muskogee, Indian Territory, May 8, 1906.

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

Gentlemen:

There is inclosed herewith copy of an order of the Commissioner to the Five Civilized Tribes of May 8, 1906, denying the petitions submitted by Tom D. McKeown, attorney at law, Ada, Indian Territory, for the enrollment of Wilson R. Sessums et al. as citizens of the Choctaw Nation.

The original petitions, with the order of the Commissioner, have this day been transmitted to the Secretary of the Interior for review.

Respectfully,

Acting Commissioner.

Inc. CM-8-3
Register.

Muskogee, Indian Territory, May 8, 1906.

Martha Fleming,

Wynnewood, Indian Territory.

Dear Madam:

You are hereby notified that by order of the Commissioner to the Five Civilized Tribes, dated May 8, 1906, the petitions submitted by Tom D. McKeown for the enrollment of yourself and others as citizens of the Choctaw Nation were denied, and that on the same date the original petitions, with a copy of the order of the Commissioner, were forwarded to the Secretary of the Interior for review.

Respectfully,

Acting Commissioner.

Register.

Muskogee, Indian Territory, May 8, 1906.

Emanuel W. Bailey,

Iona, Indian Territory.

Dear Sir:

You are hereby notified that by order of the Commissioner to the Five Civilized Tribes, dated May 8, 1906, the petitions submitted by Tom D. McKeown for the enrollment of yourself and others as citizens of the Choctaw Nation were denied, and that on the same date the original petitions, with a copy of the order of the Commissioner, were forwarded to the Secretary of the Interior for review.

Respectfully,

Acting Commissioner.

Register.

Muskogee, Indian Territory, May 8, 1906.

Newton Fleming,

Wynnewood, Indian Territory.

Dear Sir:

You are hereby notified that by order of the Commissioner to the Five Civilized Tribes, dated May 8, 1906, the petitions submitted by Tom D. McKeown for the enrollment of yourself and others as citizens of the Choctaw Nation were denied, and that on the same date the original petitions, with a copy of the order of the Commissioner, were forwarded to the Secretary of the Interior for review.

Respectfully,

Acting Commissioner.

Register.

Muskogee, Indian Territory, May 3, 1906.

Rosa A. Ramsey,

Pearch, Oklahoma.

Dear Madam:

You are hereby notified that by order of the Commissioner to the Five Civilized Tribes, dated May 3, 1906, the petitions submitted by Tom D. McKeown for the enrollment of yourself and others as citizens of the Choctaw Nation were denied, and that on the same date the original petitions, with a copy of the order of the Commissioner, were forwarded to the Secretary of the Interior for review.

Respectfully,

Acting Commissioner.

Register.

Muskogee, Indian Territory, May 8, 1906.

Mary A. Bratcher,

Iona, Indian Territory.

Dear Madam:

You are hereby notified that by order of the Commissioner to the Five Civilized Tribes, dated May 8, 1906, the petitions submitted by Tom D. McKeown for the enrollment of yourself and others as citizens of the Choctaw Nation were denied, and that on the same date the original petitions, with a copy of the order of the Commissioner, were forwarded to the Secretary of the Interior for review.

Respectfully,

Acting Commissioner.

Register.

Muskogee, Indian Territory, May 8, 1906.

Myrtle Moore,

Maxwell, Indian Territory.

Dear Madam:

You are hereby notified that by order of the Commissioner to the Five Civilized Tribes, dated May 3, 1906, the petitions submitted by Tom D. McKeown for the enrollment of yourself and others as citizens of the Choctaw Nation were denied, and that on the same date the original petitions, with a copy of the order of the Commissioner, were forwarded to the Secretary of the Interior for review.

Respectfully,

Acting Commissioner.

Register.

Muskogee, Indian Territory, May 8, 1906.

Eva May Clayton,

Wynnewood, Indian Territory.

Dear Madam :-

You are hereby notified that by order of the Commissioner to the Five Civilized Tribes, dated May 7, 1906, the petitions submitted by Tom D. McKeown for the enrollment of yourself and others as citizens of the Choctaw Nation were denied, and that on the same date the original petitions, with a copy of the order of the Commissioner, were forwarded to the Secretary of the Interior for review.

Respectfully,

Acting Commissioner.

Register.

Muskogee, Indian Territory, May 8, 1906.

Effie A. Bratcher,

Hart, Indian Territory.

Dear Madam:

You are hereby notified that by order of the Commissioner to the Five Civilized Tribes, dated May 3, 1906, the petitions submitted by Ter. D. McKeown for the enrollment of yourself and others as citizens of the Choctaw Nation were denied, and that on the same date the original petitions, with a copy of the order of the Commissioner, were forwarded to the Secretary of the Interior for review.

Respectfully,

Acting Commissioner.

Register.

JWJr.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

I.L.D. 4146-1907.
.C. 10941 -1907.

February 21, 1907.

LRS

Direct.

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

Sir:

December 28, 1906, the Acting Commissioner transmitted the record in the matter of the application for the enrollment of Sarah Swanner, Wilson R. Sessums, T. F. Sessums, Lily Elzadie Sessums, Henry D. Sessums, Pearly Eliza Ellen Sessums, Sara Mae Sessums, Reuben L. A. Sessums, Lila E. Sessums, Wilson Wesley Sessums, Roy Robert Sessums, Nettie Stepp, James Russel Stepp, Cora Oma Stepp, John Reuben Stepp, and Leahah Helma Stepp as citizens of the Choctaw Nation, including the decision of the same date, adverse to the applicants.

Reporting February 18, 1907 (Land 113-87-1906), the Indian Office recommended that your decision be approved. A copy of its letter is inclosed.

The Department concurs in said recommendation, and our decision is hereby affirmed.

the papers in the case and a carbon copy hereof have been sent to the Indian Office.

Respectfully,

Thos Ryan

First Assistant Secretary.

1 inc. and 2 to ynd. Of.

A.F.Mc.
2-23-07.

Refer in reply to the following:

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON

Land

113587-1907

(COPY)

February 16, 1907.

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 December 20, 1906, enclosing the record of proceedings in the matter of the application and petition for the enrollment of Sarah Swagget Wilson R. Sessums, B.R. Sessums, Lily Elzadie Sessums, Henry T. Sessums, Pearly Ellen Sessums, Sada Lue Sessums, Reuben L.A. Sessums, Lila F. Sessums, Wilson Wesley Sessums, Roy Robert Sessums Mattie Stepp, James Russel Stepp, Cora Oma Stepp, John Reuben Stepp, and Paulah Velma Stepp, as citizens of the Choctaw Nation, including the decision of the Commissioner to the Five Civilized Tribes, dated December 20, 1906, denying said application and petition.

It appears from the record herein that application was made to the Commission to the Five Civilized Tribes at Ardmore, I.T on September 22, 1898, by Mattie Stepp for the enrollment of herself, as a citizen of the Choctaw Nation; that subsequent thereto, written application was made for the enrollment of James A. Stepp and Cora Oma Stepp, minor children of Mattie Stepp and John F. Stepp, as citizens of the Choctaw Nation; that an application was made on September 22, 1896, by Reuben L.A. Sessums, for the enrollment of himself, as a citizen of the Choctaw Nation; that on December

13, 1899, written application was filed for the enrollment of Lela E. Sessums, minor child of Reuben M.A.Sessums and Ludie Sessums, as a citizen of the Choctaw Nation; that on October 18, 1901, written application was filed for the enrollment of Dora E. Sessums, minor child of Reuben L. A. Sessums and Ludie Sessums, as a citizen of the Choctaw Nation; that on September 22, 1898, application was made by W.R.Sessums for the enrollment of himself and his son, B.R.Sessums, as citizens of the Choctaw Nation; that on the same date, application was made by Henry D.Sessums for the enrollment of himself as a citizen of the Choctaw Nation; that on November 2, 1901, written application was filed for the enrollment of Pearly Eliza Ellen Sessums, minor daughter of Henry D. Sessums and Sarah J. Sessums, as a citizen of the Choctaw Nation; that on August 30, 1899, application was made for the enrollment of Sarah Swagger as a citizen of the Choctaw Nation.

It is further shown by the record that W.R.Sessums, B.R.Sessums, Reuben L.A.Sessums, Mattie Stepp (as Pattie Sessums), Henry D. Sessums, and Sarah Swagger (nee Sessums), 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 Stat.L., 321), and on December 2, 1896, the Commission to the Five Civilized Tribes rendered a decision denying the applications (1896 Choctaw Citizenship Citizenship case No. 452).. From this decision of the Commission an appeal was taken to the United States Court for the Central District of the Indian Territory, and on January 20, 1898, this

court rendered a judgment reversing the decision of the Commission to the Five Civilized Tribes as to the applicants herein and admitted them to citizenship in the Choctaw Nation. This judgment was subsequently vacated, set aside and held for naught by the decree of the Choctaw-Chickasaw Citizenship Court on December 7, 1902, in the test case of the "Choctaw and Chickasaw Nations or Tribes vs. J. T. Riddle, et al."

This cause was subsequently certified to the Choctaw and Chickasaw Citizenship Court, created under the provisions of the Act of Congress approved July 1, 1902 (32 Stat., L., 641), for a trial de novo, and on March 9, 1904, in the case entitled W.R. Sessums vs. Choctaw and Chickasaw Nations, the Citizenship Court rendered a judgment therein, wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, x x x R.W. Sessums, Sarah Swager (or Sarah Swager), H.D. Sessums, R.A.L. Sessums, Mattie Sessums, B.H. Sessums, xxx 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 Commission to the Five Civilized Tribes, on May 27, 1904, issued orders dismissing the applications for the enrollment of James R. Stepp, Cora Oma Stepp, Lela E. Sessums, Dora E. Sessums, and Pearly Eliza Ellen Sessums as citizens of the Choctaw Nation, for the reason that the rights of the persons through whom they claimed the right to enrollment had been adversely

determined by the Choctaw and Chickasaw Citizenship Court.

Under the regulations adopted by the Commissioner to the Five Civilized Tribes on January 2, 1906, there was filed on January 27, 1906, petition praying for the enrollment of William R. Sessums, Sr., as a citizen of the Choctaw Nation, which petition was denied by the Commissioner on May 1, 1906.

Under the same regulations, there was filed, on April 13, 1906, petitions praying for the enrollment of Mattie Lue Tishie Stepp and her minor children, James Russel Stepp, Cora Oma Stepp, John Ruben Stepp, and Euler Velma Stepp; Reuben Lee Asbury Sessums and his minor children, Lela Almettie Sessums, Wilson Wesley Sessums and Roy Robert Sessums; Bunkey Riley Sessums and his minor child, Lily E. Sessums, Henry Daniel Sessums and his minor children, Pearly Eliza Sessums and Sada Lue Sessums and Sarah Swager, nee Sessums as citizens of the Choctaw Nation.

The petitioners, Mattie Lue Tishie Stepp, James Russel Sessums, Cora Oma Sessums, Reuben Lee Asbury Sessums, Lela Almettie Sessums, Henry Daniel Sessums, Pearly Eliza Sessums, Bunkey Riley Sessums and Sarah Swager, are identical with the persons for whose enrollment application was made to the Commissioner to the Five Civilized Tribes, under the provisions of the Act of Congress approved June 27, 1906 (34 Stat.L., 495).

It is alleged in these petitions that the petitioners, Mattie Lue Tishie Stepp, Reuben Lee Asbury Sessums, Henry Daniel Sessums, Bunkey Riley Sessums, and Sarah Swager, nee Sessums, are the children of W. R. Sessums, and that W. R. Sessums is the son of

Redding Sessums; that Redding Sessums is the son of Jacob and Pennie Sessums, and that Pennie Sessums was a full-blood Choctaw woman, who was duly recognized as such by the Choctaw tribes of Indians and came to the Indian Territory with the tribe and died in the Indian Territory.

It further appears from the record that applications were filed for the enrollment of the following named persons as citizens of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1906 (34 Stat.L., 137), as follows: On July 2, 1906, the application for the enrollment of Wilson Wesley Sessums, born February 11, 1903, and Roy Robert Sessums, born February 2, 1903, minor children of the applicant, Reuben L.A. Sessums, and his wife, Ludie Sessums; July 14, 1906, application for the enrollment of John Reuben Stepp, born March 1, 1903, and Beulah Velma Stepp, born April 20, 1906, minor children of the applicant, Mattie Stepp and her husband, John F. Stepp; July 21, 1906, application for the enrollment of Lily Elzadie Sessums, born February 8, 1905, minor daughter of the applicant, P.R. Sessums, and his wife, Rosie Lee Sessums; and June 28, 1906, application for the enrollment of Sada Lue Sessums, born December 18, 1903, daughter of Henry D. Sessums, and his wife, Sarah Jane Sessums.

It does not appear from the records in the possession of the Commissioner, or from the petitions filed April 13, 1906, that any of the petitioners have ever been recognized or enrolled as citizens of the Choctaw Nation by the tribal authorities thereof.

nor do their names appear on any of the tribal rolls of the Choctaw Nation.

Under the provisions of the Act of Congress approved July 1, 1902 (32 Stat.L., 641), the Commissioner to the Five Civilized Tribes, denied the application for the enrollment of W.R.Sessums, Mattie Stepp, Reuben I.A. Sessums, Henry D. Sessums, J.A. Sessums, Sarah Swanner, Pearly Eliza Ellen Sessums, Milla E. Sessums, James Russel Stepp and Nora Oma Stepp; and under the provisions of the Act of Congress approved April 26, 1904 (34 Stat.L., 137), he denied the application for the enrollment of Sada Lue Sessums, Wilson Wesley Sessums, Ray Robert Sessums, John Reuben Stepp, Paulah Telma Stepp, and Lily Elizabeth Sessums.

The Office is of the opinion that the decision of the Commissioner in this case is correct, and it is recommended that it be affirmed, as the points involved in this case do not come within those in the Lull West case, as none of the applicants had a tribal status in 1896.

Very respectfully,

C.F. Larrabee,

Acting Commissioner.

EVE--SI

C-27

Muskogee, Indian Territory, March 28, 1907.

Wilson R. Sessums, Sr.,

Coalgate, Indian Territory.

Dear Sir:

You are hereby advised that on February 13, 1907, the Secretary of the Interior affirmed the order of the Commissioner to the Five Civilized Tribes of March 1, 1906, denying the petitions submitted by Tom D. McKee, attorney at law, Ada, Indian Territory, for the enrolment of yourself and others as citizens of the Choctaw Nation.

Respectfully,

Geo. C. Dodge

Commissioner.

C-27

Muskogee, Indian Territory, March 28, 1907.

Jessie Arms,

Wynnewood, Indian Territory.

Dear Sir:

You are hereby advised that on February 13, 1907, the Secretary of the Interior affirmed the order of the Commissioner to the Five Civilized Tribes of May 1, 1906, denying the petitions submitted by Tom D. McKeow for the enrollment of yourself and others as citizens of the United States.

Respectfully,

Commissioner.

C-27

Muskogee, Indian Territory, March 26, 1907.

Martha Flemming,

Wynnewood, Indian Territory.

Dear Madam:

You are hereby advised that on February 13, 1907, the Secretary of the Interior affirmed the order of the Commissioner to the Five Civilized Tribes of May 1, 1906, denying the petitions submitted by Tom D. McKeown for the enrollment of yourself and others as citizens of the Choctaw Nation.

Respectfully,

Commissioner.

C-27

Muskogee, Indian Territory, March 26, 1907.

Emanuel W. Bailey,

Iona, Indian Territory.

Dear Sir:

You are hereby advised that on February 13, 1907, the Secretary of the Interior affirmed the order of the Commissioner to the Five Civilized Tribes of May 8, 1906, denying the petitions submitted by Tom D. McKlown for the enrollment of yourself and others as citizens of the Choctaw Nation.

Respectfully,

Geo. D. Rodgers.

Commissioner.

C-27

Muskogee, Indian Territory, March 22, 1907.

Newton Fleming,

Wynnewood, Indian Territory.

Dear Sir:

You are hereby advised that on February 13, 1907, the Secretary of the Interior affirmed the order of the Commissioner to the Five Civilized Tribes of May 8, 1906, denying the petitions submitted by Tom D. McKown for the enrollment of yourself and others as citizens of the Choctaw Nation.

Respectfully,


Commissioner.

C-27

Muskogee, Indian Territory, March 29 1907.

Rosa L. Ramsey,

Ponca, Oklahoma.

Dear Madam:

You are hereby advised that on February 13, 1907, the Secretary of the Interior affirmed the order of the Commissioner to the Five Civilized Tribes of May 8, 1906, denying the petitions submitted by T. D. McKeown for the enrollment of himself and other applicants of the Choctaw Nation.

Respectfully,

Commissioner.

C-27

Muskogee, Indian Territory, March 24 1907.

Myrtle Moore,

Maxwell, Indian Territory.

Dear Madam:

You are hereby advised that on February 13, 1907, the Secretary of the Interior affirmed the order of the Commissioner to the Five Civilized Tribes of March 1, 1907, denying the petitions submitted by Tom D. McKee for the enrollment of yourself and others as citizens of the Muskogee Nation.

Respectfully,

Commissioner.

C-27

Muskogee, Indian Territory, March 28, 1907.

Eva May Clayton,

Wynnewood, Indian Territory.

Dear Madam:

You are hereby advised that on February 12, 1907, the Secretary of the Interior affirmed the order of the Commissioner to the Five Civilized Tribes of May 8, 1906, denying the petitions submitted by Tom D. McKee for the enrollment of yourself and others as citizens of the Choctaw Nation.

Respectfully,

Commissioner.

C-27

Puskogee, Indian Territory, March 28 1907.

Ernie A. Proctor,

Lawyer, Indian Territory.

Dear Madam:

You are hereby advised that on February 13, 1907, the Secretary of the Interior issued the order of the Commission on the Five Civilized Tribes of May 9, 1906, demanding the positions submitted by Rev. D. McKeown for the enrollment of yourself and other citizens of the Cherokee Nation.

Respectfully,

Geo. D. Dodge
Commissioner.

C-27

Muskogee, Indian Territory, March 28, 1907.

Tom D. McKeown,

Ada, Indian Territory.

Dear Sir:

You are hereby advised that on February 13, 1907, the Secretary of the Interior affirmed the order of the Commissioner to the Five Civilized Tribes of May 8, 1906, denying the petitions submitted by you for the enrollment of Wilson R. Sessums et al. as citizens of the Choctaw Nation.

Respectfully,

Commissioner.

C-27

Muskogee, Indian Territory, March 20, 1907.

Mansfield, McMurray & Corbis.,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on February 13, 1907, the Secretary of the Interior affirmed the order of the Commissioner to the Five Civilized Tribes of May 8, 1906, denying the petitions submitted by Tom D. McKeown, attorney at law, Ada, Indian Territory, for the enrollment of Wilson R. Sessums et al. as citizens of the Choctaw Nation.

Respectfully,

Commissioner.

Muskogee, Indian Territory, January 23, 1900.

W. R. Sessums, Jr.,

Hewitt, Indian Territory.

Dear Sir:

The Commission has received information of the death of your daughter Lillie R. Sessums since the time she was listed for enrollment as a citizen by blood of the Choctaw Nation.

For the purpose of making her 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 at your earliest convenience and return to this office in the enclosed envelope which requires no postage.

You will notice that there is an affidavit for an acquaintance and a relative. 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.

Env.
D. C.
7-5061.

Yours truly,

Acting Chairman.

Muskogee, Indian Territory, August 8, 1901.

Mr. W. R. Sessums, Jr.,
Heraldton, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Dolly Palace Sessums, the infant daughter of W. R. and Sarah Elizabeth Sessums, born July 5, 1901, and the same is returned to you herewith for the reason that it does not appear from the records of this office that there is on file therein any legal evidence of your marriage to the mother of the child for whom application is made. The mother of the child being a white woman and a noncitizen, it is necessary that such evidence be filed in the matter of the application for the enrollment of your child.

It appears from the records that the original papers in your case were accidentally destroyed, and that copies of the original affidavits filed with the Commission were substituted, but there is no record of your marriage. If you are now unable to obtain a certified copy of your marriage license and certificate and can procure the affidavits of witnesses to the marriage, such affidavits will be received and considered by the Commission.

Upon return of the application, accompanied by legal evidence

W. R. S.--2.

of your marriage, the application for the enrollment of your child
will receive further consideration.

Yours truly,

Commissioner in Charge.

7-6081

McM
83

Muskogee, Indian Territory, September 17, 1901.

Wilson Russel Sessums, Jr.,

Healdton, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of evidence of marriage between yourself and Sarah Elizabeth Pettycrew and the same has been duly filed with the records of this office.

Receipt is also acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Dolly Palase Sessums, the infant daughter of Wilson Russell and Sarah Elizabeth Sessums, born July 5th, 1901, and the same being in proper form has been duly filed with the records of this office and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

7-5081

7-5081

Muskogee, Indian Territory, January 6, 1906.

W. R. Sessums, Jr,

Palmer, Indian Territory,

Dear Sir:

Your letter of December 18, 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 you can have land set aside for your allotment.

In reply to your letter you are advised that if some other person has filed on the land on which you claim improvements, you will be permitted to appear at the Land Office for the Nation in which said land is located for the purpose of making application to institute contest, at which time your testimony will be taken and forwarded to this office for consideration.

If it is alleged that your case comes within the recent Departmental rulings in the enrollment cases of Loula West and Mary Elisabeth Martin, and you desire to present evidence to that effect, there is inclosed herewith circular giving full information as to procedure to be taken in cases coming within the opinion of the Department above referred to.

Respectfully,

Commissioner.

7-5091

Muskogee, Indian Territory, June 7, 1906.

W. R. Sessums,

Palmer, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 15, 1906, in which you ask if persons whose cases have been pending since 1896 must file their claims within sixty days after the passage of the Curtis Act.

In reply to your letter you are advised that you and your children were denied by the Choctaw and Chickasaw Citizenship Court March 9, 1904, in case No. 36 on the South McAlester docket.

Relative to filing a claim with this office you are advised that the act of Congress approved April 20, 1906, provides as follows:

"and no motion to reopen or reconsider any citizenship case, in any of said tribes, shall be entertained unless filed with the Commissioner to the Five Civilized Tribes within sixty days after the date of the order or decision sought to be reconsidered except as to decisions made prior to the passage of this Act, in which cases such motion shall be made within sixty days after the passage of this Act".

Respectfully,

Commissioner.

7-5081

Muskogee, Indian Territory, October 1, 1906.

W. R. Sessums,

Palmer, Indian Territory.

Dear Sir:

Your letter of September 10, 1906, addressed to the Secretary of the Interior has been by him referred to this office for consideration and appropriate action. Therein you ask if you can file on your allotment and secure an early decision in your citizenship case.

In reply to your letter you are advised that on May 8, 1906, the Commissioner to the Five Civilized Tribes denied the petition for a rehearing in the matter of your application for enrollment as a citizen of the Choctaw Nation under the ruling of the Department in the Loula West case and on the same date the record in this case was forwarded the Secretary of the Interior and this office has not yet been notified of Departmental action thereon.

You are further advised that no selection of allotment can be made by persons until they have been enrolled and their enrollment has been approved by the Secretary of the Interior.

Respectfully,

Commissioner.

Southern District }
of Indian Territory }

On this the 14th day of Sep., 1901 personally appeared before me W. F. McKnight, a Notary Public in and for the District and Territory aforesaid Lavisia Morris aged 54 and Nancy Caroline Rose aged 23 both of Healdton, I. T., who being sworn on their oath say: We were present at the marriage of Wilson Russell Sessums and Sarah Elizabeth Pethgrew said marriage occurred in Montague Co., Tex. on the 9th day of October, 1884. We further swear that there have been born to said Wilson Russell Sessums and Sarah Elizabeth Sessums four children as follows: Mary J. Sessums aged Selia Sessums, Willie F. Sessums, Dolly Baker Sessums who are now living.

Lavisia Morris
~~Walter Rose~~

Nancy Caroline Rose
Sworn to and subscribed before me
this 14th day of Sep., 1901.

W. F. McKnight,
Notary Public.

W.R. Sessums Jr. and others.

W.R. Sessums Jr. says:

Lillie R. was born December 19th 1897.

I came from Texas and have been living for the last three years in the Chickasaw Nation. Last January I moved to the Choctaw Nation and this summer I moved back to the Chickasaw Nation. I have lived three years continuously in the Chickasaw Nation except the time I was in the Choctaw Nation.

Adopted Sept 22 1898.

W.R. Sessums Jr.
Mary J. Sessums
William F. Sessums
Lillie R. Sessums

enrolled.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, INDIAN TERRITORY, JANUARY 21, 1902.

In the matter of the application for enrollment as a citizen of the Choctaw Nation of Selia Sessums, a minor child of W. R. Sessums Jr., and Sarah E. Sessums.

S T A T E M E N T .

Under the act of Congress of June 10, 1896, there was filed with the Commission to the Five Civilized Tribes the application of W. R. Sessums, et al. for citizenship in the Choctaw Nation, being Dawes Commission Choctaw citizenship case Number 452. The Commission denied the application of the persons applying under the provisions of that act, in said case, and from such a decision an appeal was taken to the United States Court for the Central District of the Indian Territory, and that court, on January 20, 1898, reversed the decision of the Commission and admitted to citizenship in the Choctaw Nation numerous of the applicants in the original petition filed with the Commission to the Five Civilized Tribes under the act of Congress of June 10, 1896, including in said judgment the name of Sallie Sessums who has not up to this date been listed for enrollment by the Commission in pursuance of said judgment.

W. R. Sessums Jr. being first duly sworn, testifies as follows:

Examination by the Commission.

- Q What is your name? A Wilson Russell.
Q What? A Wilson Russell.
Q Your full name? A Sessums.
Q How old are you? A I am forty one years old.
Q What is your post office address? A It is Healdton.
Q Are you a citizen of the Choctaw Nation? A Yes sir, I was admitted as a citizen by the courts.
Q You have never been recognized in any manner by the tribal authorities as a citizen? A Not before.
Q Your right to citizenship is in pursuance of a judgment of the United States Court for the Central District of the Indian Territory in the case of W. R. Sessums et al. vs. the Choctaw Nation? Is that correct? A Yes sir.
Q Were any children included in the judgment admitting you to citizenship in the Choctaw Nation? A Which?
Q Were any of your children included in the judgment of the United States Court admitting you to citizenship in the Choctaw Nation?
A Yes sir.
Q What were their names? A Mary J. Sessums and Sallie is the way it is down there but her name is Selia and then W. F. is all that is a living.
Q Did you have a daughter names Lillie R? A Yes, she is dead.
Q How old is your daughter Sallie Sessums at this time? A She is eleven years old.
Q Was she included in the petition made by you to the Commission in 1896 for citizenship in the Choctaw Nation? A Yes sir, but there

- was a mistake made in the name.
- Q Do you know of any person by the name of Sallie Sessums? A No sir none but my wife.
- Q Are you the father of this child Sallie Sessums? A Sir?
- Q You state the proper name of this girl is Selia Sessums? Is that correct? A Yes sir.
- Q Are you the father of Selia Sessums? A Yes sir.
- Q Who is the mother? A Sallie Elizabeth.
- Q Is her name Sallie or Sarah? A Sarah I meant to say, I call her Sallie but her name is Sarah Elizabeth.
- Q On September 22, 1898, did you appear before the Commission and make application for the enrollment of yourself and your children as citizens of the Choctaw Nation? A When?
- Q September 22, 1898? A Yes, I believe it was along about that time as well as I can recollect.
- Q Where did you apply? A At Durwood is where my application was made out.
- Q I am not talking about the application that was made out, I am asking you if you ever personally made application to the Commission for yourself and your children? A Yes, I made that at Ardmore.
- Q Did you also apply for your daughter Selia? A Yes sir.
- Q What action did the Commission take relative to your daughter Selia? A Well, he said he had no right to enroll that name for it did not appear in the judgment.
- Q I now hand you a copy of the judgment of the United States Court for the Central District of the Indian Territory in the case of W. R. Sessums, et al. versus the Choctaw Nation, admitting numerous persons to citizenship in the Choctaw Nation; you will find thereon the name of Sallie Sessums? A Yes, it is on there Sallie.
- Q Is the Sallie Sessums named in this judgment your child Selia Sessums? A Yes is that is what--- that is put there for my child, her name is Selia.
- Q You have never had any child by the name of Sallie? A No sir.
- Q Do you know of any person in the Sessums family by the name of Sallie? A No sir only--
- Q Is the child now living? A Yes sir.

Anna Bell, having been first duly sworn, on her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on January 21, 1902, and that the above and foregoing is a full, true and correct transcript of her stenographic notes in said cause on said date.

Anna Bell

Subscribed and sworn to before me this 22nd day of January, 1902.

W. H. [Signature]

Notary Public.

Choctaw 5081

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, June 6, 1904.

W. R. Sessums, Jr.,

Hewitt, 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 citizens by blood of the Choctaw Nation of Lillie R. Sessums and Dolly Palace Sessums.

Respectfully,

Registered.

Chairman.

Incl. 7-5081.

Choc 5082 MATTIE STEPP

Nos 2-3 Dismissed May 27, 1904

Refused Dec 28, 1906

record forwarded DEPT 12-28-06

See PETITION # C-117

5082

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

Record in the matter of the application for enrollment
as citizens by blood of the Choctaw Nation of:

James R. Stepp, et al.,

1-30-02.

7-5082.

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

COPY.

In the matter of the application for the enrollment of James R. Stepp and Cora Oma Stepp as citizens by blood of the Choctaw Nation.

The applicants, James R. Stepp and Cora Oma Stepp, claim their right to enrollment as citizens by blood of the Choctaw Nation through their mother Matie Stepp. The right of the applicants' mother, Matie Stepp, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, March 9, 1904, in case No. 36, upon the South McAlester docket of said court, it is hereby ordered that the application of James R. Stepp and Cora Oma Stepp for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

(SIGNED)

James Dixey.

Chairman.

Muskogee, Indian Territory,

MAA

Choctaw 5082.

COPY:

Muskogee, Indian Territory, June 6, 1904.

Mattie Stepp,

Wynnewood, 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 the enrollment as citizens by blood of the Choctaw Nation of James R. Stepp and Cora Ona Stepp.

Respectfully,

(SIGNED)

Tan. - mcy.

Chairman.

Registered.

Incl. 7- 5082.

Choctaw 3082

COPY.

Muskogee, Indian Territory, June 6, 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 citizens by blood of the Choctaw Nation of James R. Stepp and Cora Oma Stepp.

Respectfully,

(SIGNED)

James Dickey

Chairman.

Registered.

Incl. 7-5082

(See Choctaw 3328 for registry receipt for this letter.)

Choctaw Court Card C 127

In RE application of Mattie Stepp.

Sworn by Commissioner McKennon,

Mattie Stepp says:

I have lived in the Chickesaw Nation 2 years,
except 2 months I was in the Choctaw Nation.

I married J. F. Stepp the last day of last November.

I was admitted as "Mattie Sessums".

Ardmore, Sept. 13, 1898.

Mattie Stepp

enrolled.

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

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,
of James R. Step (Here insert name of child,) born on the 13 day of Oct. 1898
Name of Father: J. F. Step a citizen of the United States Nation.
Name of Mother: Mattie Step a citizen of the Choctaw Nation.
Postoffice Manville I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Cent DISTRICT

I, Mattie Step, 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. F. Step, who is a citizen, by-
of United States United States Nation; that a male child was
born to me on 13 day of Oct. 1898, that said child has been named
James R. Step, and is now living.

WITNESSES TO MARK: (Signed) Mattie Stepp

(Must be Two Witnesses.)

Subscribed and sworn to before me this 21st day of August 1898.
(Seal) (Signed) Chas. E. McPherran Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MID-WIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
DISTRICT

I, T. S. Lane, a affirm, on oath state that I
attended on Mrs. Mattie Step, wife of John Stepp
on the 13 day of Oct. 1898; 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 James R. Stepp.

WITNESSES TO MARK: (Signed) T. S. Lane, M. D.

(Must be Two Witnesses.)

Subscribed and sworn to before me this 2 day of Sept. 1899
(Seal) (Signed) T. Noble Notary Public.

IN RE

Application for Enrollment of
INFANT CHILD

Boia Alma Stiff

as a citizen of

Choctaw Nation

Approved *Feb 25 1901*

James W. [unclear]
Commissioner

DEPARTMENT OF THE INTERIOR

Commissioner of Indian Affairs

Feb 25 1901

[unclear]
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 Cora Oma Steff, born on the 22 day of January, 1901
(Here insert name of child)
Name of Father: John T. Steff, a citizen of the Choctaw Nation.
Name of Mother: Mattie Steff, a citizen of the Choctaw Nation.
Postoffice: Yarrwood, Okla.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY.

Southern DISTRICT

I, Mattie Steff, on oath state that I am twenty one
years of age and a citizen by blood, of the Choctaw Nation,
that I am the lawful wife of John T. Steff, who is a citizen, by
Marriage, of the Choctaw Nation, that a female child was
born to me on 22 day of January, 1901, that said child has been named
Cora Oma Steff, and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses.)
B. Smith
E. H. ...

Subscribed and sworn to before me this 21 day of February, 1901

(Seal)

J. P. ...
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MID-WIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY.

Southern DISTRICT

I, Martha H. ... Midwife, on oath state that I
attended on Mrs. Mattie Steff, wife of John T. Steff,
on the 22 day of January, 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
Cora Oma Steff.

WITNESSES TO MARK:

(Must be Two Witnesses.)
B. Smith
E. H. ...

Subscribed and sworn to before me this 21 day of February, 1901

(Seal)

J. P. ...
Notary Public.

Choctaw Court Card C 156

In RE application of Reuben L. A. Sessums.

Sworn by Commissioner McKennon.

Reuben L. A. Sessums says:

I have been living 2 years in the Chickasaw Nation except about 2 months in the Choctaw Nation. I now live in the Chickasaw Nation

Ardmore, Sept. 22, 1998.

Reuben L. A. Sessums

enrolled.

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

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Chickasaw Nation,
of a daughter, born on the 25 day of Sept., 1899.
(Here insert name of child.)
Name of Father: Rubin L. A. Sessums, citizen of the Choctaw Nation.
Name of Mother: Ludie Sessums, a citizen of the Choctaw Nation by marriage.
Postoffice: Mannsville, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Southern DISTRICT.

I, Ludie Sessums, on oath state that I am 17
years of age and a citizen by Marriage of the Choctaw Nation;
that I am the lawful wife of Rubin L. A. Sessums, who is a citizen, by
blood of the Chickasaw Nation; that a girl child was
born to me on 25 day of Sept., 1899, that said child has been named
Lela Elmeta Sessums, and is now living.

WITNESSES TO MARK: Ludie Sessums

(Must be Two Witnesses.)

(SEAL)
Subscribed and sworn to before me this 31 day of Oct., 1901 1899
W. F. Noble
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MID-WIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Southern DISTRICT.

I, F. A. Butt, a practitioner, on oath state that I
attended on Mrs. Ludie Sessums, wife of Rubin L.A. Sessums
on the 25 day of Sept., 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 Lela Elmeta Sessums

WITNESSES TO MARK: Dr. F. A. Butt

(Must be Two Witnesses.)

(SEAL)
Subscribed and sworn to before me this 31 day of Sept., 1899.

W. F. Noble
Notary Public.

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

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,
of Dora E. Sessums, born on the 6th day of Sept., 1901
(Here insert name of child.)
Name of Father: Ruben L. A. Sessums a citizen of the Choctaw Nation,
Name of Mother: Ludie Sessums a citizen of the Choctaw Nation,
by marriage
Postoffice Wynnewood, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Southern DISTRICT

I, Ludie Sessums, 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 Ruben L. A. Sessums, who is a citizen, by
blood of the Choctaw Nation, that a female child was
Male or Female.
born to me on 6th day of Sept., 1901, that said child has been named
Dora E. Sessums, and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses.) { L. C. Abernathy
J. J. Lawrence
(SEAL)

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

M. I. Cochran
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MID-WIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Southern DISTRICT

I, J. G. Sharp, a physician, on oath state that I
attended on Mrs. Ludie Sessums, wife of Ruben L. A. Sessums
on the 6th day of September, 1901; that there was born to her on said date a female
(Male or Female.)
child; that said child is now living and is said to have been named Dora E. Sessums

WITNESSES TO MARK:

(Must be Two Witnesses.) { L. A. Davis
C. D. Veach
(SEAL)

Subscribed and sworn to before me this 16th day of October, 1901

M. I. Cochran.
Notary Public.

No. 1212

M A R R I A G E L I C E N S E .

.....oOo.....

UNITED STATES OF AMERICA,)
INDIAN TERRITORY,) SS. To Any Person Authorized by Law
SOUTHERN DISTRICT) to Solemnize Marriage--Greeting

You Are Hereby Commanded, To solemnize the Rite and publish the BANNES OF MATRIMONY between Mr. R. L. A. Sessums, of Nickle Hill, in the Indian Territory, aged 26 years, and M. Ludie Buck, of Mannsville 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 5th day of Dec.

A. D. 1898.

C. M. Campbell

(SEAL)

Clerk of the United States Court.

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA,)
THE INDIAN TERRITORY,) SS. I, C. M. Campbell, a clerk
SOUTHERN DISTRICT.) of the U. S. Court, do hereby certify that, on the 5th 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 bannes of Matrimony between the parties therein named.

Witness my hand this 5th day of Dec., A. D. 1898.

My credentials are recorded in the office of the Clerk of the

United States Court, Indian Territory, Southern District, at
Ardmore, Book _____ Page _____.

(Signed) C. M. Campbell,
Clerk of U. S. Court.

(SEAL)

(Endorsed)

Certificate of Record of Marriage.

UNITED STATES OF AMERICA)
THE INDIAN TERRITORY,) SCT.
SOUTHERN DISTRICT)

L. 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. R. L. A. Sessum
and Ludie Buck were filed in my office in said territory and
district the 5 day of Dec. A D. , 1898, and duly recorded
in Book C. of Marriage Record, Page 580.

Witness my hand and seal of said Court at Ardmore, this
18 day of June, A D. , 1899.

Clerk.

F i l e d
Dec. 5, 1898, 2 P. M.,

C. M. Campbell,
Clerk.

Choctaw Court Card C 159

In ~~RE~~ application of W. R. Sessums and others.

Sworn by Commissioner McKennon,

W. R. Sessums says:

I came to the Chickasaw Nation in 1890, with my family. I went back to Texas in 1892 and remained there until January 1896. I have been living here and in the Choctaw Nation ever since.

Ardmore, Sept. 25, 1898.

W. R. Sessums

B. R. Sessums

enrolled.

Choctaw Court Card C. 160

In Reapplication of Henry D. Sessums.
Sworn by Commissioner McKennon.

Henry D. Sessums says:

I have lived in the Territory 2 years. I came here 2 years ago this Spring, and went to the Choctaw Nation and remained until this summer, and came back and have been here ever since.

Ardmore, Sept. 22, 1898.

Henry D. Sessums.

enrolled.

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

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,
of Pearley Eliza Ellen (Here insert name of child.) born on the 5 day of July, 1901
Name of Father: H. D. Sessums a citizen of the Choctaw Nation.
Name of Mother: Sarrah J Sessums a citizen of the United States Nation.
Postoffice Cornish, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Southern DISTRICT.

I, Sarrah J. Sessums on oath state that I am 18
years of age and a citizen by of the United States Nation;
that I am the lawful wife of H. D. Sessums who is a citizen, by
blood of the Choctaw Nation; that a female child was
born to me on 5 day of July, 1901; that said child has been named
Pearley Eliza Ellen Sessums and is now living.
(Seal)

WITNESSES TO MARK: (Signed) Sarrah J. Sessums

(Must be Two Witnesses.)

Subscribed and sworn to before me this 3rd day of Aug, 1901

My commission expires (Signed) T. G. Caldwell
Jan'y 8th 1904

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MID-WIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Southern DISTRICT.

I, A. S. Howard a physician, on oath state that I
attended on Mrs. Sarrah J. Sessums, wife of H. D. Sessums
on the 5 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 named Pearley Eliza Ellen Sessums
(Male or Female.)

WITNESSES TO MARK: (Signed) Amos S. Howard, M.D.

(Must be Two Witnesses.)

Subscribed and sworn to before me this 3rd day of August, 1901

(Seal)
My commission expires (Signed) T. G. Caldwell
Jan'y 8th, 1904

Notary Public.

MARRIAGE LICENSE.

No. 952.

United States of America,)
Indian Territory,) ss
Southern District.)

To Any person authorized by law to solemnize marriage- Greeting:

you are hereby commanded to solemnize the rite and publish the bands of matrimony between Mr. H. D. Sessum of Durwood in the Indian Territory, aged 22 years, and S. J. Skeen, of Earl in the Indian Territory, aged 14 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 Dec., A. D. 1896.

(Seal)

(Signed) Jas. W. Phillips,
Clerk of the United States Court.

CERTIFICATE OF MARRIAGE.

United States of America,)
Indian Territory,) ss
Southern District.)

I, H. M. Hollingsworth, a M of G do hereby certify that on the 3 day of Jany, A. D. 1897, I did duly and according to law, as commanded in the foregoing license, solemnize the rite and publish the bands of matrimony between the parties therein named.

Witness my hand this 3 day of Jany, A. D. 1897.

My credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Southern District at Ardmore, Book A, Page 118.

(Signed) H. M. Hollingsworth
M of G

Endorsed as follows:

CERTIFICATE OF RECORD O 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. H. D. Sessum and Miss S. J. Keen were filed in my office in said Territory and District the 7 day of Jany 1897 A. D. and duly recorded in Book 13 of Marriage record, Page 473.

Witness my hand and seal of said Court at Ardmore, this 23 day of Oct. A. D. 1901.

(Signed) C. M. Campbell, Clerk.

Indian Territory,)
Southern District)

I do hereby certify that the within and foregoing is a true, perfect and literal copy of the original instrument filed in my office on the 7 day of Jany 1897 at -- o'clock - M.

Witness my hand and official seal at Ardmore this 23 day of Oct. 1901.

(Signed) C. M. Campbell,
Clerk U. S. Court So. Dist. Ind Ty
Department of the Interior, Commissioner to the Five Civilized Tribes

FILED Nov 2 1901

(Stamped) Tams Bixby, Acting Chairman.

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

In the enrollment of Sarah Swager as a Choctaw; being sworn and examined by Contr. McKinnon and testifies as follows:

- Q What is your name? A Sarah Swager.
- Q How old are you? A Thirty-seven.
- Q Where have you been living? A In the Chickasaw and Choctaw Nations these years.
- Q When did you first come here? A I couldn't tell you, but I have been here three years last fall.
- Q Where did you come from? A From Texas.
- Q You were born and raised in Texas? A Yes sir, born in ~~XXXX~~ Johnson County and lived there until I was fifteen and moved to Montague County when I was fifteen years old.
- Q You don't know the year or do you know the time that you came here? A I have been here a little over three years.
- Q Were you living here when you made application? A Yes sir.
- Q To the Dallas Government? A Yes sir, my father did.
- Q Were you living here then? A Yes sir.
- Q Have you been living here ever since? A Yes sir.
- Q Haven't lived anywhere else? A Nowhere except in the Choctaw and Chickasaw Nations.

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.
W. J. Craven

DCL
7-5082

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

In the matter of the application for the enrollment of James R. Stepp and Cora Oma Stepp as citizens by blood of the Choctaw Nation.

The applicants, James R. Stepp and Cora Oma Stepp, claim their right to enrollment as citizens by blood of the Choctaw Nation through their mother Mattie Stepp. The right of the applicants' mother, Mattie Stepp, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, March 9, 1904, in Case No. 36, upon the South McAlester docket of said court, it is hereby ordered that the application of James R. Stepp and Cora Oma Stepp for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

(Signed) Tars Bixby,

Chairman.

Muskogee, Indian Territory,

May 27 1904

Jell

7-5111.

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

-----o-----

COPY.

In the matter of the application for the enrollment of
Lela E. Sessums and Dora E. Sessums as citizens by blood of the
Choctaw Nation.

-----o-----

The applicants, Lela E. Sessums and Dora E. Sessums,
claim their right to enrollment as citizens by blood of the Choctaw
Nation through their father Rauben L. A. Sessums. The right
of the applicants' father, Rauben L. A. Sessums, to citizenship
in the Choctaw Nation having been adversely determined by a decree
of the Choctaw and Chickasaw Citizenship Court, March 9, 1904, in
case No. 36, upon the South McAlester docket of said court, it
is hereby ordered that the application of Lela E. Sessums and
Dora E. Sessums for enrollment as citizens by blood of the Choctaw
Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

(SIGNED)

Tamr Dinsby.
Chairman.

Muskogee, Indian Territory,

MAY 27 1904

7-6115

7-6115.

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

In the matter of the application for the enrollment of
Pearley Eliza Ellen Sessums as a citizen by blood of the Choctaw
Nation.

The applicant, Pearley Eliza Ellen Sessums, claims her
right to enrollment as a citizen by blood of the Choctaw Nation
through her father Henry L. Sessums. The right of the applicant's
father, Henry L. Sessums, to citizenship in the Choctaw Nation
having been adversely determined by a decree of the Choctaw and
Chickasaw Citizenship Court, March 4, 1904, in case No. 20, upon
the South McAlester docket of said court, it is hereby ordered
that the application of Pearley Eliza Ellen Sessums for enrollment
as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

(SIGNED)

James Bixby.

CHIEF CLERK.

Waskogee, Indian Territory,

MAY 27 1904.

IN THE DEPARTMENT OF THE INTERIOR.

In the matter of the application of
Mattie Lue Tishie Stepp, and her
minor children to be enrolled as
members, by blood of the Choctaw
Tribe of Nation of Indians.

P E T I T I O N .

TO THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES:-

The undersigned petitioner, Mattie Lue Tishie Stepp, would respectfully show that she and her minor children James Russel Stepp, Cora Oma Stepp, and John Ruben Stepp, Buler Velma Stepp, are entitled to be enrolled as members of the Choctaw Tribe or Nation of Indians as members by blood .

Petitioner appeared before the Commission to the Five Civilized Tribes and made application for herself ~~and her minor children~~ to be enrolled as members of the Choctaw Tribe of Indians and was rejected.

That afterwards they were enrolled by virtue of a judgment of the United States District Court within and for the Central District of the Indian Territory at South McAlester, in the case styled WLR. Sessums et al. vs. Choctaw Nation.

That afterwards the petitioner ~~and her minor children~~ were denied the right to be approved as members of the said Nation by a judgment of the Citizenship Court.

That petitioner and her minor children are entitled to be enrolled as members by blood of the Choctaw Nation for the reason that petitioner is a daughter of W. R. Sessums, Sr., and W. R. Sessums Sr., is a son of Redding Sessums; and Redding Sessums is a son of ~~of~~ Jacob Sessums and Pennie Sessums. That Pennie Sessums, the grandmother of petitioner was a full blood Choctaw woman and was a duly recognized member of said Tribe. That she came to the Indian Territory with the Tribe when they moved from Mississippi to the Indian Territory, and died in the ~~Indian~~ Territory.

That petitioner and her minor children have resided continuously in the Indian Territory for many years past.

WHEREFORE petitioner prays that she and her minor children be enrolled as members of the Choctaw Tribe of Indians and that they be accorded all the rights of other duly enrolled members of the said Tribe.

Respectfully submitted,

Mattie Lue Tishie Stepp

United States of America
Southern District
Indian Territory.

Mattie Lue Tishie Stepp being duly sworn on oath says that I have read the foregoing petition and that the facts set forth ^{therein} are true as I verily believe.

(SEAL)

Mattie Lue Tishie Stepp

Subscribed and sworn to before me this 27 day of March 1906.

W. M. Hachtower
Notary Public.

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

I Tom D. McKeown do solemnly swear that

I have to day mailed by registered letter a true copy of the foregoing petition addressed to Messrs. Mansfield, McMurray & Cornish of South McAlester, I.T. and that the receipt of registration received from the Postmaster at Ada, I.T. is hereto attached and made a part hereof.

Tom D. McKeown.

This 11 day of April 1906.

Subscribed and sworn to before me this 12 day of April 1906.

Maude Dodds
Notary Public.

(SEAL)

My Commission expires March 16, 1910.

(Registry Receipt Attached)

INDORSED ON BACK AS FOLLOWS:

In the matter of the application of Mattie Lue Tishie Stepp to be enrolled as a member of the Choctaw Tribes.

P E T I T I O N / . Department of the Interior

F I L E D . Commissioner to the Five Civilized Tribes.

Apr. 13, 1906. Tams Bixby, Commissioner.

Tom D. McKeown, Atty Ada, I.T.

IN THE DEPARTMENT OF THE INTERIOR
BEFORE THE COMMISSIONER TO THE FIVE CIVILIZED TRIBES, AT MUSKOGEE.

In the matter of the application of Reuben Lee Asbury Sessums, and his minor children Lela Almetta Sessums Wilson Wesley Sessums, and Roy Robert Sessums, to be enrolled as members, by blood of the Choctaw Tribe or Nation of Indians.

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P E T I T I O N

TO THE HONORABLE COMMISSIONER TO THE FIVE CIVILIZED TRIBES:-

The undersigned petitioner, Reuben Lee Asbury Sessums, and Lela Almettie Sessums, Wilson Wesley Sessums, and Roy Robert Sessums, his minor children are entitled to be enrolled as members by blood of the Choctaw Tribe or Nation of Indians.

That petitioner appeared before the Commissioner to the Five Civilized Tribes and made an application for himself ~~and his minor children~~ to be enrolled as members of the Choctaw Tribe of Indians and was rejected.

That afterwards they were enrolled by virtue of a judgment of the United States Court within and for the Central District, of the Indian Territory, at South McAlester, in the case styled W. R. Sessums et al. vs. Choctaw Nation.

That afterwards the petitioner ~~and his minor children were~~ denied the right to be approved as members of the said Nation by judgment of the Citizenship Court.

That petitioner and his minor children are entitled to be enrolled as members, by blood to the Choctaw Nation for the reason that petitioner is a son of W. R. Sessums Sr; and W. R. Sessums Sr. is a son of Redding Sessums; and Redding Sessums is the son of Jacob Sessums and Pennie Sessums; that Pennie Sessums, the grandmother of the petitioner was a full blood Choctaw woman, and her maiden name was Pennie Fisher, and that she was a duly recognized member of said Tribe, and that she came to the Indian Territory with the Choctaw Tribe, and resided in the Indian Territory until her death.

That petitioner has resided continuously in the Ind. Ter. since the year 1896.

That petitioner is the father of three minor children Lela Almettie Sessums, age 6 years Wilson Wesley Sessums age 3 years Roy Sessums age 1 years.

WHEREOF petitioner prays that he and his three minor children be enrolled as members of the Choctaw Tribe or Nation of Indians as members by blood, and that they have all rights and benefits of such duly enrolled members of said Tribe.

Respectfully submitted,

United States of America
Indian Territory
Southern District.

Reuben Lee Asbury Sessums, being duly sworn on oath says I am the petitioner in the foregoing petition and that I have read the facts set forth in the foregoing petition and the same are true as I verily believe.

Reuben Asabary Sessums.

Subscribed and sworn to before me this 10 day of March, 1906.

(SEAL)
My Commission expires Dec. 31, 1908.

J. E. Harbison
Notary Public.

United States of America |
Southern District | SS
Indian Territory. |

I, Tom D. McKeown, do solemnly swear that I have registered a true copy of the foregoing petition by registered mail to Messrs. Mansfield, McMurray & Cornish, of South McAlester, I. T. and the receipt of the registration received from the postmaster at Ada, I. T. is hereto attached and made a part hereof.

This 11 day of April, 1906. Tom McKeown.
Subscribed and sworn to before me this 12 day of April 1906.
(Seal) My commission expires Mar 15, 1910. Maude Dodds
(Registry Receipt Attached) Notary Public.

Indorsed on back as follows:

In the matter of the application of Reuben Lee Asbury Sessions to
be enrolled as a member of the Choctaw Tribe.

PETITION.

Department of the Interior

Commissioner to the Five Civilized Tribes.

F I L E D.

Apr. 13, 1906.

Tams Bixby, Commissioner.

Tom D. McKeown?

Atty, Ada I. T.

(COPY)

IN THE DEPARTMENT OF THE INTERIOR
BEFORE THE COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
AT MUSKOGEE.

In the matter of the application
of Henry Daniel Sessums, to be en-
rolled as a member of the Choctaw
Nation or Tribe of Indians, with
his minor children.

P E T I T I O N .

The undersigned petitioner would respectfully show to
of the United States
the Honorable Commissioner, to the Five Civilized Tribes that he
and his minor children Pearly Eliza Sessums and Sada
Sada-Lue Ses-
sums, are entitled to be enrolled as members, by blood of the
Choctaw Nation or Tribe of Indians.

Petitioner would respectfully show that he made ap-
plication to be enrolled as a member of said Choctaw Tribe of
Indians to the Commission to the Five Civilized Tribes and was
rejected by them. And that afterwards he was enrolled as a
member of said Tribe of Indians by virtue of a judgment rendered
in the United States District Court within and for the Central
District of the Indian Territory at South McAlester, in the
case styled W. R. Sessums et al. vs. Choctaw Nation.

Petitioner would respectfully show that afterwards he
was denied the right to be enrolled as a member of said Tribe
of Indians by reason of a judgment of the Citizenship Court.

Petitioner would respectfully show that he entitled to
enrollment as a member of said Tribe of Indians for the reason
that he is a Choctaw by blood. And that he is the son of W. R.
Sessums Sr., and that W. R. Sessums Sr. was a son of Redding Ses-
sums, and Redding Sessums was a son of Jacob Sessums and Pen-
nie Sessums. That Pennie Sessums the mother of Redding Sessums
and the grandmother of the petitioner was a full blood Choctaw
woman and was named Pennie Fisher before her marriage to Jacob
Sessums. That Pennie Fisher was duly recognized member of said
tribe of Indians and came to the Indian Territory with the re-
moval of the Tribe to the Indian Territory.

That petitioner has resided in the Indian Territory continuously since the year 1896.

That petitioner is the father of two minor children Pearly Eliza Sessums age 4 years and ^{Sada} Seda Lue Sessums age 2 years.

WHEREFORE, petitioner prays that he and his two minor children be enrolled as members of the Choctaw Tribe or Nation of Indians as members by blood and that they have all the rights and benefits of such duly enrolled members of said tribe .

Respectfully submitted,

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

Henry Daniel Sessums, being duly sworn on oath says I am the petitioner in the foregoing petition and that I have read the facts set forth in the foregoing petition and that the same are true as I verily believe.

Henry Daniel Sessums.

Subscribed and sworn to before me this 10 day of March 1906.

J. E. Harbison

Notary Public.

(SEAL)

My commission expires Dec.6-1908.

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

ss.

I/ Tom D. McKeown, do solemnly swear that I have registered a true copy of the foregoing petition by registered mail to Mansfield, Mc Murray & Cornish, of South McAlester, I. T. and the receipt of registration received from the postmaster at Ada, I.T. is hereto attached and made a part hereof.

April

This 11 day of March 1906.

Tom D. McKeown.

Subscribed and sworn to before me this 12 day of March 1906.

Maude Dodds

Notary Public.

(SEAL)

My Commission expires Mar. 16, 1910.

(Registry receipt attached)

(Endorsed on back as follows)

In the matter of the application of Henry Daniel Sessums to be
enrolled as a member of the Choctaw Tribe.

Pstition.

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES

F I L E D

APR 13 1906

Tams Bixby Commissioner.

Tom D. McKeown

Atty. Ada, Ind. Ty.

IN THE DEPARTMENT OF THE INTERIOR.

In the matter of the application of)
Sarah Swagger nee Sessums to be)
enrolled as a member of the Choctaw)
Tribe or Nation of Indians by blood.)

P E T I T I O N.

TO THE HONORABLE COMMISSIONER TO THE FIVE CIVILIZED TRIBES :-

The undersigned petitioner Sarah Swagger, nee Sessums, would respectfully show that she is entitled to be enrolled as a member of the Choctaw Tribe or Nation of Indians, as a member by blood.

Petitioner appeared before the Commission to the Five Civilized Tribes and made application to be enrolled as a member of the the Choctaw Tribe or Nation of Indians and was rejected.

That afterwards petitioner was enrolled as a member of said Tribe of Indians by virtue of a judgment in the United States District Court within and for the Central District of the Indian Territory at South McAlester, in the case styled W. R. Sessums et al. vs. Choctaw Nation.

That afterwards petitioner was denied the right to be enrolled and approved as a member of the said Tribe or Nation of Indians by a judgment of the Citizenship Court.

Petitioner would respectfully show that she is entitled to be enrolled as a member of the Choctaw Tribe or Nation of Indians as a member by blood, for the reason that she is a daughter of W. R. Sessums Sr. and that W. R. Sessums Sr. is a son of Redding Sessums; and that Redding Sessums is a son of Jacob and Pennie Sessums; and that petitioner's grandmother Pennie Sessums was a full blood Choctaw woman, who was duly recognized as member of the said Tribe of Indians and came to the Indian Territory with the Choctaw Tribe and died in the Indian Territory.

That petitioner has resided in the Indian Territory continuously since the year 1894.

WHEREFORE petitioner prays that she be enrolled as a member of the Choctaw Tribe or Nation of Indians as a member by blood and that she be accorded all the rights and benefits as a duly enrolled member of said Tribe.

Respectfully submitted,

Indian Territory)
Southern District) ss.

Sarah Swagger, being duly sworn on oath says I have read the foregoing petition that the facts therein contained are true as I verily believe.

(Signed) Sarah Swagger nee Sessions

Subscribed and sworn to before me this 8th day of March 1906.

(SEAL)

(Signed) Robt. F. Buchanan,
Notary Public.

My commission expires 12/12/07.

Indian Territory)
Southern District.) ss.

I, Tom D. McKeown, being duly sworn on oath do solemnly swear that I have this day mailed by registered letter a true copy of the foregoing petition addressed to Messers/. Mansfield McMurray & Cornish, of South McAlester, I. T. and a receipt of registration received from the Post master at Ada, I. T. is hereto attached and made a part hereof.

This 11 day of April 1906.

(Signed) Tom D. McKeown.

Subscribed and sworn to before me this 11 day of April 1906.

(SEAL)

(Signed) Maude Dodds,
Notary Public.
My Commission expires March 16, 1910.

(Registry Receipt attached.)

Indorsed:

In the matter of the Application of Sarah Swagger to be enrolled as a member of the Choctaw Tribe.

Petition.

Department of the Interior,
Commissioner to the Five Civilized Tribes.

Filed Apr. 13, 1906.

Tams Bixby, Commissioner.

Tom D. McKeown,

Atty Ada, I. T.

New Born
190

IN RE

Application for Enrollment of

MINOR CHILD

Act of Congress Approved
April 26, 1906.

.....Wilson Wesley Cousins...

as a citizen of

.....Choctaw..... Nation.

Approved..... 190...

.....
Commissioner.

Born Feb. 11, 1901.

Act of Congress Approved April 26, 1906.

Department of the Interior,

Commissioner to the Five Civilized Tribes.

Filed Jul. 11, 1901.

(Stamped) Sam S. ...

Commissioner.

Received

Jul. 2-1901

Choctaw

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 Wilson Wesley Sessums, born on the 11 day of Feb. 1903. Name of Father: Ruben L.A. Sessums a citizen of the Choctaw Nation. Name of Mother: Ludie Sessums a citizen of the Choctaw Nation. Tribal enrollment of father. Tribal enrollment of mother. Postoffice: Alta Vista.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory, District.

I, Ludie Sessums, on oath state that I am years of age and a citizen by of the District, Nation; that I am the lawful wife of Ruben L.A. Sessums, who is a citizen, by Blood, of the Choctaw Nation; that a Male child was born to me on 11 day of Feb. 1903; that said child has been named Wilson Wesley Sessums, and was living March 4, 1906.

WITNESSES TO MARK:

[Must be Two Witnesses] {

Subscribed and sworn to before me this 22 day of June 1906.

(Seal)

J. E. Harrison

My Commission expires Dec. 8-

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory, Southern District.

I, Eliza Ann Sessums, a Mid-wife, on oath state that I attended Ludie Sessums, wife of Ruben L.A. Sessums, on the 11 th day of Feb. 1903; 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 Wilson Wesley Sessums.

WITNESSES TO MARK:

[Must be Two Witnesses] { J. N. Manning, Eliza Gray

Subscribed and sworn to before me this 30th day of June 1906.

Robt. E. Buchanan

My Commission expires 12-18-06. Notary Public.

New Born

199

IN RE
Application for Enrollment of
MINOR CHILD

Act of Congress Approved
April 26, 1906.

Re: Robert Seesums

as a citizen of

Choctaw Nation.

Approved 1906

Commissioner.

Born Feb. 1, 1905.

Act of Congress Approved April 26, 1906.

Department of the Interior
Commission to the Five Civilized Tribes

Filed Jul. 11, 1906.

(Stamped) Tans Bixby

Commissioner.

Received
Jul. 2-1906.

Choctaw

7-5111

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 Roy Robert Sessums, born on the 2nd day of Feb. 1906. Name of Father: Robert L. A. Sessums, a citizen of the Choctaw Nation. Name of Mother: L. C. Sessums, a citizen of the Choctaw Nation. Tribal enrollment of father: Tribal enrollment of mother: Postoffice: Altus, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory, District of Southern

I, L. C. Sessums, on oath state that I am years of age and a citizen by of the Choctaw Nation; that I am the lawful wife of Robert L. A. Sessums, who is a citizen, by Blood of the Choctaw Nation; that the child was born to me on the 2nd day of Feb. 1906, and was living March 1, 1906, and has been named Roy Robert Sessums and was living March 1, 1906.

WITNESSES TO MARK

[Must be Two Witnesses] Subscribed and sworn to before me this 7th day of Feb. 1906. (Seal) J. P. Harrison, Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory, District of Southern

I, Eliza Ann Sessums, a mid-wife, on oath state that I attended on L. C. Sessums, wife of Robert L. A. Sessums, on the 2nd day of Feb. 1906; that there was born to her on said date a Male child, that said child was born March 1, 1906 and is said to have been named Roy Robert Sessums.

WITNESSES TO MARK

Eliza Ann Sessums, Mark J. P. Manning, Bile Gray. Subscribed and sworn to before me this 30th day of Feb. 1906. R. F. Buchanan, Notary Public.

New Born

199

IN RE

Application for Enrollment of

MINOR CHILD

Act of Congress Approved
April 26, 1906.

John Reuben Stepp

as a citizen of

Choctaw Nation.

Approved 1906

Commissioner.

Born March 1, 1903

Act of Congress approved April 26, 1906.

Department of the Interior
Commissioner to the Five Civilized Tribes

FILED Jul 23 1906
(Stamped) Tams Bixby.
Commissioner.

Choctaw Received
Jul 14 1906

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

ENROLLMENT OF MINORS. ACT OF CONGRESS, APPROVED APRIL 20, 1906

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation of John Reuben Stepp, born on the 1st day of Mar 1903. Name of Father: John F. Stepp a citizen of the Choctaw Nation. Name of Mother: Mattie Stepp a citizen of the Choctaw Nation. Tribal enrollment of father: by intermarriage Tribal enrollment of mother: by blood. Postoffice: Loco, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory, Southern District.

I, Mattie Stepp, 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 John F. Stepp blood of the Choctaw Nation male born to me on the 1st day of March 1903 and was living March 4 1906.

(Signed) Mattie Stepp

WITNESSES TO MARK:

[Must be Two Witnesses]

Subscribed and sworn to before me this 8th day of July 1906.

(seal)

(Signed) Milton M. Bowman, Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory, Southern District.

I, Eliza Ann Sessums, midwife, on oath state that I attended on Mattie Stepp, wife of John F. Stepp on the 20th day of April 1905; 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 Buelah Velmar Stepp.

(Signed) Eliza Ann X Sessums mark

WITNESSES TO MARK:

E. R. Kincaid

[Must be Two Witnesses]

E. J. Hudson

Subscribed and sworn to before me this 13th day of July 1906.

(Seal)

(Signed) Robt. E. Buchanan, My commission expires 12/18 07

Notary Public.

New Born
1906

IN RE

Application for Enrollment of

MINOR CHILD

Act of Congress Approved
April 26, 1906.

..... Beulah Velma Stepp

as a citizen of

..... Choctaw Nation.

Approved..... 1906.....

.....
Commissioner.

Born April 20, 1906

Act of Congress approved April 26, 1906

Department of the Interior
Commissioner to the Five civilized Tribes

FILED Jul 23 1906

(Stamped) Tams Bixby
Commissioner.

Choctaw
7-5082

Received
Jul 14 1906

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,
ofBeulah Velma Stepp....., born on the 20th day ofApr.....1905.
(Here insert name of child) intermarried
Name of Father:John F. Stepp....., a citizen of the.....Choctaw.....Nation.
Name of Mother:Mattie Stepp....., a citizen of the.....Choctaw.....Nation.
Tribal enrollment of father...by intermarriage. Tribal enrollment of mother...by blood.....
Postoffice.....Lucco, I. T.....

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory, }
.....Southern..... District. }

I,Mattie Stepp....., on oath state that I am.....25.....
years of age and a citizen by.....blood..... of the.....Choctaw..... Nation;
that I am the lawful wife of.....John F. Stepp....., who is a citizen, by
.....marriage..... of the.....Choctaw..... Nation; that a female child was
(Male or Female)
born to me on.....20th..... day of.....Apr..... 1905; that said child has been named
.....Beulah Velmar Stepp..... and was living March 4, 1906

(Signed) Mattie Stepp

WITNESSES TO MARK:

[Must be Two Witnesses]

Subscribed and sworn to before me this.....9th..... day of.....July..... 1906.

(Seal)

(Signed) Milton M. Bowman

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory, }
.....Southern..... District. }

I,Eliza Ann Sessums....., a midwife....., on oath state that I
attended onMattie Stepp....., wife of.....John F. Stepp.....
on the.....20th..... day of.....April....., 1905; that there was born to her on said date a female
(Male or Female)
child; that said child was living March 4, 1906, and is said to have been named.....Beulah Velmar
.....Steppp.....

her
(Signed) Eliza Ann X Sessums
mark

WITNESSES TO MARK:

E. R. Kincaid

[Must be Two Witnesses]

T. J. Hudson

Subscribed and sworn to before me this.....13..... day of.....July..... 1906.

(Seal)

(Signed) Robt F. Buchanan

My commission expires 12/18/07

Notary Public.

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 Lily Elzadie Sessums, born on the 8th day of February 1905. Name of Father: B. R. Sessums, a citizen of the Choctaw Nation. Name of Mother: Rosie Lee Sessums, a citizen of the U. S. Nation. Tribal enrollment of father: of father. Tribal enrollment of mother: Postoffice: Calhoun, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory, Central District.

I, Rosie Lee Sessums, on oath state that I am 19 years of age and a citizen by U. S. Nation; that I am the lawful wife of B. R. Sessums, a citizen by blood of the Choctaw Nation; that a child was born to me on 8th day of February 1906; that said child has been named Lily Elzadie Sessums and was living March 4, 1906.

(Signed) Rosie Lee Sessums

WITNESSES TO MARK:

[Must be Two Witnesses] { W. J. Hamilton, J. W. Hundley

Subscribed and sworn to before me this 16th day of July 1906.

My Commission Exp Jan 9, 1910 (Signed) H. R. Hurrell, Notary Public.

(Seal)

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory, Southern District.

I, Eliza Ann Sessums, a midwife, on oath state that I attended on Rosie Lee Sessums, wife of B. R. Sessums on the 8th day of Feb 1905; 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 Lily Elzadie Sessums.

(Signed) Eliza Ann X Sessums her mark

WITNESSES TO MARK:

[Must be Two Witnesses] { Dixie Fleming, Sarah Swager

Subscribed and sworn to before me this 19th day of July 1906.

(Seal) My commission expires 12/18/07 (Signed) Robt. F. Buchanan, Notary Public.

Midland, I.T., July 23, 1906.

To the Honorable Commission
to the five civilized tribes.

This is to certify that we James Moore and George Moore are acquainted with B. R. Sessums and his wife Rosa Lee Sessums and know that they are legally married. They were married near Maxwe l in the Chickasaw Nation on the 8th day of Feb. 1902.

In testimony whereof we have set our hands this the 23 day of July 1906.

(Signed) James Moore his
George Moore X
mark

(Seal)

Witness to mark

(Signed) J. W. Bohannon
James Moore.

Midland, I.T. 7-1906.

Be it known that on this the 23 of July 1906 personally appeared James Moore and George Moore personally known to me to be the persons whose names appear on the above statement and being duly sworn stated that the above statements were true.

(Signed) J. W. Bohannon,
Notary Public,
Southern Dis.

Endorsed as follows:

Department of the interior,
Commissioner to the Five Civilized Tribes.
FILED Aug 11, 1906
(Stamped) Tams Bixby, Commissioner.

7-5114

Jul 24, 1906.

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

ENROLLMENT OF MINORS. ACT OF CONGRESS, APPROVED APRIL 20, 1906

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation, of Sada Lue Sessums, born on the 18 day of Dec 1903. Name of Father: Henry D. Sessums, a citizen of the Choctaw Nation. Name of Mother: Sarrah Jane Sessums, a citizen of the U. S. Nation. Tribal enrollment of father: Choctaw. Tribal enrollment of mother: U. S. Postoffice: Alma, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory, District 20.

I, Sarrah Jane Sessums, on oath state that I am 20 years of age and a citizen by U. S. Nation; that I am the lawful wife of Henry D. Sessums who is a citizen by blood of the Choctaw Nation; that a female child was born to me on 18 day of Dec 1903; that said child has been named Sada Lue Sessums and was living March 4, 1906.

(Signed) Sarrah Jane Sessums.

WITNESSES TO MARK:

[Must be Two Witnesses] {

Subscribed and sworn to before me this 16 day of June 1906.

(Seal)

(Signed) R. O. Dulaney, Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory, District 20.

I, Lue Stroud, midwife, on oath state that I attended on Sarrah Jane Sessums, wife of Henry D. Sessums on the 18 day of Dec 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 Sada Lue Sessums.

(Signed) Lue Stroud

WITNESSES TO MARK:

[Must be Two Witnesses] {

Subscribed and sworn to before me this 16 day of June 1906.

(Seal)

(Signed) R. O. Dulaney, Notary Public.

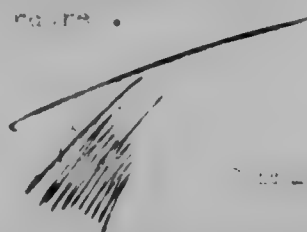
1906, application for the enrollment of Wilson Wesley Seaman, born February 11, 1903, and Roy Robert Seaman, born February 12, 1905, minor children of the applicant Seaman L. A. Seaman, and his wife, Lucie Seaman, July 14, 1906, application for the enrollment of John Nathan Stepp, born March 1, 1903, and Paulah Velma Stepp, born April 20, 1905, minor children of the applicant at that time and her husband, John S. Stepp; July 21, 1906, application for the enrollment of Lily Elzable Seaman, born July 11, 1904, minor daughter of the applicant, J. S. Seaman and his wife, Lucie Seaman and June 27, 1906, application for the enrollment of Anna Mae Seaman, born December 12, 1905, daughter of the applicant and his wife, Lucie Seaman.

It does not appear from the records in this office of the General Land Office that any application for enrollment was filed April 12, 1906, that the applicant's name was on which the enrollment was made. It is noted that the applicant's name does not appear in the records of the General Land Office for the year 1906.

It is noted that the applicant's name does not appear in the records of the General Land Office for the year 1906. It is also noted that the applicant's name does not appear in the records of the General Land Office for the year 1906.

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Special Agent in Charge.

Muskogee, Indian Territory,

DEC 28 1906

7-5082

Muskogee, Indian Territory, December 28, 1906.

Mattie Stepp,

Wynnewood, Indian Territory.

Dear Madam :--

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, received December 28, 1906, concerning the application for citizenship for the enrollment of certain children; James Russell Stepp, Cook Ora Stepp, John Edwin Stepp and Sarah Maria Stepp, as citizens of the Cherokee 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 that office is informed of the same.

Respectfully,

Acting Commissioner.

Registered.

Incl. 7-5082.

7-5111

Muskogee, Indian Territory, December 20, 1906.

Reuben L. A. Sessums,

Wynnewood, Indian Territory.

Dear Sir :--

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered December 20, 1906, denying the application and petition for the enrollment of yourself, Lila E. Sessums, Wilson Wesley Sessums and Roy Robert Sessums, 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,

Acting Commissioner.

Registered.

Incl. 7-5111.

7-5115

Muskogee, Indian Territory, December 28, 1906.

Henry D. Sessions,

Cornish, Indian Territory.

Dear Sir :--

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered December 28, 1906, denying the application and petition for the enrollment of yourself and Pearly Eliza Allen and Sada Lee Sessions, 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,

Wm. D. Wood,
Acting Commissioner.

Registered.

Incl. 7-5115.

7-5114

Muskogee, Indian Territory, December 28, 1906.

B. R. Sessions,

Coalgate, Indian Territory.

Dear Sir :--

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered December 20, 1906, denying the application and petition for the enrollment of yourself and Lily Gladie Sessions, as citizens of the Cherokee 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,

Wm. O. Beall.
Acting Commissioner.

Registered.

Incl. 7-5114.

7-5114

Muskogee, Indian Territory, December 28, 1906.

Wilson R. Sessions,
Coalgate, Indian Territory.

Dear Sir :--

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered December 28, 1906, denying the application 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,

Wm. C. Beall.
Acting Commissioner.

Registered.

Incl. 7-5114.

7-4212

Muskogee, Indian Territory, December 28, 1906.

Sarah Swagger,

Durwood, Indian Territory.

Dear Madam :--

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered December 28, 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,

Wm. O. Beall.
Acting Commissioner.

Registered.

Incl. 7-4212.

7-4212-5082-5111-
5114-5115.

Muskogee, Indian Territory, December 28, 1906.

Tom D. McKown,
Attorney at Law,
Ada, Indian Territory.

Dear Sir :--

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered December 23, 1906, upon the application and petition for the enrollment of Sarah Swager, Wilson S. Sessums, D. S. Sessums, Lily Lizzie Sessums, Henry D. Sessums, Pearl Eliza Ellen Sessums, Sam. Lee Sessums, Reuben T. A. Sessums, Lila M. Sessums, Wilson Leslie Sessums, Roy Robert Sessums, Mattie Stepp, James Robert Stepp, Lora Osa Stepp, John Reuben Stepp and Beulah Velma Stepp, all 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 that office is informed of the same.

Respectfully,

Wm. O. Beall
Acting Commissioner.

Registered.

Incl. 7-4212-
5082
5111
5114
5115

7-4212-5082-5111-
5114-5115.

Muskogee, Indian Territory, December 20, 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 December 20, 1906, denying the application and petition for the enrollment of Sarah Swaggar, Wilson S. Sessums, B. S. Sessums, Lily Kinadia Sessums, Henry D. Sessums, Mary Eliza Ellen Sessums, Kate L. Sessums, Reuben L. Sessums, Lila E. Sessums, Wilson Leslie Sessums, Roy Robert Sessums, Mattie Stepp, James Russell Stepp, Jera Oma Stepp, John Reuben Stepp and Beulah Velma Stepp, 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,

Wm. O. Beall.
Acting Commissioner.

Incl.

McKehee, Indian Territory, December 28, 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 Sarah Swager, Wilson R. Sessums, R. R. Sessums, Lily Alzadie Sessums, Henry D. Sessums, Pearly Eliza Ellen Sessums, Sada Lee Sessums, Reuben L. A. Sessums, Lila L. Sessums, Wilson Wesley Sessums, Roy Robert Sessums, Mattie Stepp, James Russell Stepp, Cora Oma Stepp, John Reuben Stepp and Reulah Velma Stepp, as citizens of the Choctaw Nation, including the decision of the Commissioner to the Five Civilized Tribes, dated December 28, 1906, denying said application and petition.

Respectfully,

Wm. O. Beall.
Acting Commissioner.

Through the
Commissioner of Indian Affairs.

H. J. Jr.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

I.O.D. 4146-1907.
.C. 10941 -1907.

February 21, 1907.

LRS

Direct.

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

Sir:

December 18, 1906, the Acting Commissioner transmitted the record in the matter of the application for the enrollment of Sarah Swanner, Wilson L. Sessums, W. S. Sessums, Lily Gladie Sessums, Henry S. Sessums, Pearl Eliza Ellen Sessums, Lue Sessums, Reuben W. S. Sessums, Lila S. Sessums, Wilson Wesley Sessums, Roy Robert Sessums, Lottie Stepp, James Russell Stepp, Nora Oma Stepp, John Huber Stepp, and Leah Alma Stepp as citizens of the Choctaw Nation, including the decision of the same date, adverse to the applicants.

Reporting February 15, 1907 (and 110-2-1907), the Indian Office recommended that your decision be approved. A copy of its letter is inclosed.

The department concurs in said recommendation, and your decision is hereby affirmed.

The papers in the case and a carbon copy hereof have been sent to the Indian Office.

Respectfully,

Thomas Ryan

1 inc. and 2 to Ind. Of.
A.E. c.
2-23-07.

First Assistant Secretary.

Refer in reply to the following:

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON

Land

113587-1907

(COPY)

February 18, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith communication from the Acting Commissioner to the Five Civilized Tribes, dated December 18, 1906, enclosing the record of proceedings in the matter of the application and petition for the enrollment of Sarah Swager Wilson R. Sessums, B.R. Sessums, Lily Elzadie Sessums, Henry D. Sessums, Pearly Ellen Sessums, Sada Lue Sessums, Reuben L.A. Sessums, Lila E. Sessums, Wilson Wesley Sessums, Roy Robert Sessums Mattie Stepp, James Russel Stepp, Cora Oma Stepp, John Reuben Stepp, and Neulah Helma Stepp, as citizens of the Choctaw Nation, including the decision of the Commissioner to the Five Civilized Tribes, dated December 20, 1906, denying said application and petition.

It appears from the record herein that application was made to the Commission to the Five Civilized Tribes at Ardmore, I.T. on September 22, 1898, by Mattie Stepp for the enrollment of herself, as a citizen of the Choctaw Nation; that subsequent thereto, written application was made for the enrollment of James R. Stepp and Cora Oma Stepp, minor children of Mattie Stepp and John F. Stepp, as citizens of the Choctaw Nation; that an application was made on September 22, 1898, by Reuben L.A. Sessums, for the enrollment of himself, as a citizen of the Choctaw Nation; that on December

13, 1899, written application was filed for the enrollment of Lela E. Sessums, minor child of Reuben L.A.Sessums and Ludie Sessums, as a citizen of the Choctaw Nation; that on October 18, 1901, written application was filed for the enrollment of Dora F. Sessums, minor child of Reuben L. A. Sessums and Ludie Sessums, as a citizen of the Choctaw Nation; that on September 28, 1898, application was made by W.R.Sessums for the enrollment of himself and his son, B.R.Sessums, as citizens of the Choctaw Nation; that on the same date, application was made by Henry D.Sessums for the enrollment of himself as a citizen of the Choctaw Nation; that on November 2, 1901, written application was filed for the enrollment of Pearly Eliza Eller Sessums, minor daughter of Henry D. Sessums and Sarah F. Sessums, as a citizen of the Choctaw Nation; that on August 30, 1899, application was made for the enrollment of Sarah Swager as a citizen of the Choctaw Nation.

It is further shown by the record that W.F.Sessums, B.R.Sessums, Reuben L.A.Sessums, Mattie Steep (as Mattie Sessums), Henry F. Sessums, and Sarah Swager (nee Sessums), 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 Stat.L., 321), and on December 2, 1896, the Commission to the Five Civilized Tribes rendered a decision denying the applications (1896 Choctaw Citizenship Citizenship case No. 452). From this decision of the Commission an appeal was taken to the United States Court for the Central District of the Indian Territory, and on January 20, 1898, this

court rendered a judgment reversing the decision of the Commission to the Five Civilized Tribes as to the applicants herein and admitted them to citizenship in the Choctaw Nation. This judgment was subsequently vacated, set aside and held for naught by the decree of the Choctaw-Chickasaw Citizenship Court on December 7, 1902, in the test case of the "Choctaw and Chickasaw Nations or Tribes vs. J. T. Riddle, et al."

This cause was subsequently certified to the Choctaw and Chickasaw Citizenship Court, created under the provisions of the Act of Congress approved July 1, 1902 (32 Stat., L., 641), for a trial de novo, and on March 9, 1904, in the case entitled W.R. Sessums vs. Choctaw and Chickasaw Nations, the Citizenship Court rendered a judgment therein, wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, ~~xxxx~~ W.R. Sessums, Sarah Swager (or Sarah Swager), J. Sessums, F.A.L. Sessums, Nettie Sessums, L. Sessums, ~~xxx~~ 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 Commission to the Five Civilized Tribes, on May 17, 1904, issued orders dismissing the applications for the enrollment of James E. Stepp, ~~ora~~ Ora Stepp, Lela S. Sessums, Para E. Sessums, and Dearly Elica Ellen Sessums as citizens of the Choctaw Nation, for the reason that the rights of the persons through whom they claimed the right to enrollment had been adversely

determined by the Choctaw and Chickasaw Citizenship Court.

Under the regulations adopted by the Commissioner to the Five Civilized Tribes on January 2, 1906, there was filed on January 27, 1906, petition praying for the enrollment of William R. Sessums, Sr., as a citizen of the Choctaw Nation, which petition was denied by the Commissioner on May 1, 1906.

Under the same regulations, there was filed, on April 13, 1906, petitions praying for the enrollment of Mattie Lue Fiskie Stepp and her minor children, James Russel Stepp, Cora Oma Stepp, John Ruben Stepp, and Fuler Velma Stepp; Reuben Lee Asbury Sessums and his minor children, Lela Almettie Sessums, Wilson Wesley Sessums and Roy Robert Sessums; Funkey Riley Sessums and his minor child, Lily E. Sessums, Henry Daniel Sessums and his minor children, Pearl Eliza Sessums and Sarah Lue Sessums and Sarah Swatter, nee Sessums as citizens of the Choctaw Nation.

The petitioners, Mattie Lue Fiskie Stepp, James Russel Sessums, Cora Oma Sessums, Reuben Lee Asbury Sessums, Lela Almettie Sessums, Henry Daniel Sessums, Pearl Eliza Sessums, Funkey Riley Sessums and Sarah Swatter, are identical with the persons for whose enrollment application was made to the Commissioner to the Five Civilized Tribes, under the provisions of the Act of Congress approved June 26, 1898 (30 Stat.L., 495).

It is alleged in these petitions that the petitioners, Mattie Lue Fiskie Stepp, Reuben Lee Asbury Sessums, Henry Daniel Sessums, Funkey Riley Sessums, and Sarah Swatter, nee Sessums, are the children of W. R. Sessums, and that W. R. Sessums is the son of

Kedding Sessums; that Kedding Sessums is the son of Jacob and Pennie Sessums, and that Pennie Sessums was a full-blood Choctaw woman, who was duly recognized as such by the Choctaw tribes of Indians and came to the Indian Territory with the tribe and died in the Indian Territory.

It further appears from the record that applications were filed for the enrollment of the following named persons as citizens of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1906 (34 Stat., 137), as follows: On July 2, 1906, the application for the enrollment of Wilson Wesley Sessums, born February 11, 1900, and Roy Robert Sessums, born February 2, 1906, minor children of the applicant, Reuben L.A. Sessums, and his wife, Ludie Sessums; July 14, 1906, application for the enrollment of John Reuben Stepp, born March 1, 1903, and Paulah Velta Stepp, born April 20, 1906, minor children of the applicant, Mattie Stepp and her husband, John T. Stepp; July 21, 1906, application for the enrollment of Lily Elzadie Sessums, born February 8, 1905, minor daughter of the applicant, T.E. Sessums, and his wife, Rosie Lee Sessums; and June 20, 1906, application for the enrollment of Sada Lue Sessums, born December 15, 1903, daughter of Henry D. Sessums, and his wife, Sarah Jane Sessums.

It does not appear from the records in the possession of the Commissioner, or from the petitions filed April 13, 1906, that any of the petitioners have ever been recognized or enrolled as citizens of the Choctaw Nation by the tribal authorities thereof,

nor do their names appear on any of the tribal rolls of the Choctaw Nation.

Under the provisions of the Act of Congress approved July 1, 1902 (32 Stat.L., 641), the Commissioner to the Five Civilized Tribes, denied the application for the enrollment of W.R.Sessums, Mattie Stepp, Reuben L.Sessums, Henry T. Sessums, J.A.Sessums, Sarah Swaggar, Fearly Eliza Helen Sessums, Wila E. Sessums, James Russel Stepp and Cora Ann Stepp; and under the provisions of the Act of Congress approved April 26, 1906 (34 Stat.L., 137), he denied the application for the enrollment of Sada Lue Sessums, Wilson Wesley Sessums, Roy Robert Sessums, John Reuben Stepp, Paulah Helma Stepp, and Lily Elzadie Sessums.

The Office is of the opinion that the decision of the Commissioner in this case is correct, and it is recommended that it be affirmed, as the points involved in this case do not come within those in the Tule West case, as none of the applicants had a tribal status in 1896.

Very respectfully,

C.F. Barrabee,

Acting Commissioner.

EVE--SD

7-8062

Muskegee, Indian Territory, May 18, 1907.

Mattie Stepp,

Wynnewood, Indian Territory,

Dear Madam:

You are hereby advised that on February 21, 1907, the Secretary of the Interior affirmed the decision of this office of December 28, 1906, denying the application and petition for the enrollment of yourself and children, James Russell Stepp, Cora Oma Stepp, John Reuben Stepp and Beulah Velma Stepp, as citizens of the Choctaw Nation.

Respectfully,

Geo. D. Rodgers,

Acting Commissioner.

7-5111

Muskegee, Indian Territory, May 18, 1907.

Reuben L. A. Sessums,
Wynnewood, Indian Territory.

Dear Sir:

You are hereby advised that on February 21, 1907, the Secretary of the Interior affirmed the decision of this office of December 28, 1906, denying the application and petition for the enrollment of yourself, Lila E. Sessums, Wilson Wesley Sessums, and Roy Robert Sessums as citizens of the Choctaw Nation.

Respectfully,


Acting Commissioner.

7-5115

Muskogee, Indian Territory, May 18, 1907.

Henry D. Sessums,
Cornish, Indian Territory,

Dear Sir:

You are hereby advised that on February 21, 1907, the Secretary of the Interior affirmed the decision of this office of December 28, 1906, denying the application and petition for the enrollment of yourself and Pearly Eliza Ellen and Sada Lue Sessums, as citizens of the Choctaw Nation.

Respectfully,

E. D. Rodgers,

Acting Commissioner.

7-5114

Muskogee, Indian Territory, May 18, 1907.

B. R. Sessums,

Coalgate, Indian Territory.

Dear Sir:

You are hereby advised that on February 21, 1907, the Secretary of the Interior affirmed the decision of this office of December 28, 1906, denying the application and petition for the enrollment of yourself and Lily Isadie Sessums, as citizens of the Choctaw Nation.

Respectfully,

Rodgers

Acting Commissioner.

7-5114

Muskogee, Indian Territory, May 18, 1907.

Wilson R. Sessums,

Coalgate, Indian Territory.

Dear Sir:

You are hereby advised that on February 21, 1907, the Secretary of the Interior affirmed the decision of this office of December 28, 1906, denying the application for your enrollment as a citizen of the Choctaw Nation.

Respectfully,

Geo. D. Rodgers.

Acting Commissioner.

7-4212

Muskogee, Indian Territory, May 18, 1907.

Sarah Swaggor,

Durwood, Indian Territory,

Dear Madam:

You are hereby advised that on February 21, 1907, the Secretary of the Interior affirmed the decision of this office of December 28, 1906, denying the application and petition for your enrollment as a citizen of the Choctaw Nation.

Respectfully,

D. Rodgers

Acting Commissioner.

7-4212-5082-5111
5114-5115.

Muskogee, Indian Territory, May 18, 1907.

Tom D. McKeown,
Attorney at Law,
Ada, Indian Territory,

Dear Sir:

You are hereby advised that on February 21, 1907, the Secretary of the Interior affirmed the decision of this office of December 28, 1906, denying the application and petition for the enrollment of Sarah Swager, Wilson R. Sessums, B. R. Sessums, Lily Elsie Sessums, Henry D. Sessums, Pearly Eliza Ellen Sessums, Sada Lue Sessums, Reuben L. A. Sessums, Lila E. Sessums, Wilson Wesley Sessums, Roy Robert Sessums, Mattie Stepp, James Russel Stepp, Cora Oma Stepp, John Reuben Stepp and Boulah Stepp as citizens of the Choctaw Nation.

Respectfully,

131
Acting Commissioner.

7-4212-5082-5115
5111-5114.

Muskegee, Indian Territory, May 18, 1907.

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

Gentlemen:

You are hereby advised that on February 21, 1907, the Secretary of the Interior affirmed the decision of this office of December 28, 1906, denying the application and petition for the enrollment of Sarah Swager, Wilson R. Sessums, B. R. Sessums, Lily Elzadie Sessums, Henry D. Sessums, Pearly Eliza Ellen Sessums, ~~Sally~~ Lue Sessums, Reuben L. A. Sessums, Lila E. Sessums, Wilson Wesley Sessums, Roy Robert Sessums, Mattie Stepp, James Russell Stepp, Cora Oma Stepp, John Reuben Stepp and Beulah Velma Stepp, as citizens of the Choctaw Nation.

Respectfully,

Acting Commissioner.

Mathe ~~Lesson~~

Choctaw

South McAlester 10
Jan 20th 1894

Note: Married J. F. Hefers
in November 1894

Admitted as
Mathe Lessons

~~1894~~

Wask ogee, Indian Territory, February 23, 1901.

John F. Stepp,

Wynnowood, Indian Territory.

Dear Sir:

The Commission is in receipt of the application for enrollment as a citizen of the Choctaw Nation of Cora Oma Stepp, the infant daughter of John F. and Mattie Stepp, born January 22nd, 1901, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

7-5062

Acting Chairman:

REFER IN REPLY TO THE FOLLOWING:

7-5082

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

Muskogee, Indian Territory, May 18, 1907.

Mattie Stepp,

Wynnewood, Indian Territory,

Dear Madam:

You are hereby advised that on February 21, 1907, the Secretary of the Interior affirmed the decision of this office of December 28, 1906, denying the application and petition for the enrollment of yourself and children, James Russell Stepp, Cora Ona Stepp, John Reuben Stepp and Beulah Velma Stepp, as citizens of the Choctaw Nation.

Respectfully,

Acting Commissioner.

Choctaw 5082.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, June 6, 1904.

Mattie Stepp,

Wynnewood, 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 the enrollment as citizens by blood of the Choctaw Nation of James R. Stepp and Cora Oma Stepp.

Respectfully,

Registered.

Chairman.

Incl. 7- 5082.

Choc 5083 Effie A. Bratcher

nos 2-3-4 Dismissed May 27, 1904

5083

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 C octaw Nation of:

Mary D. Bratcher, et al.,

C-5088.

-----o-----

Effie Ada Bratcher and others.

Effie Ada Bratcher says:

Mary D. was born November 9th 1897 .

I married J.E. Bratcher January 24th 1897.

I have lived in the Chickasaw Nation 2 years except 2 or 3 months I was in the Choctaw Nation. I came back and have lived in the Chickasaw Nation ever since.

I was admitted as "F .A. Bailey"

Andmore. Sept. 22 1898.

Effie A. Bratcher

enrolled.

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 30 day of August, 1899.
Name of father: J. E. Bratcher, a citizen of the United States Nation.
Name of mother: Effie A. Bratcher, a citizen of the Choctaw Nation.
Post Office: Ear

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, Effie A. Bratcher, 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 J. E. Bratcher who is a citizen, by Marriage of the
Choctaw Nation; that a Girl child was born to me on the 30 day
of August, 1899; that said child has been named Bessie Elvira Bratcher
and is now living.

Subscribed and sworn to before me this 7th day of September, 1899.
Effie A. Bratcher
J. J. Miller Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, S. P. Winston M.D., a Physician, on oath, state that I
attended on Mrs. Effie A. Bratcher wife of J. E. Bratcher
on the 30 day of Aug, 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 Bessie Elvira Bratcher

Subscribed and sworn to before me this 7th day of September, 1899.
S. P. Winston M.D.
J. J. Miller Notary Public.

CHOCTAW.

20

INDEXED

IN RE

Application for Enrollment of

INFANT CHILD

Elbertia Bratcher

as a citizen of

Choctaw Nation

AUG 24 1901

Approved.

190

[Signature]
Commissioner

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

FILED

AUG 24 1901

[Signature]
ACTING CHAIRMAN

CHOCTAW.

5083

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

In Re Application for Enrollment as a citizen of the **Chocklaw** Nation,
of **Elbertia Bratcher** born on the **30** day of **March**, 1901
(Here insert name of child)
Name of Father: **James Bratcher**, a citizen of the **Chocklaw** Nation.
Name of Mother: **Effie A. Bratcher**, a citizen of the **Chocklaw** Nation.
Post-office: **Jona Judice**

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA.

INDIAN TERRITORY.

Southwestern District.

I, **Effie A. Bratcher**, on oath state that I am **20**
years of age and a citizen, by **Birth** of the **Chocklaw** Nation;
that I am the lawful wife of **James Bratcher** who is a citizen, by
Marriage, of the **Chocklaw** Nation, and a **Female** child was
born to me on the **30** day of **March**, 1901, that said child has been
named **Elbertia Bratcher** and is now living.

WITNESSES TO MARK

(Must be Two Witnesses)

J. J. Hart - **Effie A. Bratcher**
B. W. Dickerson

Subscribed and sworn to before me this **13** day of **August**, 1901.

J. J. Hart

NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA.

INDIAN TERRITORY.

Southwestern District.

I, **J. J. Hart**, M.D., on oath state that I
attended on Mrs. **Effie A. Bratcher**, wife of **James Bratcher**
on the **30** 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
named **Elbertia Bratcher**.

WITNESSES TO MARK

(Must be Two Witnesses)

J. J. Hart **J. J. Sharp**
B. W. Dickerson

Subscribed and sworn to before me this **12** day of **August**, 1901.

J. J. Hart

NOTARY PUBLIC

960
7-5033.

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

---o---

In the matter of the application for the enrollment of
Mary L. Bratcher, Bessie E. Bratcher and Elbirtia Bratcher as
citizens by blood of the Choctaw Nation.

---o---

The applicants, Mary L. Bratcher, Bessie E. Bratcher and
Elbirtia Bratcher, claim their right to enrollment as citizens by
blood of the Choctaw Nation through their mother Effie A. Bratcher.
The right of the applicants' mother, Effie A. Bratcher, to citizen-
ship in the Choctaw Nation having been adversely determined by a
decree of the Choctaw and Chickasaw Citizenship Court, Muskogee,
1904, in case No. 38, upon the South McAlester docket of said court,
it is hereby ordered that the application of Mary L. Bratcher,
Bessie E. Bratcher and Elbirtia Bratcher for enrollment as citizens
by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,


Chairman.

Muskogee, Indian Territory,

Choctaw 50 .

COPY.

Muskogee, Indian Territory, June 6, 1904.

Effie A. Bratcher,

Iona, 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 citizens by blood of the Choctaw Nation of Mary D. Bratcher, Bessie E. Bratcher and Elbirtia Bratcher.

Respectfully,

(SIGNED)

James Dinby.

Chairman.

Registered.

Incl. 7-5083.

Choctaw 5083

COPY.

Muskogee, Indian Territory, June 6, 1904.

Mansfield, McMurray & Cernish,
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 citizens by blood of the Choctaw Nation of Mary D. Bratcher, Bessie E. Bratcher and Elbirtia Bratcher.

Respectfully,

(SIGNED)

James Sibby.
Chairman.

Registered.

Incl. 7-5083.

(See Choctaw 3328 for registry receipt for this letter.)

Effe Ada Hatcher
Mary E " "
born Nov 9th 1897

Choctaw

Leach McAlister 10
Jan 20th 1898

Note: Married J B Hatcher
Jan 24th 1898

Admitted as
F a Bailor

~~128~~

Muskogee, Indian Territory, August 20, 1901.

Mr. James Bratcher,
Iona, Ind, Ter.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Elberta Bratcher, the infant daughter of James and Effie A. Bratcher, born March 31, 1901, and the same being in proper form has been duly filed with the records of the Commission, and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

7-5283

Commissioner in Charge.

Choctaw 5083

Muskogee, Indian Territory, October 9, 1902.

R. W. Austell,

Center, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 1st instant, in which you desire to be advised if Effie Bratcher and children are on the Choctaw or Chickasaw rolls.

In reply to your letter you are advised that it appears from our records that on September 22, 1898, Effie A. Bratcher, 17 years of age, of Earl, Indian Territory, and her children, Mary D. and Bessie E. Bratcher, were listed for enrollment by this Commission as citizens of the Choctaw Nation, having been admitted to such citizenship by a judgment of the United States Court for the Central District of the Indian Territory, rendered at South McAlester, Indian Territory, January 20, 1898, in Choctaw citizenship case No. 10.

Respectfully,

Acting Chairman.

7-5083

Muskogee, Indian Territory, January 6, 1906.

Effie A. Bratcher,
Hart, Indian Territory,

Dear Madam:

Your letter of December 20, 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 you may have land reserved for your allotment.

In reply to your letter you are advised that if some other person has filed on the land on which you claim improvements, you will be permitted to appear at the Land Office for the Nation in which said land is located for the purpose of making application to institute contest, at which time your testimony will be taken and forwarded to this office for consideration.

If it is alleged that your case comes within the recent Departmental rulings in the enrollment cases of Loula West and Mary Elizabeth Martin, and you desire to present evidence to that effect, there is inclosed herewith circular giving full information as to procedure to be taken in cases coming within the opinion of the Department above referred to.

Respectfully,

7-5083

Muskogee, Indian Territory, December 14, 1906.

Effie A. Bratcher,

Hart, Indian Territory,

Dear Madam:

Your letter of November 20, 1906, addressed to the Secretary of the Interior has been by him referred to this office for consideration and appropriate action. Therein you ask an early decision in your case. You also ask how you can have your right protected pending decision in your case.

In reply you are advised that your case is still pending before the Secretary of the Interior and you will be notified of Departmental action thereon.

You are further advised that if land on which you own improvements which you desire to select in allotment has been filed on, you may forward a description of said land to the Land Office for the nation in which the same is located and you will be advised the status thereof.

Respectfully,

Commissioner.

7-5083

Muskogee, Indian Territory, February 22, 1907.

Chief Clerk,

Chickasaw Land Office,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of February 12, 1907, requesting to be advised the names of the children of Ellie A. Bratcher whose applications for enrollment are pending.

In reply to your letter you are advised that Mary J. Bratcher, Bessie E. Bratcher and Albirtia Bratcher appear upon the records of this office as the children of Ellie A. Bratcher.

Respectfully,

Commissioner.

Choc 5084 Rosa A. Ramsey

n^o 2 Dismissed May 27, 1904

see C27

Record in Choc # 5081

5084

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:

James Henry Ramsey,

7-3084.

INDEXED

20

IN RE

Application for Enrollment of

INFANT CHILD

J. Adel Henry Kandi

as a citizen of

Choctaw

Nation.

Approved

190

[Signature]

Commissioner.

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

FILED

MAR 11 1902

[Signature]

ACTING CHAIRMAN.

5054

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

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,
of *James Henry Ramsey* born on the *21* day of *June*, 1901
(Here insert name of child)
Name of Father: *J. W. Ramsey* a citizen of the *Territory of Oklahoma* Nation.
Name of Mother: *Rosey A. Ramsey* a citizen of the *Choctaw* Nation.
Post-office *Poarch, Oklahoma*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
Oklahoma INDIAN TERRITORY
Choctaw & Chickasaw, Roger's, Muskogean

I, *Rosey A. Ramsey*, on oath state that I am *twenty*
years of age and a citizen, by *blood* of the *Choctaw* Nation;
that I am the lawful wife of *J. W. Ramsey*, who is a citizen, by
Marriage, of the *Choctaw* Nation; that a *Male* child was
born to me on *21* day of *June*, 1901; that said child has been
named *James Henry Ramsey*, and is now living.

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this *5* day of *March*, 1902.

A. R. Jackson
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
Oklahoma INDIAN TERRITORY
Choctaw & Chickasaw, Roger's, Muskogean

I, *Mary E. Husted*, a *Midwife*, on oath state that I
attended on Mrs. *Rosey A. Ramsey*, wife of *J. W. Ramsey*
on the *21* day of *June*, 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 *James Henry Ramsey*.

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this *5* day of *March*, 1902.

Mary E. Husted
A. R. Jackson
NOTARY PUBLIC

2610

7-5064.

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


-----o-----

In the matter of the application for the enrollment of
James Henry Ramsey as a citizen by blood of the Choctaw Nation.

-----o-----

The applicant, James Henry Ramsey, claims his right to enrollment as a citizen by blood of the Choctaw Nation through his mother Rosa A. Ramsey. The right of the applicant's mother, Rosa A. Ramsey, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, March 9, 1904, in case No. 36, upon the South McAlester docket of said court, it is hereby ordered that the application of James Henry Ramsey for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



Chairman.

Muskogee, Indian Territory,

COPY. Cheetaw 5084.

Muskogee, Indian Territory, June 7, 1904.

Rosa A. Ramsey,
Pearch, Oklahoma ,

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 the enrollment as a citizen by blood of the Cheetaw Nation of James Henry Ramsey.

Respectfully,

(SIGNED)

James Dixby.

Registered.

Chairman.

Incl. 7- 5084.

COPY. Choctaw 5084.

Muskogee, Indian Territory, June 7, 1904.

Mansfield, Mc Murray & 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 the enrollment as a citizen by blood of the Choctaw Nation of James Henry Ramsey.

Respectfully,

(SIGNED)

James Dixby.
Chairman.

Registered.

Incl. 7- 5084.

See Choctaw 5334 for registry receipt of this letter.

Muskogee, Indian Territory, February 25, 1902 ✓

J. W. Ramsey,
Poarch, Oklahoma.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 20th instant relating to the application for enrollment as a citizen of the Choctaw Nation of your infant child, James Henry Ramsey, which was returned to you by the Commission, February 11, 1902, for the reason that the notary public before whom the affidavit of the mother was acknowledged, had neglected to affix his notarial seal thereto.

It is stated in your letter that the notary public has no seal, and you request to be advised as to the proper steps for you to take in the matter.

There is enclosed you herewith a blank for the purpose of making a new application for the enrollment of your child, which if properly executed before some notary public, who has a seal, and the blank when so executed returned to this office, the matter will receive proper consideration.

Yours truly,

Env.
B. C.

Commissioner in Charge.

Muskogee, Indian Territory, February 11, 1902.

J. W. Ramsey,

Poarch, Oklahoma.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of James Henry Ramsey, the infant son of J. W. and Rosey Ramsey, born June 21, 1901, and the same is returned to you herewith for the reason that L. F. Tucker, a notary public, taking the acknowledgment of Rosa Ramsey has not affixed to her affidavit an impression of his notarial seal as required by the rules of the Commission.

This omission should be at once supplied and upon the return of the application with the impression seal of the notary public thereon, the matter will receive further consideration.

Yours truly,

Commissioner in Charge.

Enc Y 63

Muskogee, Indian Territory, March 11, 1902.

J. W. Ramsey,

Poarch, Oklahoma Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of James Henry Ramsey, the infant son of J. W. and Rosey A. Ramsey, born June 21, 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.

Kosa A. Ramsey

Choctaw

Search McElister 10
Jan 20th 1898

Note, Married J. H. Ramsey
Jan 15th 1896

Admitted as
Kosa Ann Loomis

127

129

Rosa Ann Ramsey.

Rosa Ann Ramsey says:

I married J.W. Ramsey January 15th 1896.

I was admitted as "Rosa Ann Sessums".

I have been living in the Choctaw Nation for one year. I first came to the Territory from Texas last fall. It was in the early part of the fall and I have been living here ever since.

Ardmore. Sept. 22 1898.

Rosa A. Ramsry

enrolled.

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

-----oOo-----

In the matter of the petition for the enrollment of Wilson P. Sessums, et al., as citizens by blood of the Choctaw Nation.

On January 27, 1906, there was filed with the Commissioner to the Five Civilized Tribes by Tom H. McKeown, attorney for the petitioners, petitions for the enrollment of the following persons as citizens of the Choctaw Nation: Wilson P. Sessums, Wilson P. Sessums, Jr., his two minor children Sealy Caroline Sessums and Willie P. Sessums, Mary E. Harrison, Walter A. Harrison and his minor child, Ruth Hazel Harrison, Mary Bailey and her two minor children, William A. Bailey and Annie M. Bailey.

On February 9, 1906, Tom H. McKeown, attorney for the petitioners, filed with the Commissioner, petitions for the enrollment of the following persons as citizens of the Choctaw Nation: John P. Sessums, his wife, Mary E. Sessums, and their minor children, Lula M., Charlie B., William D., Charlie B. and Jacob B. Sessums, Jesse Fleming (now Jesse Arms), Martha Fleming and her minor children, Sammie G., and Izzie W. Fleming, Emanuel W. Bailey and her minor children Homer B. and Lester M. Bailey, Newton Fleming and her minor child, Lois Fleming, Rosa A. Haise and her minor child, James Haise, Mary A. Bailey (now Bratcher), Annie M. Hill and her minor children, Joseph E., Dorothy M., and William A. Hill, Myrtle Sessums, (now Moore), and her minor children Mattie M. and Rosa W. Moore, Eva May Harrison (now Clayton) and her minor child, Mable Thelma Clayton, Effie A. Bratcher and her minor children, Mary D. Bratcher, Jessie Bratcher, Alberta Bratcher, Nellie A. Bratcher and Walter B. Bratcher.

These petitions have been consolidated and will be considered as one case, inasmuch as the alleged rights of the petitioners to enrollment are derived from the same source.

The petitioners allege that the petitioners are the descendants of Pennie Sessums (nee Fisher), who, it is claimed, was a full blood Choctaw Indian, and was duly enrolled and recognized as a citizen of the Choctaw Nation. The petitioners claim descent from said Pennie Sessums (nee Fisher), through Redding Sessums and William Sessums.

No answer to the petition has been filed by the attorneys for the Choctaw and Chickasaw Nations within the fifteen days allowed for that purpose by the regulations adopted by the Commissioner January 2, 1906.

The records of this office show that the petitioners Wilson P. Sessums (under the name of W. P. Sessums), Wilson P. Sessums, Jr. (under the name of W. P. Sessums, Jr.), and his minor son William P. Sessums, Mary Bailey, William A. Bailey, Minnie May Bailey, (under the name of Minnie B. Bailey), Walter A. Harrison, Mary E. Harrison, John P. Sessums, (under the name of J. P. Sessums), William D. Sessums, Martha Fleming Jesse Fleming, now Arms, (under the name of Jessie Lee Fleming,) Emanuel W. Bailey,

the tribal rolls of the Choctaw Nation in the possession of this office.

O R D E R

I am of the opinion that the petitions fail to allege facts sufficient to warrant a hearing relative to the petitioners' alleged rights to enrollment as citizens of the Choctaw Nation; that the principal petitioners having been denied citizenship by the Choctaw and Chickasaw Citizenship Court, and it not being alleged in the petitions or shown by the records of this office that any of the petitioners were recognized or enrolled citizens of the Choctaw Nation prior to January 20, 1898, the date on which they were admitted to citizenship in the Choctaw Nation by the United States Court, they do not come under the opinion of the Assistant Attorney General of December 3, 1904, in the Choctaw Enrollment Case of Louis West, et al., and that there is no authority of law for the enrollment of any of the petitioners as citizens of the Choctaw Nation; that the petitions should be denied, and it is so ordered.

Wm. H. ...
UNITED STATES DEPARTMENT OF THE INTERIOR

Washed, Indian Territory, May, 1905.

Choc 5085 J.F. Sessums

nos 6-7 Dismissed May 27, 1904

see C27

Record in Choc # 5081

5085

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

-----0-----

Record in the matter of the application for enrollment
as citizens by blood of the Choctaw Nation of:
CHARLEY L. SESSUMS, et al., 7-5095.

-----0-----

IN RE

Application for Enrollment of
INFANT CHILD

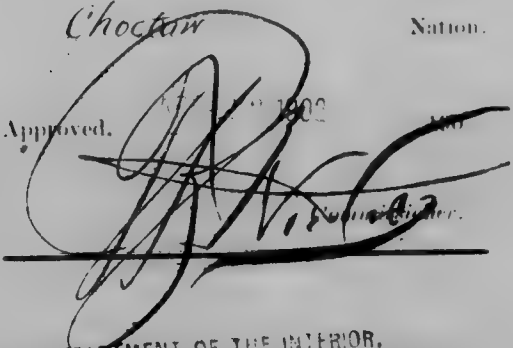
Jacob Carrol Sessums
as a citizen of

Choctaw


Nation.

Approved.

APR 23 1902



DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
APR 23 1902



ACTING CHAIRMAN

5685

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

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,
of *Jacob Carroll Sessums* born on the *14* day of *Feb.*, 18*92*
(Here insert name of child.)
Name of Father: *John Francis Sessums* a citizen of the *Choctaw* Nation.
Name of Mother: *Mary E. Elizabeth*, a citizen of the *Choctaw* Nation.
Post-office, *Haywood Ind. Terr.*

AFFIDAVIT OF MOTHER.

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

I, *Mary E. Elizabeth*, on oath state that I am *38*
years of age and a citizen, by *Birth*, of the *Choctaw* Nation:
that I am the lawful wife of *John Francis Sessums* who is a citizen, by
Blood, of the *Choctaw* Nation, that a *male* child was
(male or female)
born to me on the *14* day of *Feb.*, 18*92* that said child has been
named *Jacob Carroll Sessums*, and is now living.

WITNESSES TO MARK

(Must be Two)
Witnesses

*Elbery & Ciggy both
Sessums*

Subscribed and sworn to before me this *16* day of *Apr.*, 1902

W. Hartley
by commission expires *2-7-1906*

NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, *Dr. J. H. Rogers*, a *Physician*, on oath state that I
attended on Mrs. *Mary E. Sessums*, wife of *John F. Sessums*,
on the *14* day of *February*, 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 *Jacob Carroll Sessums*

WITNESSES TO MARK:

(Must be Two)
Witnesses

J. H. Rogers

Subscribed and sworn to before me this *16* day of *Apr.*, 1902

W. Hartley

NOTARY PUBLIC.

7-5085.

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

In the matter of the application for the enrollment of
Charley L. Sessums and Jacob Carroll Sessums as citizens by blood
of the Choctaw Nation.

The applicants, Charley L. Sessums and Jacob Carroll
Sessums, claim their right to enrollment as citizens by blood of
the Choctaw Nation through their father J. F. Sessums. The right
of the applicants' father, J. F. Sessums, to citizenship in the
Choctaw Nation having been adversely determined by a decree of the
Choctaw and Chickasaw Citizenship Court, March 9, 1904, in case
No. 36, upon the South McAlester docket of said court, it is hereby
ordered that the application of Charley L. Sessums and Jacob Carroll
Sessums for enrollment as citizens by blood of the Choctaw Nation
be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,


Chairman.

Muskogee, Indian Territory,

Chectaw 5085.

COPY:

Muskogee, Indian Territory, June 7, 1904.

J. F. Sessums,
Maxwell, 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 the enrollment as citizens by blood of the Chectaw Nation of Charley L. Sessums and Jacob Carroll Sessums.

Respectfully,

(SIGNED)

Tams Bixby.

Chairman.

Registered.

Incl. 7- 5085.

Choctaw 5085.

COPY.

Muskogee, Indian Territory, June 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 the Commission to the Five Civilized Tribes, dated May 27, 1904, dismissing the application for the enrollment as citizens by blood of the Choctaw Nation of Charley L. Sessums and Jacob Carroll Sessums.

Respectfully,

SIGNED

Tams Bixby.
Chairman.

Registered.

Incl. 7- 5085.

See Choctaw 5334 for registry receipt of this letter.

Muskogee, Indian Territory, April 7, 1902.

J. F. Sessums,

Maxwell, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of March 30, 1902, requesting that you be furnished with a blank application for the enrollment of an infant child, and stating that you sent up papers for the admission of your wife, Elizabeth Sessums but that the same have been mislaid.

In accordance with your request there is enclosed you herewith a blank application 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 affix his notarial jurat and seal to each separate affidavit.

J F S S

You are informed that it does not appear from the records of the Commission that any application has ever been made to the Commission for the enrollment of your wife, Elizabeth Sessums, as a citizen of the Choctaw Nation.

Yours truly,

Commissioner in Charge.

BC

Muskogee, Indian Territory, April 22, 1902.

J. F. Sessums,
Maxwell, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 15th instant enclosing the application for enrollment as a citizen of the Choctaw Nation of Jacob Carroll Sessums, infant son of John Francis and Mary Elizabeth Sessums, born February 14, 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.

You request to be advised what steps are necessary for you to take to have your wife enrolled. You are informed that if your wife desires to make application for enrollment as a intermarried citizen of the Choctaw Nation, it will be necessary for her to appear in person before the Commission, for the purpose of an examination under oath. Such application may be made at the office of the Commission in Muskogee, Indian Territory, at any time prior to the closing of the final rolls of the citizens of the Choctaw and Chickasaw Nations. It is suggested, however, that if she intends to make such

7788

application, it should be done with as little delay as possible.

Yours truly,

Commissioner in Charge.

Choctaw 5085.

Muskogee, Indian Territory, July 13, 1904.

J. F. Sessums,

Maxwell, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of July 4th, in which you ask relative to your rights in Indian Territory.

In reply to your letter, you are informed that it appears from our records that J. F. Sessums and his children, Myrtle, May, Ethel, and William D. Sessums, have had denied citizenship in the Choctaw Nation by a decree of the Choctaw and Chickasaw Citizenship Court, rendered March 9, 1904, in case 558 on the South McAlester docket.

Your application for citizenship in the Choctaw Nation having been denied by the Choctaw and Chickasaw Citizenship Court, the Commission has dismissed the applications of Charley L. and Jacob Carroll Sessums for enrollment as citizens of the Choctaw Nation.

The Commission, therefore, is without jurisdiction in your case.

Respectfully,

Chairman.

J. F. Sessions

Myrtle "

May "

Ethel "

William D. "

Charley L. "

born Feb 25th 1898

Choctaw

South McAlister Co

Jan 20th 1898

Notes: May admitted as "Mary"

Ethel " "Ethel"

William D. " "Danu"

J.F.Sessums and others.

J.F.Sessums says:

May was admitted as "Mary".

Ethel was admitted as "Ethia"

William D. was admitted as "Daniel"

Charley L. was born Feb. 28th 1898.

I have lived most of the time in the Choctaw nation. I have lived in the Chickasaw Nation about 5 years.

I last came from Texas 2 years ago and have lived here ever since. I came the 1st of October 1896, with my family. I was in the Choctaw Nation 2 or 3 months.

Ardmore, Sept 22 1898.

J.F.Sessums
Myrtle Sessums
May Sessums
Ethel Sessums
William D. Sessums
Charley L. Sessums

enrolled.

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

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In the matter of the petition for the enrollment of Wilson
P. Sessums, et al., as citizens by blood of the Choctaw Nation.

On January 27, 1906, there was filed with the Commissioner
to the Five Civilized Tribes by Fox W. McTeown, attorney for the
petitioners, petitions for the enrollment of the following persons
as citizens of the Choctaw Nation: Wilson P. Sessums, Wilson P.
Sessums, Jr., his two minor children Seal Caroline Sessums and
Willie P. Sessums, Mary W. Harrison, Walter A. Harrison and his
minor child, Ruth Hazel Harrison, Mary Bailey and her two minor
children, William A. Bailey and Minnie A. Bailey.

On February 9, 1906, Fox W. McTeown, attorney for the peti-
tioners, filed with the Commissioner, petitions for the enrollment
of the following persons as citizens of the Choctaw Nation: John
P. Sessums, his wife, Mary W. Sessums, and their minor children,
William P., the wife, Minnie P., Charles P. and Jacob P. Sessums,
Jessie Fleming (now Jessie Arns), Mary W. Harrison and her minor
children, Seal Caroline and Willie P. Sessums, Samuel A. Bailey and
her minor children, Seal Caroline and Willie P. Sessums, and
her minor child, Ruth Hazel Harrison, Walter A. Harrison and
his minor child, James A. Harrison, Mary Bailey and her minor
children, William A. Bailey, Minnie A. Bailey, and Willie P. Sessums,
Martha Fleming Jessie Fleming, now Arns, and her minor child,
Mable Thelma Clifton, Willie P. Sessums and her minor children,
Mary W. Harrison, Seal Caroline Sessums, Ruth Hazel Harrison,
William A. Bailey and Walter A. Harrison.

These petitions have been considered and all have been
considered as one case, inasmuch as the alleged rights of the
petitioners to enrollment are derived from the same source.

The petitioners allege that the petitioners are the descend-
ants of Pennie Sessums (now Fisher), who, it is claimed, was a full
blood Choctaw Indian, and was enrolled and recognized as
citizen of the Choctaw Nation. The petitioners claim descent
from said Pennie Sessums (now Fisher), through Fleming, Bailey and
Willie Sessums.

The answer to the petition was filed by the attorney
for the Choctaw and Chickasaw Nations within the fifteen days
allowed for that purpose by the regulations issued by the Com-
missioner on January 2, 1906.

The records of this office show that the petitioners
Wilson P. Sessums (under the name of J. P. Sessums), Wilson P.
Sessums, Jr. (under the name of W. P. Sessums, Jr.), and his minor
son Willie P. Sessums, Mary Bailey, William A. Bailey, Minnie
Mary Bailey, (under the name of Minnie B. Bailey), Walter A. Harrison,
Mary W. Harrison, John P. Sessums, (under the name of J. P.
Sessums), Willie P. Sessums, Martha Fleming Jessie Fleming, now
Arns, (under the name of Jessie L. Fleming,) Samuel A. Bailey,

Newton Fleming, Rosa A. Ramsey, Mary A. Bailey (now Bratcher), Myrtle Sessums (now Moore), Eva Way Harrison (now Clayton) and Effie A. Bratcher were denied citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes under the provisions of the Act of Congress approved June 10, 1896, (29 Stats., 321), that on January 20, 1898, they, together with the petitioner Sealy Caroline Sessums (under the name of Selia Sessums), were admitted to citizenship in the Choctaw Nation by a judgment of the United States Court for the Central District of Indian Territory, and that on March 9, 1904, they were denied citizenship in the Choctaw Nation by a decree of the Choctaw and Chickasaw Citizenship Court in Case No. 36 on the South McAlester Docket of said court.

The records of this office further show that on May 27, 1904, the Commission to the Five Civilized Tribes dismissed the application for the enrollment of Ruth Hazel Harrison, Charlie L. Sessums, Jacob C. Sessums, Marie G. Fleming, Lizzie V. Fleming, Homer B. Bailey, James Henry Ramsey, Mary D. Bratcher, Bessie M. Bratcher and Alvirra Bratcher as citizens of the Choctaw Nation, for the reason that the persons through whom they claim citizenship had been denied by the Choctaw and Chickasaw Citizenship Court.

This office has no record of any application ever having been made for the enrollment of the petitioners Hester B. Bailey, Lois Fleming, Minnie A. Hill, Joseph F. Hill, Dorothy E. Hill, William A. Hill, Mattie E. Moore, Rosa V. Moore, Mable Thelma Clayton, Nellie A. Bratcher and Walter J. Bratcher as citizens of the Choctaw Nation, prior to the filing of the petitions herein; neither does it appear that any application was ever made for the enrollment of the petitioners Lula Sessums and Carrie Sessums as citizens of the Choctaw Nation. It is possible, however, that these petitioners are identical with Jay Sessums and Ethel Sessums, who were admitted to citizenship in the Choctaw Nation by the United States Court of the Central District of Indian Territory on January 20, 1898, and who were denied citizenship by the Choctaw and Chickasaw Citizenship Court on March 9, 1904, in Case No. 36 on the South McAlester Docket of said court.

It does not appear from the records of this office, neither is it alleged in the petitions that any of the petitioners or their ancestors Redding Sessums or William Sessums were recognized or enrolled as citizens of the Choctaw Nation by any duly constituted authority prior to January 20, 1898, the date on which certain of the petitioners heretofore mentioned, were admitted to citizenship in the Choctaw Nation by a judgment of the United States Court for the Central District of Indian Territory. The names of none of the petitioners or of the above named ancestors appear on any of the tribal rolls of the Choctaw Nation in the possession of this office, neither does it appear that Pennie Sessums (nee Fisher) was ever recognized or enrolled as a citizen of the Choctaw Nation by any duly constituted authority; her name does not appear on any of

the tribal rolls of the Choctaw Nation in the possession of this office.

ORDER

I am of the opinion that the petitions fail to allege facts sufficient to warrant a hearing relative to the petitioners' alleged rights to enrollment as citizens of the Choctaw Nation; that the principal petitioners having been denied citizenship by the Choctaw and Chickasaw Citizenship Court, and it not being alleged in the petitions or shown by the records of this office that any of the petitioners were recognized or enrolled citizens of the Choctaw Nation prior to January 2, 1894, the date on which they were admitted to citizenship in the Choctaw Nation by the United States Court, there is no cause under the opinion of the Assistant Attorney General of December 2, 1905, in the Choctaw and Chickasaw case of Louis West, et al., and that there is no authority of law for the enrollment of any of the petitioners as citizens of the Choctaw Nation; that the petition should be dismissed, and it is so ordered.

True copy.

W. H. ...

George, Indian Affairs, ... 1906.

Choc 5086 Hughlon Boone

#4 Dismissed Jan 23, 1905

5086

~~_____~~
Hughlan Boone

Florence "

Marie "

Lillie "

born Dec 6th 1897

Choctaw

Widmore, 88, Dec 21st 1897

Notes: Hughlan Boone admitted as
"Hollond Boone"

Marie Boone admitted as
"Maria Boone"

10131

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:

LILLIAN BOONE

7-5086.

Hughlon Boone and others.

Hughlon Boone says:

I was admitted as "Holland" Boone.

Marie was admitted as "Maria" Boone

Lillie was born December 6th 1897 .

I lived 5 years here and one year in Texas. I last moved into the Territory from Texas in the Spring of 1897. I have been living here all the while since that time.

Witness: Sept 22 1898.

Hughlon Boone
Florence Boone
Marie Boone
Lillie Boone

enrolled.

7-5084.

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

In the matter of the application for the enrollment
of Millie Boone as a citizen by blood of the Choctaw Nation.

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The applicant, Millie Boone, claims to be entitled to enrollment as a citizen by blood of the Choctaw Nation through her father, Hughson Boone, and her mother, Florence Boone.

The right of the applicant's parents, Hughson Boone (as Hollans Boone or Hugh Boone) and Florence Boone, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, of November 2, 1904, in case No. 64 upon the Tishomingo docket of said court. It is hereby ordered that the application of Millie Boone for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSIONER OF THE BUREAU OF INDIAN AFFAIRS,


Chairman.

Muskogee, Indian Territory,

JAN 1 1905

COPY!

Choctaw 5086.

Muskogee, Indian Territory, January 23, 1905.

Hughlon Boone,

Purcell, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated January 23, 1905, dismissing the application for the enrollment of your minor child, Lillie Boone, as a citizen by blood of the Choctaw Nation.

Respectfully,

SIGNED:

James S. Kirby

Chairman.

Registered.

Incl. 7-5086.

COPY.

Choctaw 5086.

Muskogee, Indian Territory, January 23, 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 23, 1905, dismissing the application for the enrollment of Lillie Boone as a citizen by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

James L. Luby
Chairman.

Incl. 7-5086.

Choc 5087 B. B. Wainscot

2-3 Dismissed Jan 23, 1905

5087

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

Record in the matter of the application for enrollment as citizens by blood of the Choctaw Nation of:

JULIA E. WAINSCOT, ET AL.,

7-5087.

B.B.Wainscot and others.

B.B.Wainscot says:

Julia E. was born September 16th 1896 .

I have been living in the Chickasaw Nation for 13 years, continuously.

B.B.Wainscot
Julia E. Wainscot

Sept. 22 1898.

enrolled.

Indian Territory,)
)ss.
Chickasaw Nation.)

The affiant, M. Manering, says that he is a practicing physician, living in the Indian Territory, Chickasaw Nation, and that he is acquainted with B. B. Wainscott, and Lurana Wainscott, his wife; that they are now living together as man and wife, near Wilson, Indian Territory, and that the affiant attended Mrs. B. B. Wainscott, on the tenth day of March, 1899, as her attending physician, at which time she was delivered of a boy baby, that was afterwards named Melvin Wainscott, and that said child is now living, and living with its parents near Wilson, Indian Territory.

M. Manering

Subscribed and sworn to before me this 28th day of August, 1899.

H. B. Blain
Notary Public.

In Re.

Application of Melvin Wainscott, an infant, to be entolled as a member of the Choctaw Tribe of Indians.

His father's name is B. B. Wainscott, a member of the Choctaw Tribe of Indians, and his mother's name Lurana Wainscott, a United States citizen; and are all living near Wilson, I. T.

Indian Territory,)
)ss.
Chickasaw Nation.)

The affiants, B. B. Wainscott and Lurana Wainscott, say that they are husband and wife, and are now living together near Willson, Chickasaw Nation, Indian Territory; that B. B. Wainscott is a member of the Chectaw Tribe of Indians, and was declared to be such by a judgment rendered in the United States Court of the Southern District at Ardmore, in the case of Martha Jones et. al. vs. The Choctaw Nation, and that the affiants, Lurana Wainscott, is a United States citizen.

They say that they were duly and lawfully married on the 12th day of December, 1877, and have lived together as husband and wife ever since. They here file their marriage license and make it a part of this application. They say that said license was issued by the clerk to B. B. Wainscott and Lu Rogers, and the justice of the peace who married them in his certificate put Lurana Wainscott's name as L. R. Rogers; but they say that the Lu Rogers and the L. R. Rogers mentioned in said license, and this affiant, Lurana Wainscott, is one and the same persen.

They say that they had bern unto them, in lawful wedleck, on the 10th day of March, 1899, a boy child, who has since been named Melvin Wainscott, and that said child is still alive, and living with these affiants near Wilson, I. T., and is a member of the

2-

Chectaw tribe of Indians, and should be enrolled as such.

Witness to mark
A. R. Beecher
W. J. Crum

Lurana Wainscott
B. B. Wainscott

Subscribed and sworn to before me by B. B. Wainscott and Lurana
Wainscott, this the 12th day of January, 1900.

A. R. Beecher
Notary Public.

L. H. H.

7-5087.

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

In the matter of the application for the enrollment of Julia F. Wainscot and Melvin Wainscot as citizens by blood of the Choctaw Nation.

-----oOo-----

The applicants, Julia E. Wainscot and Melvin Wainscot, claim the right to enrollment as citizens by blood of the Choctaw Nation through their father E. W. Wainscot.

The right of the applicants' father, E. W. Wainscot, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, of November 2, 1904, in case No. 64 upon the Tishomingo docket of said court, it is hereby ordered that the application of Julia E. Wainscot and Melvin Wainscot for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.



Chairman.

Muskogee, Indian Territory,

JAN 27 1905

Choctaw 5087

COPY.

Muskogee, Indian Territory, January 23, 1905.

B. B. Wainscot,

Wilson, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated January 23, 1905, dismissing the application for the enrollment of your minor children, Julia B. Wainscot and Melvin Wainscot, as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED:

Sam Bury

Registered.

Chairman.

Incl. 7-5087

Choctaw 5087

COPY.

Muskogee, Indian Territory, January 23, 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 23, 1905, dismissing the application for the enrollment of Julia E. Wainscot and Melvin Wainscot as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED:

Sam Bixby

Incl. 7-5087

Chairman.

MARRIAGE LICENSE.

BETWEEN

Wm. J. Hancock

AND

Mrs. L. J. ...

Issued

10 day of *Nov* 187*7*

Clerk County Clerk

Recorded in Record of Marriages,

Book *"C"* Page *98*

Dec. 15 1877
J. M. ...
...
...

MARRIAGE LICENSE.

Mr. *J. B. Manscott*

TO

Mrs. *L. R. Rogers*

STATE OF TEXAS, }
COUNTY OF BOSQUE. } ss.

Be it Remembered, that on this *10* day of

ss. *December* 187*7*; the following Marriage License was issued, to-wit:

TO ALL WHO SHALL SEE THESE PRESENTS--GREETING:

Know Ye, that any person legally authorized to celebrate the RITES OF MATRIMONY is hereby licensed to join in Marriage, as Husband and Wife, *J. B. Manscott* and *Mrs. L. R. Rogers* and persons claiming to have the same, to-wit:

In Testimony Whereof, *J. B. Manscott* Clerk of the County

Court of Bosque County, hereunto set the my hand and official seal of said Court, this *10* day of *December* 187*7*

Clerk.

Deputy Clerk.

BE IT FURTHER REMEMBERED, that on this *10* day of *December* 187*7*, the following certificate was filed in my office, to-wit:

STATE OF TEXAS, }
COUNTY OF BOSQUE. } ss.

Mr. *B. B. Manscott*
12 day of *Dec* 187*7*

I Hereby Certify, that I joined in Marriage, as Husband and Wife,
and *Mrs. L. R. Rogers* on the
10 day of *December* 187*7*
J. B. Manscott

Choc 5088 Kate Game/

5088

Kate Gamel
Carrie Witt
+
Choctaw

Andmore, 109 Dec 21st 1894

Note: Kate Gamel
admitted as
"Kate Gammel"

10/37

Kate Gamel and others.

Kate Gamel says:

I came from Texas and have been living in the Chickasaw Nation 4 years. My daughter came 3 years ago. Since that time she has been in Texas. She came back in 1896, and went away again. She last came back December 26th 1897, and has been living here ever since. I was admitted as "Kate Gammel".

Andover Sept 22 1898.

Kate Gamel
Carrie Witt

enrolled.

Choctaw 5008
Choctaw 5010

Washington, Indian Territory, April 10, 1906.

C. Lincoln McGhee,

Washington, D.C.

Sir:

I have the honor to acknowledge the receipt of your letter of the 10th inst., and in reply to inform you that the same has been forwarded to the proper authorities for their consideration. The Department of the Interior is at present engaged in a study of the various Indian Tribes and Nations, and it is possible that your application may be considered in the course of this study. It is, however, impossible to give you any definite answer at this time. I am, Sir, very respectfully,
 Yours very truly,
 J. M. McKim,
 Commissioner of the Indian Territory.

By J. M. McKim, Commissioner of the Indian Territory, District of the Indian Territory, and on December 17, 1905, the Secretary of the Interior, under the act of Congress of July 1, 1905, which authorized the Secretary of the Interior to create a Commission to study the various Indian Tribes and Nations, created a Commission to study the various Indian Tribes and Nations, and to report to the Secretary of the Interior on or before the 1st day of January, 1906, with respect to all judgments of the United States Courts in Indian Territory, and to recommend persons to citizenship in the Choctaw and Chickasaw Nations.

For your information, I enclose herewith a copy of the rules and regulations of the Commission governing the selection of allotments and the designation of homesteads in the Choctaw

C L NoG 2

and Chickasaw Nations, and your attention is especially invited to section sixteen thereof.

Respectfully,

Commissioner in Charge.

Choctaw 5088.

Muskogee, Indian Territory, August 2, 1904.

Ed Boseman,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of July 26, which you write in behalf of your grandmother, Kate Gamel, and her heirs. You state that you have been trying to get your rights since 1897, and you enclose paper showing the facts, all other papers being in the hands of your lawyers at present.

In reply to your letter, you are informed that it appears from our records that Kate Gamel and her daughter, Carrie Witte, have been denied citizenship in the Choctaw Nation by the Choctaw and Chickasaw Citizenship Court and, under existing legislation, the judgment of the Choctaw and Chickasaw Citizenship Court is final.

The judgments of the United States Court, admitting Kate Gamel and others to citizenship in the Choctaw Nation, and the communication of the Secretary of the Interior of July 13, 1904, enclosed with your letter, are herewith returned.

Respectfully,

EA 10-2.

Commissioner in Charge.

Choctaw 5088
Choctaw 5090

Muskogee, Indian Territory, October 6, 1904.

Mrs. Lewis Boseman,
Ardmore, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of your letter of October 21, relative to the enrollment of your mother, Kate Gamel, who was a court claimant and who now desires to be enrolled as a native Choctaw.

In reply you are advised that on May 4, 1904, the Choctaw and Chickasaw Citizenship Court denied the citizenship in the Choctaw Nation of Kate Gamel and Sallie Boseman and their children, and the Commission is, therefore, without jurisdiction in this case.

Respectfully,

Chairman.

7-5088
7-D-565

Muskogee, Indian Territory, June 8, 1906.

Carrie Fisher,

Byars, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of your letter of June 4, 1906, giving information relative to your enrollment, and the same has enabled this office to identify you upon its records as Carrie Witt.

It appears however that you have been denied citizenship, by the Choctaw and Chickasaw Citizenship Court, and there is no authority for the enrollment of your minor child, Harrold Fisher.

Respectfully,

Commissioner.

Choc 5089 minnie williams

nos 2-3 Dismissed SEPT 15, 1904

5089

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

Record in the matter of the application for enrollment as citizens by blood of the choctaw nation of:

Floyd Williams, et al., 7-5089.

Minnie Williams and others.

Minnie Williams says:

I am wife of Ed Williams. I was married to him May 8th 1897.

Floy was born July 8th 1898.

I have lived about 5 years continuously in the Chickasaw Nation.

Adm r Sept 22 1898.

Minne Williams
Floyd Williams

enrolled.

IN RE

Application for Enrollment of

INFANT CHILD

E. B. Williams, Jr.

as a citizen of

Phoenician

Nation.

Approved, APR 11 1902 190

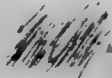


Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

APR 11 1902



ACTING CHAIRMAN

70-1

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

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Ebb Williams (jr), born on the 4th day of December, 1901.
(Here insert name of child)
Name of Father: Ebb Williams, a citizen of the United States Nation.
Name of Mother: Minnie Williams, a citizen of the Choctaw Nation.
Post-office, Ardmore, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, Minnie Williams, on oath state that I am twenty five
years of age and a citizen, by blood of the Choctaw Nation;
that I am the lawful wife of Ebb Williams, who is a citizen, by
blood of the United States Nation, that a male child was
born to me on the fourth day of December 1901; that said child has been
named Ebb Williams (jr) and is now living.

WITNESSES TO MARK
(Must be Two Witnesses)

Minnie Williams

Subscribed and sworn to before me this 11th day of February 1902

LOT Ford NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, Kate Gamel, a midwife, on oath state that I
attended on Mrs. Minnie Williams, wife of Ebb Williams
on the 4th day of December, 1901; that there was born to her on
said date a male child; that said child is now living and is said to have been
named Ebb Williams (jr)

WITNESSES TO MARK
(Must be Two Witnesses)
Thos Norman
Alb L... ..

Kate Gamel
her mark

Subscribed and sworn to before me this 11th day of February 1902

LOT Ford NOTARY PUBLIC

260

7-5089

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


-----0-----

In the matter of the application for the enrollment of Floyd Williams and Ebb Williams, Jr. as citizens by blood of the Choctaw Nation.

-----:-----

The applicants, Floyd Williams and Ebb Williams, Jr., claim their right to enrollment as citizens by blood of the Choctaw Nation through their mother Minnie Williams. The right of the applicants' mother, Minnie Williams, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, May 4, 1904, in case number 4 upon the Tishomingo docket of said court, it is hereby ordered that the application of Floyd Williams and Ebb Williams, Jr. for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



Chairman.

Muskogee, Indian Territory,

SEP 15 1904

Choctaw 5089

COPY!

Muskogee, Indian Territory, September 15, 1904.

Minnie Williams,

Ardmore, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 15, 1904, dismissing the application for the enrollment of Floyd Williams and Ebb Williams Jr. as citizens by blood of the Choctaw Nation.

Respectfully,

CHIEF

James E. Williams

Registered.

Chairman.

Ind. 7- 5089.

Choctaw 5089

COPY!

Muskogee, Indian Territory, September 15, 1904.

Thomas Norman,
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 September 15, 1904, dismissing the application for the enrollment of Floyd Williams and Ebb Williams Jr. as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

James E. Sney

Registered.

Chairman.

Incl. 7- 5089.

Choctaw 5089

COPY.

Muskogee, Indian Territory, September 15, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated September 15, 1904, dismissing the application for the enrollment of Floyd Williams and Ebb Williams Jr. as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

James Dixby.

Chairman.

Incl. 7-5089.

7-5117
7-5059

Muskogee, Indian Territory, April 11, 1903.

Thomas Forman,

Attorney at Law,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 9th instant enclosing the application for enrollment as a citizen of the Choctaw Nation of Izetta Gamel, infant daughter of George and Alice Gamel, born November 20, 1901; also the application for enrollment as a citizen of the Choctaw Nation of Ebb Williams, Jr., infant son of Ebb and Minnie Williams, and proper acknowledgment of receipt of the same has this day been forwarded to the parents of the children named in each application.

Yours truly,

Commissioner in Charge.

7-2089

Muskogee, Indian Territory, April 11, 1902.

Ebb Williams,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Ebb Williams, Jr., infant son of Ebb and Minnie Williams, born December 4, 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.

C. L. HoG 2

and Chickasaw Nations, and your attention is especially invited to section sixteen thereof.

Respectfully,

Commissioner in Charge.

Minnie Williams,

Floyd "

born July 8th 1898

Choctaw

Ardmore Dec 24th 1899

1899

choc 5090 Sallie Bousman

nos 2-3 Dismissed OCT 20, 1904

5090

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

-----0-----

Record in the matter of the application for enrollment as citizens by blood of the Choctaw Nation of:

Ed Bousman, et al.,

7-5090.

Sallie Bousman and others.

Sallie Bousman says:

I am wife of Louis Bousman.

I was admitted as "Boseman".

I have been living continuously in the Chickasaw Nation for 5 years.

Sallie Bousman
Ed Bousman
Frank Bousman
Kinnie Bousman
Mabel Bousman
Kate Bousman

Admitted Sept 22 1898.

enrolled.

719

7-5090.

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

In the matter of the application for the enrollment of Ed Bousman and Frank Bousman as citizens by blood of the Choctaw Nation.

-----:-----:-----

It appears from the records of the Commission that on September 9, 1896, in the case entitled "Mrs. Kate Gamel vs. Choctaw Nation." (1896 Choctaw Citizenship Docket, case number 24), 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 the applicants, Ed Bousman, Frank Bousman and others, and on December 1, 1896 said Ed Bousman and Frank Bousman were by this Commission 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 Southern District of Indian Territory, which court in the case entitled "Kate Gamel, et al. and Lee Heible, et al. vs. Choctaw Nation." (Citizenship Case, number 109), reversed said decision of the Commission denying the said Ed Bousman and Frank Bousman admission to citizenship in the Choctaw Nation and admitted said applicants 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 Southern District of Indian Territory. Said cause, as to the applicants, Ed Bousman and Frank Bousman, has not been appealed or certified to the 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.

2.

In accordance with the opinion of the Acting Attorney General dated May 9, 1904 (I.O.D. 3824-1904) and the opinion of the Assistant Attorney General for the Department of the Interior dated July 30, 1904 (I.O.D. 4044-1904) the Commissioner to the Five Civilized Tribes is without authority to take any action of any character looking to the enrollment of Ed Pousan and Frank Pousan as citizens by blood of the Choctaw Nation and it is, therefore, hereby ordered that the application for the enrollment of Ed Pousan and Frank Pousan as citizens by blood of the Choctaw Nation be dismissed.

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.



Muskogee, Indian Territory,

1904

Choctaw 5090

COPY.

Muskogee, Indian Territory, October 20, 1904.

Ed Bousman,

Pauls Valley, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated October 20, 1904, dismissing your application for enrollment as a citizen by blood of the Choctaw Nation.

Respectfully,

G. NEBY

Chairman.

Registered.

Incl. 7-5090.

Choctaw 5090

COPY.

Muskogee, Indian Territory, October 20, 1904.

Frank Bousman,

Pauls Valley, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated October 20, 1904, dismissing your application for enrollment as a citizen by blood of the Choctaw Nation.

Respectfully,

Chairman.

Registered.

Incl. 7-5090.

Choctaw 5090

COPY.

Muskogee, Indian Territory, October 20, 1904.

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

Gentlemen:

Inclosed herewith you will find copy of the order of this Commission, dated October 20, 1904, dismissing the application for the enrollment of Ed Fousman and Frank Fousman as citizens by blood of the Choctaw Nation.

Respectfully,

Chairman.

Incl. 7-5090

Choctaw 5090.

Muskogee, Indian Territory, January 16, 1903.

C. Lincoln McGuire,
Waurika, Oklahoma,

Dear Sir:

Receipt is hereby acknowledged of your letter of December 26, 1902, inclosing the application of Edd Bousman to select certain land in allotment, and power of attorne, authorizing you to act for him in the selection of this land, and the same are herewith returned to you for the reason that the Commission has at this time no means of recording the selections of citizens of the Choctaw and Chickasaw Nations for their allotments. Matters of this character will receive its consideration upon the establishment of land offices in the Choctaw and Chickasaw Nations for the purpose of allowing the citizens of these two tribes to make selection of and file upon their prospective allotments.

You are further advised that it appears from our records that Ed Bousman was admitted to citizenship in the Choctaw Nation by a judgment of the United States Court for the Southern District of the Indian Territory, at Ardmore, rendered December 21, 1898, in court case, citizenship docket, Number 109.

On December 17, 1902, the "Choctaw-Chickasaw Citizenship Court", created under the act of Congress of July 1, 1902, which was

C L NoG 2

ratified by the Choctaw and Chickasaw Nations on September 25, 1902, vacated and set aside all judgments of the United States courts in Indian Territory, admitting persons to citizenship in the Choctaw and Chickasaw Nations.

It may be added that lands upon which the so-called court claimants have improvements, not in excess of lawful allotments, will not be allotted to any citizen until their rights are finally determined.

Respectfully,

Commissioner in Charge.

AB 1-16

Choctaw 5090
Choctaw 5090

Mr. J. M. ...

Mr. J. M. ...
Attn: J. M. ...

Dear Madam:

Receipt is hereby acknowledged of your letter of October 21, relative to the ...

In reply, ... of the Choctaw ... Court ... Choctaw ... and the Commission ...

Respectfully,

Chairman.

Sallie Bousman

Ed "

Frank "

Kenneth "

Mabel "

Kate "

Choctaw

Admone, 109 Dec 21st 1898

Note: These names appear
in the decree as
"Boseman"

5135

choc 5091 L.L. Blake

C-55

No 1 transferred to choc #5781

5091

L. L. Blake
Thedia D. "
John G. "
Julia C. "
Nellie "
Lafayette "
Virginia " 1897
Ruth "

Choctaw

Redmore 122, Dec 21 1897

Note:
Thedia D. admitted as "Thedia"
Julia C. " "Julia"

Choctaw Court Card. C. 136.

In re application of L. L. Blake and others.

Sworn by Commissioner McKennon.

L. L. Blake says:

Thedia D. was admitted as "Thedia".

Julia C. was admitted as "Julia".

I have been living in the Chickasaw Nation continuously for
11 years.

L. L. Blake
Thedia D. Blake
John Y. Blake
Julia C. Blake
Nellie Blake
Lafayette Blake
Virginia Blake
Ruth Blake

Ardmore, Sept. 22, 1898.

enrolled.

Choctaw Court Card C. 166

In re application of T. N. Coleman and others.

Sworn by Commissioner McKennon.

T. N. Coleman says:

I have been living with my family in the Chickasaw
Nation 9 years.

T. N. Coleman
Tommye Coleman
Geraldine Coleman

Ardmore, Sept. 22 1898.

enrolled.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In Re, Application for Enrollment, as a citizen of the Choctaw Nation, of Nelse Coleman, born on the 14th day of September, 1899. Name of Father: T. N. Coleman, a citizen of the Choctaw Nation. Name of Mother: Mrs. Tommie Coleman, a citizen of the Choctaw Nation.

Post Office: Ardmore, I.T.

Affidavit of Mother:

United States of America,
Indian Territory,
Southern District.

I, Tommie Coleman, on oath state, that I am 25 years of age, and a citizen, by adoption of the Choctaw Nation; that I am the lawful wife of T. N. Coleman, who is a citizen, by inter-marriage, of the Choctaw Nation; that a child was born to me on the 14th, day of September, 1899; that said child has been named Nelse Coleman, and is now living.

(Seal)

(Signed) Tommie Coleman

Subscribed and sworn to before me this the 14th day of September, 1899.

(Signed) James H. Mathers, Notary Public.

Affidavit of Attending Physician.

United States of America
Indian Territory,
Southern District.

I, T. S. Booth, a physician, on oath state, that I attended on Mrs. Tommie Coleman, wife of T. N. Coleman, on the 14th day of September, 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 Nelse Coleman.

(Signed) T. S. Booth

Subscribed and sworn to before me, this the 14th day of September, 1899.

(Signed) James H. Mathers, Notary Public.

(Seal)

7-5121.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Welse Coleman for enrollment as a citizen of the Choctaw Nation.

The applicant, Welse Coleman, claims the right to enrollment as a citizen of the Choctaw Nation through his mother Tomye Coleman.

The right of the applicant's mother, Tomye Coleman (as Tommie E. Coleman or Tomye . Coleman), to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court of November 30, 1904, in case number 26 upon the Chicago docket of said Court, it is hereby ordered that the application of Welse Coleman for enrollment as a citizen of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Chairman.

Muskogee, Indian Territory,

JAN 19 1905

Choctaw Court Card C 164

In re application of Tommie Graham and others.

Sworn by Commissioner McKennon.

Tommie Graham says:

I have been living in the Chickasaw Nation for 10
years continuously.

Tommie Graham
Zula Graham
Freda Graham

Ardmore, Sept. 22 1898

enrolled.

Ardmore, Indian Territory, January 16, 1906.

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

Sir:

Your petitioners, Thedia Blake, Julia Blake, Nellie Blake, Lafayette Blake, Virginia Blake and Ruth Blake, state that they are members of the Choctaw Tribe of Indians. In the year 1869, petitioner Thedia Blake was lawfully married to L. L. Blake, a member of the Choctaw Tribe of Indians. The said L. L. Blake has been duly enrolled as a member of the said Choctaw Tribe. The other petitioners are the children of the said L. L. Blake and petitioner Thedia Blake, born in lawful wedlock.

Wherefore they pray that they may be enrolled as members of the Choctaw Tribe of Indians.

(Stamped) Cruce, Cruce & Bleakmore,

Attorneys for Petitioners.

I, Thedia Blake, state upon oath that the foregoing statements are true.

(Signed) Theda Blake.

Subscribed and sworn to before me this the 24 day of January, 1906

(Seal) (Signed) Roberta Niblack, Notary Public.

Registry receipt attached.

Endorsed as follows:

Thedia Blake, et al, Application for Choctaw Citizenship.

Department of the Interior,
Commissioner to the Five Civilized Tribes.

FILED Feb 6, 1906.

(Stamped) Tams Bixby, Commissioner.

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

In Re Thedia Blake, Julia,)
Nellie, Lafayette, Virginia and)
Ruth Blake.)

I, Roberta Niblack, do solemnly swear that on the 2d day of February, 1906, I placed in the postoffice at Ardmore, Indian Territory, a letter addressed to Mansfield, McMurray & Cornish, inclosing a true and correct copy of the petition in the above entitled cause; and, that on the same day I deposited in the postoffice at Ardmore, Indian Territory, a letter addressed to the Commissioner to the Five Civilized Tribes, the original of such petition.

Attached hereto is the registry return receipt, showing that Mansfield, McMurray & Cornish received the letter addressed to them, inclosing the copy of said petition.

(Signed) Roberta Niblack.

Subscribed and sworn to before me this the 5 day of February, 1906.

(Signed) J. O. Mullen, Notary Public.

My commission expires Jan. 10, 1909.

Endorsed on back as follows:

Department of the Interior,
Commissioner to the Five Civilized Tribes.
FILED Feb 7 1906
(Stamped) Tams Bixby
Commissioner.

Ardmore, Indian Territory, January 15, 1906.

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

Sir:

Your petitioners, T. N. Coleman, Tommye E. Coleman, Geraldine Coleman and Neltz Coleman, respectfully state that they are members of the Choctaw Tribe of Indians. Petitioner, Tommye E. Coleman, is the daughter of L. L. Blake, who has heretofore, and for thirty years last past, been a member of the Choctaw Tribe of Indians, and whose name now appears upon the roll of membership of said tribe.

On February 12, 1895, petitioner Tommye E. Coleman, whose name was Tommye E. Blake, was lawfully married, in accordance with the laws of the Chickasaw Nation, to the petitioner T. N. Coleman, as a result of which union, they had born unto them the petitioners, Geraldine and Neltz Coleman, for whose enrollment application was made prior to the first day of May, 1905.

Wherefore your petitioners pray that they may be enrolled as members of the Choctaw Tribe of Indians.

(Signed) Cruce, Cruce & Bleakmore,
Attorneys for Petitioners.

I, T. N. Coleman, state upon oath that the foregoing statements are true.

(Signed) T. N. Coleman

Subscribed and sworn to before me this the 22 day of January, 1906
(Seal)

(Signed) Roberta Niblack, Notary Public.

Registry receipt attached.

Endorsed as follows:

T. N. Coleman, et al., Application for Choctaw Citizenship.

Department of the Interior,
Commissioner to the Five Civilized Tribes.

FILED Feb 6 1906.

(Stamped) Tams Bixby
Commissioner.

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

In Re T. N. Coleman, Tommye E.)
Geraldine and Neltz Coleman.)

I, Roberta Niblack, do certify that on Friday, the 2d day of February, 1906, I placed in the postoffice at Ardmore, Indian Territory, a letter addressed to Mansfield, McMurray & Cornish, inclosing a true and correct copy of the petition in the above entitled cause; and, that on the same day I deposited in the postoffice at Ardmore, Indian Territory, a letter addressed to the Commissioner to the Five Civilized Tribes, the original of such petition.

Attached hereto is the registry return receipt, showing that Mansfield, McMurray & Cornish received the letter addressed to them, inclosing the copy of said petition.

(Signed) Roberta Niblack

Subscribed and sworn to before me, this the 5 day of February 1906.

(Signed) J. O. Mullen, Notary Public.

(Seal)

My commission expires Jan. 10, 1909.

Registry receipt attached.

Endorsed as follows:

Department of the Interior,
Commissioner to the Five Civilized Tribes.

FILED Feb 7, 1906

(Stamped) Tams Bixby,
Commissioner.

Ardmore, Indian Territory, January 15, 1906.

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

Sir:

Your petitioners, Thomas Graham, Zula Graham, Freda Graham and Charles G. Graham, state that they are members of the Choctaw Tribe of Indians. Zula Graham is the daughter of L. L. Blake, who is duly enrolled as a member of the Choctaw Tribe of Indians, and who has received his allotment of lands as such. On the 1 day of Mar., 1891, the petitioner, Zula Graham, whose name was then Zula Blake, was lawfully married, in accordance with the laws of the Chickasaw Nation to petitioner, Thomas Graham, and as a result of said union, they have had born unto them petitioners Freda and Charles G. Graham, for whose enrollment application was made prior to the first day of May, 1905.

Wherefore your petitioners pray that they may be enrolled as members of the Choctaw Tribe of Indians.

(Stamped) Cruce, Cruce & Bleakmore.
Attorneys for Petitioners.

I, Thomas Graham, state upon oath that the foregoing statements are true.

(Signed) Thomas Graham.

Subscribed and sworn to before me this the 18 day of January, 1906.

(Seal) (Signed) W. H. Admire, Notary Public.
My Com. Expires Nov 17, 1907.
(Registry receipt attached)

Endorsed as follows:

Thomas Graham, et al, Application for Choctaw Citizenship.
Department of the Interior,
Commissioner to the Five Civilized Tribes.

FILED Feb 6, 1906.

(Stamped) Tams Bixby, Commissioner.

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

In Re, Thomas Graham, Zula Graham,)
Freda Graham and Charles G. Graham.)

I, Roberta Niblack, do solemnly swear that on the 2d day of February, 1906, I placed in the postoffice at Ardmore, Indian Territory, a letter addressed to Mansfield, McMurray & Cornish, including a true and correct copy of the petition in the above entitled cause; and, that on the same day I deposited in the postoffice at Ardmore, Indian Territory, a letter addressed to the Commissioner to the Five Civilized Tribes, the original of such petition.

Attached hereto is the registry return receipt, showing that Mansfield, McMurray & Cornish received the letter addressed to them, inclosing the copy of said petition.

(Signed) Roberta Niblack.

Subscribed and sworn to before me this the 5 day of February, 1906.

(Seal) (Signed) J.O. Mullen, Notary Public.

My commission expires Jan. 10, 1909.

Registry receipt attached.

Endorsed on back as follows:

Department of the Interior,
Commissioner to the Five Civilized Tribes.
FILED Feb 7 1906.
(Stamped) Tams Bixby, Commissioner.

IN RE

Application for Enrollment of

MINOR CHILD

Act of Congress Approved
April 26, 1906.

Charles Granville Grand

as a citizen of

Choctaw Nation.

Approved. 190

Commissioner.

Born April 10, 1906.

Act of Congress approved
April 26, 1906.

Department of the Interior,
Commissioner to the Five Civilized Tribes.
FILED Aug 22 1906.
(Stamped) Tans Sixty.
Commissioner.

Choctaw
7-5119

Received
Jul 24 1906.

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 Charles Granville Graham, born on the 10 day of Apr 1903. Name of Father: Tommie Graham a citizen of the Choctaw Nation. Name of Mother: Zula Blake Graham a citizen of the Choctaw Nation. Tribal enrollment of father: Choctaw Tribal enrollment of mother: Choctaw Postoffice: Comanche, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory, Southern District.

I, Zula Blake Graham do hereby state that I am thirty four years of age and a citizen by marriage of the Choctaw Nation; that I am the lawful wife of Tommie Graham who is a citizen, by marriage of the Choctaw Nation; that a male child was born to me on 10 day of Apr 1906; that said child has been named Charles Granville Graham (and was living March 4, 1906)

(Signed) Zula Blake Graham

WITNESSES TO MARK:

[Must be Two Witnesses]

Subscribed and sworn to before me this 21 day of July 1906.

(Seal)

(Signed) H. B. Lockett

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory, Southern District.

I, T. S. Booth a physician, on oath state that I attended on Zula Blake Graham wife of Tommie Graham on the 10 day of Apr 1906; 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 Charles Granville Graham.

(Signed) T. S. Booth

WITNESSES TO MARK:

[Must be Two Witnesses]

Subscribed and sworn to before me this 23 day of July 1906.

(Seal)

(Signed) Sula G. Taylor

Notary Public.

C- 55
7- 5091
7- 5119
7- 5121
7- 5281

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

In the matter of application for the enrollment of
Thedia D. Blake et al. as citizens of the Choctaw Nation.

It appears from the records 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 Ardmore, Indian Territory, September 22, 1896, by L. L.
Blake for enrollment, also his sons, of his wife, Thedia D.
Blake, and his children, Julia S. Blake, Nellie Blake, Lafayette
Blake, Virginia Blake and Ruth Blake as citizens of the Choctaw
Nation; that application was made to the Commissioner to the
Five Civilized Tribes at Ardmore, Indian Territory, September
22, 1896, by T. W. Coleman, for the enrollment of himself as
a citizen by intermarriage of the Choctaw Nation, and for the
enrollment of his wife, Tommie Coleman, and his minor daughter,
Geraldine Coleman, as citizens of the Choctaw Nation, that
subsequent thereto written application was made for the enroll-
ment of Naise Coleman, minor son of L. L. Coleman and Tommie
Coleman, as a citizen of the Choctaw Nation; that on the same
date application was made by Tommie Graham for the enrollment
of himself as an intermarried citizen of the Choctaw Nation,
and for the enrollment of his wife, Zula Graham, and his minor
daughter, Preda Graham, 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 applic-
ants, Thedia Blake, Julia S. Blake (as Julia Blake), Nellie
Blake, Lafayette Blake, Virginia Blake, Ruth Blake, Zula Graham
(as Mrs. Zula Graham), Tommie Graham, T. W. Coleman, Preda Graham,
Mrs. Tommie W. Coleman and Geraldine Coleman 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 30, 1896; that they were denied
said admission by a decision of the Commission to the Five Civil-
ized Tribes on December 4, 1896, in 1896 Choctaw Citizenship Case
No. 902.

From this decision an appeal was taken to the United States
Court for the Southern District of Indian Territory, which Court
on December 21, 1897, in the case entitled "L. L. Blake et al.
vs. Choctaw Nation", Case No. 122, rendered a judgment reversing
the judgment of the Commission and admitted said applicants to
citizenship in the Choctaw Nation.

Said judgment was subsequently vacated, set aside and held
for naught by a decree of the Choctaw and Chickasaw Citizenship

Court of December 17, 1900, in the case of the "Choctaw and Chickasaw Nations, or Tribes, vs. J. A. ..."

Said cause was subsequently certified to the "Choctaw and Chickasaw Citizenship Court, created under the act of Congress approved July 1, 1902 (32 Stats., 841), for a trial de novo, and on November 20, 1904, in the case entitled "J. A. ... vs. Choctaw and Chickasaw Nations" (Choctaw-Chickasaw Citizenship Court case No. 22, State Court District) said citizenship court rendered a decision in favor of the petitioners, and decreed that the petition of the plaintiffs, Thedia Blake or Thedia Blake, Julia Blake, Nellie Blake, Lafayette V. Blake or Lafayette Blake, Virginia Blake, Ruth Blake, Zula Graham, Tom Graham or Tom G. Graham, Freda Graham, Tommie E. Coleman or Tommie E. Coleman, T. W. Coleman and Geraldine Coleman be denied, and that the petitioners are not citizens of the Choctaw Nation, and are not entitled to be admitted as citizens, and not entitled to any rights of citizenship.

On January 1, 1905, the petition of the five civilized Indians and their heirs, Charles Graham, born April 3, 1863, minor son of Tommie or Tom G. Graham, Thedia Blake or Thedia Blake, Julia Blake, Nellie Blake, Lafayette V. Blake or Lafayette Blake, Virginia Blake, Ruth Blake, Zula Graham, Tommie E. Coleman, T. W. Coleman and Geraldine Coleman, was filed in the Choctaw Citizenship Court.

Under the provisions adopted by the Commissioner to the five civilized tribes since July 1, 1903, the petition was filed on February 6, 1905, at the office of the Commissioner, and for the petitioners, petitioners praying for citizenship of Thedia Blake, Julia Blake, Nellie Blake, Lafayette V. Blake, Virginia Blake, Ruth Blake, T. W. Coleman, Tommie E. Coleman, Geraldine Coleman, Zula Graham, Tommie E. Coleman, Freda Graham and Charles G. Graham as citizens of the Choctaw Nation.

On July 24, 1905, the petition was received for the enrollment of Charles Graham or Graham, born April 3, 1863, minor son of Tommie or Tom G. Graham, Thedia Blake or Thedia Blake, Julia Blake, Nellie Blake, Lafayette V. Blake or Lafayette Blake, Virginia Blake, Ruth Blake, Zula Graham, Tommie E. Coleman, T. W. Coleman and Geraldine Coleman.

It is alleged in the petition filed January 1, 1905, that the petitioner, Thedia Blake, was lawfully married on the 1st of July, 1868, to L. L. Blake, a member of the Five Civilized Tribes of Indians, that the petitioners, Julia Blake, Nellie Blake, Lafayette V. Blake, Virginia Blake and Ruth Blake are the children of said Thedia Blake and L. L. Blake; that the petitioners, Tommie E. Coleman and Zula Graham, are the children of L. L. Blake; that the petitioner, T. W. Coleman, is the husband of Tommie E. Coleman; that the petitioners, Geraldine Coleman and Nellie Coleman, are the children of said T. W. Coleman and Tommie E. Coleman; that the petitioner, Thomas Graham, is the husband of the petitioner, Zula Graham; that the petitioners, Freda Graham and Charles G. Graham, are the children of said Zula Graham and Thomas Graham.

The records in the possession of the Commissioner to the

Five Civilized Tribes show that L. L. Blake, the husband of the petitioner, Thedia Blake, has been enrolled as a citizen by intermarriage of the Choctaw Nation by reason of his marriage to Virginia Wall prior to his marriage to his present wife, Thedia Blake, and his name appears upon the roll of citizens by intermarriage of the Choctaw Nation, opposite No. 988.

I am of the opinion that following the ruling of the Department of February 3, 1906 (I.T.D. 11582-1904) in the case of Emma McMennamin, the application for the enrollment of Thedia Blake as a citizen of the Choctaw Nation and the petition filed February 6, 1906, in so far as it applies to said Thedia Blake, should be denied, under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), and it is so ordered.

I am further of the opinion that following the ruling of the Department of April 24, 1906 (I.T.D. 4043-1906) in the case of Mary Elizabeth Martin, the application for the enrollment of Julia C. Blake, Nellie Blake, Lafayette Blake, Virginia Blake, Ruth Blake, Tommie Coleman, Geraldine Coleman, Zula Graham and Freda Graham, and the petitions filed February 6, 1906, in so far as they apply to said applicants, should be denied, under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), and it is so ordered.

I am further of the opinion that the application for the enrollment of T. J. Coleman and Tommie Graham as intermarried citizens of the Choctaw Nation and the petitions filed February 6, 1906, in so far as they apply to said applicants, should be denied under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), and it is so ordered.

I am further of the opinion that the petition filed February 6, 1906, in so far as it applies to the petitioner, Neise Coleman, should be dismissed, and it is so ordered.

I am further of the opinion that the application for the enrollment of Charles Graville Graham should be denied, under the provisions of the Act of Congress approved April 26, 1906 (Public No. 129), as amended by the Act of Congress approved June 21, 1906 (Public No. 25), and it is so ordered.

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Waukege, Indian Territory,

7-5091
C- 55

Muskogee, Indian Territory, November 21, 1906

Manfield, cMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith will find a copy of the decision of the Commissioner of the Five Civilized Tribes, rendered November 21, 1906, denying the applications and petitions for the enrollment of Theda Blake, Julia C. Blake, Nellie Blake, Lafayette Blake, Virginia Blake, Ruth Blake, Tommy Coleman, Geraldine Coleman, Zula Graham and Freda Grabe, as citizens of the Choctaw Nation, the application and petitions for the enrollment of C. W. Coleman and Tommie Graham, as citizens by intermarriage of said nation, dismissing the petition for the enrollment of Tommie Coleman, as a citizen of the Choctaw Nation, and denying the application for the enrollment of Charles Granville Graham as a citizen of the said nation, under 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,

7-5091
C- 55

Commissioner.

7-5119
23-1144

Washkoree, Indian Territory, November 22, 1906.

Terrie Graham,

Comanche, Indian Territory,

Dear Sir:

You are hereby notified that on November 22, 1906, the Secretary of the Interior rendered his decision denying the application and petition for your enrollment as a citizen by intermarriage the application and petition for the enrollment of Zula and Freda Granham, as citizens, of the Choctaw Nation, and denying the application for the enrollment of Charles Granville Graham as a citizen of said nation, under the Act of Congress approved April 26, 1906, (34 Stat., 137).

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,

Registered.

Commissioner.

7-5091

Washington, D. C., February 10, 1935.

Mr. J. M. [Name],
[Address],
[City], [State]

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Council on the application for the enrollment of Charles Willis Graham, as a citizen of the United States, under the Act of Congress approved April 14, 1907, entitled "An Act to provide for the enrollment of certain persons as citizens of the United States." The application was filed by the said Charles Willis Graham, and the application was referred to the Committee on the Enrollment of Citizens, which committee has the honor to report that the application of the said Charles Willis Graham, as a citizen of the United States, under the Act of Congress approved April 14, 1907, is hereby approved, and that the said Charles Willis Graham is hereby enrolled as a citizen of the United States, under the Act of Congress approved April 14, 1907.

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 office is informed of the same.

Respectfully,

Registered.
Incl. 7-5091--C-55.

Commissioner.

7-5091
C- 5b

Muskogee, Indian Territory, November 1, 1906.

W. W. Coleman,

Agent, Indian Territory.

Dear Sir:

Enclosed is a copy of the final decision of the Commissioner of the General Land Office, dated November 1, 1906, concerning the application for the enrollment of Thomas Blake, John C. Blake, William Blake, Virginia Blake, Ruth Blake, Fanny Coleman, Benjamin Coleman, Zula Graham and Freda Graham, as citizens of the Cherokee Nation, the application and petitions for the enrollment of W. W. Coleman and Tommie Graham, as citizens by intermarriage of said nation, dismissing the petition for the enrollment of Waise Coleman, as a citizen of the Cherokee Nation, and denying the application for the enrollment of Charles Granville Graham as a citizen of the said nation, under the Act of Congress approved April 20, 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,

Registered.
Incl. 7-5091
C 5b

Commissioner.

Y.P.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

O.K.

LRS
D.C.12051-1907.
I. T. D.

4594, 4604, 4606, 4608, - 1907.
4642, 4680, 4683, 4702, "
4715, 4722, 4724, 4728, "

February 27, 1907.

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.
Tom Isaac, (Miss. Choct.)	December 15, 1906.
Winey King et al., (Freedmen),	October 19, 1906.
Frank Going,	October 19, 1906.
James Morris,	October 19, 1906.
Floy E. Davis et al.,	October 19, 1906.
Sousan Jackson et al.,	January 16, 1907.
Lillie Henderson	January 29, 1907.
Claudia A. Platc et al.,	January 15, 1907.
Beatrice Bottoms	December 24, 1906.
William H. Mitchell et al.,	January 9, 1907.
Thedia D. Blake et al.,	January 9, 1907.
Cora A. Pyle	November 21, 1906.
	January 9, 1907.

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.

12 inc. and 24
inc. for Ind. Of.

AFMc
2-28-07.

944
257

(COPY)

Refer in reply to the following:

Land.
103436-1906.

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

February 21, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

Referring to Department letters of January 28, 1905, (I.T.D. 11582-1904), and July 10, 1906 (I.T.D. 2548), there is enclosed a report from the Commissioner to the Five Civilized Tribes, dated November 22, 1906, transmitting the record relative to the application of Thedia D. Blake et al. for enrollment as citizens of the Choctaw Nation.

On September 29, 1898, application was made to the Commission to the Five Civilized Tribes for the enrollment of Thedia D. Blake as a citizen by intermarriage, and for the enrollment of her children, Julia C., Nellie, Lafayette, Virginia and Puth Blake, as citizens by blood.

On the same date, application was made for the enrollment of T. N. Coleman as a citizen by intermarriage, and for the enrollment of his wife, Tomye Coleman, and his children, Geraldine and Nelse (or Neltz) Coleman as citizens by blood.

Application was also made for the enrollment of Tommie Graham as a citizen by intermarriage, and for the enrollment of Zula Graham, his wife, and his minor child, Freda Graham, as citizens by blood.

On July 24, 1906, application was made for the enrollment of Charles G. Graham as a citizen by blood.

On November 22, 1906, the Commissioner held that the applicants were not entitled to enrollment.

The record shows that Thedia D. Blake claims the right to be enrolled as a citizen by intermarriage of the Choctaw Nation by reason of her marriage to L. L. Blake, identified at No. 957 on the roll of citizens by intermarriage of the Choctaw Nation, and that Julia C., Nellie, Lafayette, Virginia and Ruth Blake, Tommie Coleman and Zula Graham are the children of L. L. and Thedia D. Blake. It is further shown that Geraldine and Nelse (or Neltz) Coleman are the children of T. N. and Tommie Coleman, and that Freda and Charles G. Graham are the children of Tommie and Zula Graham.

Under the provisions of Section 34 of the Act of July 1, 1902 (32 Stat. L., 641), and of the opinion of the Assistant Attorney General for the Department of January 28, 1906 (I.T.D. 11582-1904), in the case of Emma McMenamin, the decision of the Commissioner adverse to Thedia D. Blake, T. N. Coleman and Tommie Graham, applicants for enrollment as citizens by intermarriage of the Choctaw Nation is recommended for approval.

By reason of the Act of June 21, 1906 (34 Stat.L., 325), and the Departmental decision of July 10, 1906 (I.T.D. 2548), in the case of William Jesse Bacon, the decision of the Commissioner adverse to the other applicants is recommended for approval.

Very respectfully,

C. F. Larrabee
Acting Commissioner

HRE-Y.

7-5091

Muskogee, Indian Territory, April 3, 1907.

The dia Blake,

Ardmore, Indian Territory.

Dear Madam:

You are hereby advised that on February 27, 1907, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes, rendered November 22, 1906, denying the applications and petitions for the enrollment of Thedia Blake, Julia C. Blake, Nellie Blake, Lafayette Blake, Virginia Blake, Ruth Blake, Tommy Coleman, Geraldine Coleman, Zula Graham and Freda Graham, as citizens of the Choctaw Nation, the application and petitions for the enrollment of T. W. Coleman and Tommie Graham, as citizens by intermarriage of said nation, dismissing the petition for the enrollment of Nelse Coleman, as a citizen of the Choctaw Nation, and denying the application for the enrollment of Charles Granville Graham as a citizen of the Choctaw Nation, under the Act of Congress approved April 26, 1906.

Respectfully,

Geo. W. R.

Acting Commissioner.

7-5091
C- 55

Muskogee, Indian Territory, April 3, 1907.

T. N. Coleman,

Ardmore, Indian Territory.

Dear Sir:

You are hereby advised that on February 27, 1907, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes, rendered November 22, 1906, denying the applications and petitions for the enrollment of Thedia Blake, Julia C. Blake, Nellie Blake, Lafayette Blake, Virginia Blake, Ruth Blake, Tommye Coleman, Geraldine Coleman, Zula Graham, and Freda Graham, as citizens of the Choctaw Nation, the application and petitions for the enrollment of T. N. Coleman and Tommie Graham as citizens by intermarriage of said nation, dismissing the petition for the enrollment of Nelse Coleman as a citizen of the Choctaw Nation, and denying the application for the enrollment of Charles Granville Graham as a citizen of said nation, under the Act of Congress approved April 26, 1906.

Respectfully,

G. J.

Acting Commissioner.

7-5119

Muskogee, Indian Territory, April 3, 1907.

Tommie Graham,

Comanche, Indian Territory.

Dear Sir:

You are hereby advised that on February 27, 1907, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes, rendered November 22, 1906, denying the application and petition for your enrollment as a citizen by intermarriage of the Choctaw Nation, the application and petition for the enrollment of Gula and Freda Graham as citizens of the Choctaw Nation and denying the application for the enrollment of Charles Manville Graham as a citizen of said nation, under the Act of Congress approved April 26, 1906 (34 Stat^s., 137).

Respectfully,

Acting Commissioner.

7-5091
C-55

Muskogee, Indian Territory, April 3, 1907.

Cruce, Cruce & Bleakmore,
Attorneys at Law,
Ardmore, Indian Territory.

Gentlemen:

You are hereby advised that on February 27, 1907, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes, rendered November 22, 1906, denying the applications and petitions for the enrollment of Thedia Blake, Julia C. Blake, Nellie Blake, Lafayette Blake, Zula Graham and Freda Graham, as citizens of the Choctaw Nation; the application and petitions for the enrollment of T. W. Coleman and Tommie Graham, as citizens by intermarriage of said nation, dismissing the petition for the enrollment of Nelse Coleman, as a citizen of the Choctaw Nation, and denying the application for the enrollment of Charles Granville Graham as a citizen of the Choctaw Nation under the Act of Congress approved April 26, 1906.

Respectfully,

Acting Commissioner.

7-5091
C- 55

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 February 27, 1907, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes, rendered November 22, 1906, denying the applications and petitions for the enrollment of Thedia Blake, Julia C. Blake, Nellie Blake, Lafayette Blake, Virginia Blake, Ruth Blake, Tommy Coleman, Geraldine Coleman, Zula Graham and Freda Graham, as citizens of the Choctaw Nation, the application and petitions for the enrollment of T. W. Coleman and Tommie Graham, as citizens by intermarriage of said nation, dismissing the petition for the enrollment of Nelse Coleman, as a citizen of the Choctaw Nation, and denying the application for the enrollment of Charles Granville Graham as a citizen of said nation, under the Act of Congress approved April 26, 1906.

Respectfully,

Geo. P. Rodgers.

Acting Commissioner.

Choc 5092 William J. Jones

5092

1008

COMMISSIONERS:
TAMM BIXBY,
THOMAS S. NEEDLES,
C. E. BRECKINRIDGE.
WM. O. BEALL,
Secretary

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

INDEXED TO THE FOLLOWING:
Choctaw 5092

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, March 27, 1905.

William J. Jones,
Duncan, Indian Territory,

Dear Sir:

You are hereby notified that on the 10th day of March, 1905, the Secretary of the Interior affirmed the decision of this Commission, rendered February 6, 1905, denying the application for the enrollment of yourself, your wife, Sallie M. Jones, and children, Alta F. Jones and Norma Lila Jones, as citizens of the Choctaw Nation, included in the consolidated case of Rutherford P. Jones et al.

Respectfully,

Chairman.

7-5092.

Muskogee, Indian Territory, May 9, 1905.

William J. Jones,
Duncan, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the affidavits of Sallie M. Jones and J. T. Wharton to the birth of William Burton Jones, John Garlin Jones and Bennie Bertha Jones, Children of William James and Sallie M. Jones, December 8, 1900, February 22, 1902, and February 5, 1904, respectively.

You are advised that on February 6, 1905, the Commission refused your application for the enrollment of yourself and your wife, Sallie M. Jones, as citizens of the Choctaw Nation, and under the provisions of the act of Congress approved March 3, 1905, the Commission ^{is} authorized for a period of sixty days from that date to receive applications for enrollment of children born to citizens by blood of the Choctaw and Chickasaw Nations whose enrollment had prior to that time been approved by the Secretary of the Interior. You will, therefore, see that the Commission is without authority to enroll your children.

Respectfully,

Commissioner in Charge.

Choctaw

Wema Lila Jones
Born to W. L. Jones
W. L. Jones

Nov 1 96.

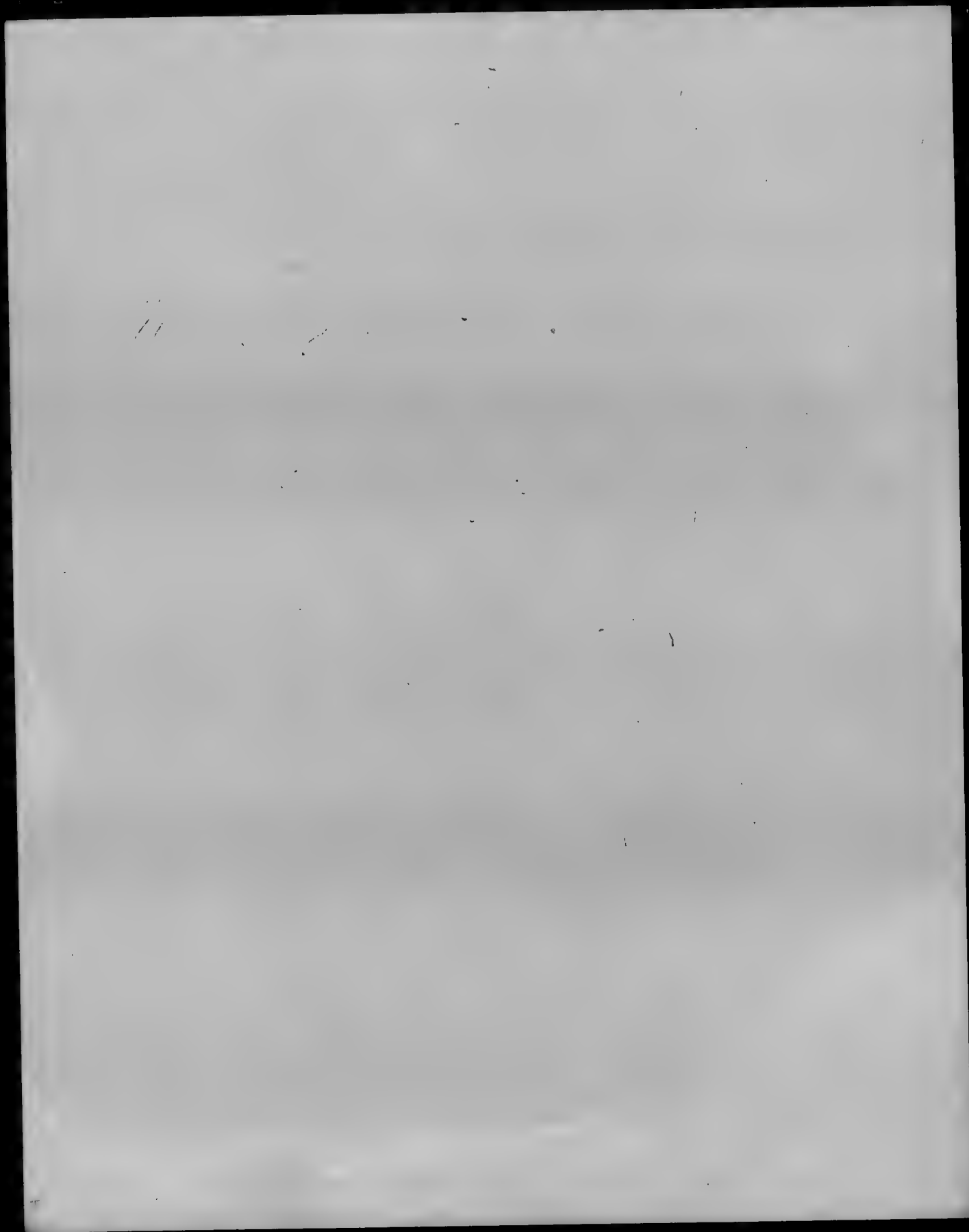
Parents admitted
to Choctaw citizenship

Nov 15 97.

Name of child
not in decree

Court # 148

X 131



Birth Affidavit.

Department of the Interior.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Cherokee Nation, of William Burton Jones, born on the 8th day of Dec. 1900; Name of Father: William James Jones, a citizen of the Cherokee Nation. Name of Mother: Sallie M. Jones nee Jones a citizen of the Cherokee Nation. Postoffice, Lawrence, Ok.

-----0000000000-----

Affidavit of Mother.

United States of America,
Indian Territory,
Southern District,

I, Sallie M. Jones nee Jones on oath state that I am 40 years of age, and a citizen by blood of the Cherokee Nation; that I am the lawful wife of William James Jones who is a citizen by blood of the Cherokee Nation; that a male child was born to me on the 8 day of Dec, 1900; that said child has been named William Burton Jones and was living March 3, 1905.

Witnesses to Mark.

Must be two (witnesses) Sadie Moore
& Metta Breunington

Subscribed and sworn to before me on this the 3 day of May 1905.

R. H. Gamblin
Notary Public.

-----0000000000-----

Affidavit of Attending Physician or Midwife.

United States of America,
Indian Territory,
Southern District,

I, J. A. Wharton a Physician on oath state that I attended on Mrs. Sallie M. Jones nee Jones wife of William James Jones on the 8th day of Dec 1900; that there was born to her on said date a male child, that said child was living March 4th, 1905, and is said to have been named William Burton Jones.

Subscribed and sworn to before me, on this the 3 day of May 1905.

J. A. Wharton M.D.
Notary Public.
my commission expires April 18th 1908

Birth Affidavit.

Department of the Interior.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation, of John Garlan Jones, born on the 22nd day of Feb. 1902; Name of Father: William James Jones, a citizen of the Choctaw Nation. Name of Mother: Sallie M. Jones nee Jones a citizen of the Choctaw Nation. Postoffice, Lawrence, Okla.

-----0000000000-----

Affidavit of Mother.

United States of America,

Indian Territory,
Southern District,

1. Sallie M. Jones nee Jones 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 William James Jones who is a citizen by birth of the Choctaw Nation; that a male child was born to me on the 22nd day of Feb., 1902; that said child has been named John Garlan Jones and was living March 3, 1905.

Witnesses to Mark.

Must be two (witnesses) Sadie Moore
Conetta Brewington

Subscribed and sworn to before me on this the 3 day of May 1905.

R. H. Campbell
Notary Public.

Commission expires April 14, 1908
-----0000000000-----

Affidavit of Attending Physician or Midwife.

United States of America,
Indian Territory,
Southern District,

1. J. T. Wharton a Physician on oath state that I attended on Mrs. Sallie M. Jones nee Jones wife of William James Jones on the 22nd day of Feb. 1902; that there was born to her on said date a male child; that said child was living March 4th, 1905, and is said to have been named John Garlan Jones.

Subscribed and sworn to before me, on this the 3 day of May 1905.

J. T. Wharton M.D.
Notary Public.

Commission expires April 14, 1908

Birth Affidavit.

Department of the Interior.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw
Nation, of Bessie Bertha Jones, born on the 5th day
of Feb. 1904. Name of Father: William James Jones
a citizen of the Choctaw Nation.
Name of Mother: Sallie M. Jones nee Jones a citizen of the
Choctaw Nation.
Post Office: Laurian, T.S.

Affidavit of Mother.

United States of America,
Indian Territory,
Southern District.

I, Sallie M. Jones nee Jones 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 William
James Jones who is a citizen by blood of the
Choctaw Nation; that a female child
was born to me on the 5th day of Feb.
1904; that said child has been named Bessie Bertha Jones
and was living March 4th, 1905.
Sallie M. Jones nee Jones

Witnesses to mark:

(Must be two witnesses) Sadie Moore
Conetta Buckingham

Subscribed and sworn to before me on this 9th day of

May 1905.

R. M. Hamilton

Notary Public.

my commission expires April 13th 1908

Affidavit of Attending Physician or Midwife.

United States of America
Indian Territory,
Southern District,

I, J. J. Wharton a Physician
on oath state that I attended on Mrs. Sallie M. Jones nee Jones
wife of William James Jones on the 5th
day of Feb. 1904; that there was born to her on
said date a female child; that said child was living
March 4th, 1905, and is said to have been named Bessie Bertha Jones

Subscribed and sworn to before me on this 9th day of May
1905.

R. M. Hamilton Notary Public.

my commission expires April 13th 1908

COPY.

7-5953.

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

In the matter of the application for the enrollment of Lutherford P. Jones, et al., as citizens of the Choctaw Nation consolidating the applications of:

Lutherford P. Jones, et al.,	8283
William A. Jones	8284
John T. Jones, et al.,	8285
Robert T. Jones	8287
William A. Jones, et al.,	8288
Brinkley M. Jones, et al.,	8281
Wanda M. Jones	8282
Charles M. Jones, et al.,	8287
Harland M. Jones, et al.,	8288

It appears from the record herein that on October 22, 1896 application was made to this Commission for the enrollment, as citizens of the Choctaw Nation, of Lutherford P. Jones, John T. Jones, Nellie M. Jones, William A. Jones, John T. Jones, Mary A. Jones, William B. Jones, George M. Jones, Walter T. Jones, Lizzie M. Jones, Wilburn M. Jones, Pearl V. Jones, Robert T. Jones, William L. Jones, Sallie M. Jones and her minor children Alta M. Jones and Nona Lila Jones; that on October 17, 1896 application was made to this Commission for the enrollment, as citizens of the Choctaw Nation, of Brinkley M. Jones, Elizabeth M. Jones, Sallie M. Jones, Wanda M. Jones, Charles M. Jones and his minor son Lynn M. Jones, Harland M. Jones and his minor children Jennie S. Jones and Ruth L. Jones, and that subsequent thereto written applications were made to this Commission for the enrollment of Ray Candis West, born March 31, 1900 and who is a daughter of the applicant Nellie M. Jones and Joe S. West, a non-citizen, and of Herman Hampton Jones and Donal Wilburn Jones, born March 9, 1900 and March 11, 1902, respectively, sons of the applicant Sallie M. Jones and Gus M. Jones, a non-citizen.

It does not appear from the evidence in this case or the records in the possession of the Commission that any of the applicants herein has ever been enrolled by the tribal authorities of the Choctaw Nation, or admitted to citizenship in the Choctaw Nation by the legally constituted authorities of said nation, or admitted to citizenship in said nation by the Commission to the Five Civilized Tribes, or by the United States Court in Indian Territory, in accordance with the provisions of the Act of Congress approved June 10, 1896 (29 Stat., 311).

It further appears from the records of the Commission that on January 17, 1896 the United States Court for the Southern District of Indian Territory, in the case entitled "Walter T. Jones, vs. Choctaw Nation" (Citizenship Case number 146), entered of

record a decree admitting to citizenship in the Choctaw Nation, among others, the applicants Rutherford P. Jones (as Rutherford Benmore Jones), Beandes Jones (as Beandis Jones), Nellie Jones (as Nellie Rutherford Jones), William A. Jones (as William Albert Jones), John G. Jones (as John Landy Jones), Mary A. Jones, William C. Jones (as William Oscar Jones), George D. Jones (as Geo. D. Jones), Walter J. Jones, Lizzie B. Jones, Milburn B. Jones, Pearl V. Jones (as Pearlie V. Jones), Robert J. Jones, William T. Jones (as William James Jones), Sallie B. Jones, Brinkley W. Jones (as Brinkley Wilburn Jones), Elizabeth A. Jones (as Elizabeth Lay Jones), Sallie C. Jones (as Sallie Fisher Jones), Amanda B. Jones (as Amanda Elvina Jones), Charles V. Jones (as Charlie Marion Jones and Garland A. Jones (as Garland Rutherford Jones), and on January 17, 1902 entered of record a judgment and decree as of January 17, 1902 correcting said original judgment and decree and striking therefrom the name of Rutherford P. Jones (as Rutherford Benmore Jones), Beandes Jones (as Beandis Jones), Nellie B. Jones (as Nellie Rutherford Jones), William A. Jones (as William Albert Jones), John G. Jones (as John Landy Jones), Mary A. Jones, William C. Jones (as William Oscar Jones), George D. Jones, Walter J. Jones, Lizzie B. Jones, Milburn B. Jones, Pearl V. Jones (as Pearlie V. Jones), Robert J. Jones, William T. Jones (as William James Jones), Sallie B. Jones, Brinkley W. Jones (as Brinkley Wilburn Jones), Elizabeth A. Jones (as Elizabeth Lay Jones), Sallie C. Jones (as Sallie Fisher Jones), Amanda B. Jones (as Amanda Elvina Jones), Charles V. Jones (as Charlie Marion Jones) and Garland A. Jones (as Garland Rutherford Jones).

It further appears from the records 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., 411), "set aside, annulled, vacated and held for naught" the aforesaid judgment of the United States Court for the Southern District of Indian Territory. Said case as to certain of the applicants therein was duly appealed to 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, but as to the applicants herein Rutherford P. Jones (as Rutherford Benmore Jones), Beandes Jones (as Beandis Jones or Beandis Jones), Nellie B. Jones (as Nellie Rutherford Jones), William A. Jones (as W. Albert Jones), John G. Jones (as John Landy Jones), Mary A. Jones, William C. Jones (as William Oscar Jones), George D. Jones, Walter J. Jones, Lizzie B. Jones, Milburn B. Jones, Pearl V. Jones (as Pearlie V. Jones), Robert J. Jones, William T. Jones (as William James Jones), Sallie B. Jones, Brinkley W. Jones (as Brinkley Wilburn Jones), Elizabeth A. Jones (as Elizabeth Lay Jones), Sallie C. Jones (as Sallie Fisher Jones), Amanda B. Jones (as Amanda Elvina Jones), Charles V. Jones (as Charlie Marion Jones) and Garland A. Jones (as Garland Rutherford Jones) said Choctaw and Chickasaw Citizenship Court on November 26, 1904 in case number 107 upon its Tishomingo docket entered of record a decree dismissing the petition of said applicants for want of jurisdiction.

It is, therefore, the opinion of this Commission that the application for the enrollment of Rutherford P. Jones, Beandes Jones, Nellie B. Jones, William A. Jones, John G. Jones, Mary A. Jones, William C. Jones, George D. Jones, Walter J. Jones, Lizzie B. Jones, Milburn B. Jones, Pearl V. Jones, Robert J. Jones,

William J. Jones, Sallie W. Jones, Alta F. Jones, Norma Ella Jones, Brinkley W. Jones, Elizabeth M. Jones, Sallie P. Jones, Ananda M. Jones, Charles M. Jones, Lynn Jones, Garland A. Jones, Jennie P. Jones, Ruth C. Jones, May Candis Guest, Herman Hampton Jones and Donal Wilburn Jones as citizens of the Cheataw Nation should be denied, in accordance with the provisions of the Act of Congress approved June 24, 1898 (30 Stat., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

SIGNED

[Signature]

Chairman.

SIGNED

[Signature]

Commissioner.

SIGNED

C. J. [Signature]

Commissioner.

Muskogee, Indian Territory,

COPY.

Muskogee, Indian Territory, February 6, 1906.

William S. Jones,

Duncan, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 6, 1906, denying the application for the enrollment of yourself, and wife, Allie K. Jones, and of your children, Alta E. Jones and Norma Lila Jones, as citizens of the United States, included in the consolidated case of E. therefore E. Jones, et al.

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,

(SIGNED)

James H. [unclear]
Chairman.

Registered.

Incl. 7-5092

Choctaw 5092

COPI

Muskogee, Indian Territory, March 27, 1905.

William J. Jones,
Duncan, Indian Territory,

Dear Sir:

You are hereby notified that on the 10th day of March, 1905, the Secretary of the Interior affirmed the decision of this Commission, rendered February 6, 1905, denying the application for the enrollment of yourself, your wife, Callie M. Jones, and children, Alta B. Jones and Norma Lila Jones, as citizens of the Choctaw Nation, included in the consolidated case of Rutherford P. Jones et al.

Respectfully,

W. G. S. D.

Chairman.

Choc 5093

Jesse W. Sanders

7-8-9-10

Dismissed 12-12-04

5093

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

--oOo--

Record in the matter of the application for enrollment
as a citizen by blood of the Choctaw Nation of
Delmer Waldo Sanders, 7-5093.

IN RE

Application for Enrollment of

INFANT CHILD

Helmer Waldo Sanders

as a citizen of

Moctaw Nation.

Approved **OCT 29 1902** 190

C. H. Dickinson
Commissioner

DEPARTMENT OF THE INTERIOR
BUREAU OF LANDS
SECTION ON THE FIVE CIVIL

FILED

OCT 29 1902

5093

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

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,
of *Delmer Waldo Sanders*, born on the *29* day of *aug*, 1902
(Here insert name of child)
Name of Father: *James Robert Sanders*, a citizen of the *Choctaw* Nation,
Name of Mother: *Willie Sanders*, a citizen of the *Choctaw* Nation,
Post-office, *Jenual, I.T.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,

Southern INDIAN TERRITORY, District.

I, *Willie Sanders*, 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 *James Robert Sanders*, who is a citizen, by
Birth of the *Choctaw* Nation, that a *male* child was
(male or female)
born to me on the *29* day of *aug*, 1902, that said child has been
named *Delmer Waldo Sanders*, and is now living.

WITNESSES TO MARK

(Must be Two) Witnesses

Willie Sanders

Subscribed and sworn to before me this *14* day of *Oct*, 1902.

Geo M Stewart
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,

Southern INDIAN TERRITORY, District.

I, *F. W. Ewing*, a *Physician*, on oath state that I
attended on Mrs. *Willie Sanders*, wife of *James Robert Sanders*,
on the *29* 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 *Delmer Waldo Sanders*.

WITNESSES TO MARK:

(Must be Two) Witnesses

Dr. F. W. Ewing

Subscribed and sworn to before me this *14* day of *Oct*, 1902.

Geo M Stewart
NOTARY PUBLIC

W. H. H.
Abbe

7-5093.

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

--oOo--

In the matter of the application of Belmer Wilco Sanders for enrollment as a citizen by blood of the Choctaw Nation.

--oOo--

The applicant, Belmer Wilco Sanders, claims the right to enrollment as a citizen by blood of the Choctaw Nation through his father, James H. Sanders.

The right of the applicant's father, James H. Sanders (as James Sanders), to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court of November 23, 1904, in case number 78 upon the Lishoniere docket of said court, it is ordered that the application of Belmer Wilco Sanders for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

[Handwritten signature]

Chairman.

Muskogee, Indian Territory,

1905

7-5093.

COPY.

Muskogee, Indian Territory, December 13, 1904.

James R. Sanders,

Terral, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 12, 1904, dismissing the application for the enrollment of your minor son, Delmer Waldo Sanders as a citizen by blood of the Choctaw Nation.

Respectfully,

SIGNED

Chairman.

Registered.

Incl. 7-5093.

7-5093

Muskogee, Indian Territory, December 13, 1904.

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

Gentlemen:

Inclosed herewith you will find copies of the orders of this Commission, dated December 13, 1904, dismissing the applications for the enrollment of Delmer Waldo Sanders, Ada Sanders, Luther Brown Sanders (Synon. Luther Sanders) and Fremont Sanders as citizens by blood of the Choctaw Nation.

Respectfully,

Chairman.

2 Incls. 7-5093.

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

--oOo--

Record in the matter of the applications for enrollment
as citizens by blood of the Choctaw Nation of
Ida J. Sanders, et al.,
7-5093.

Jesse W. Sanders and others.

Jesse W. Sanders says:

Ida J. was born Feb. 14th 1898 .

Joseph M. was admitted as "James M".

I moved here with my family from Arkansas in June 1898, and have lived
in the Chickasaw Nation ever since.

Ardmore Sept 22 1898.

Jesse W. Sanders
Lizzie Sanders
James R. Sanders
John N. Sanders
Joseph M. Sanders
Izey M. Sanders
Ida J. Sanders

enrolled.

Department of the Interior.
Commission to the Five Civilized Tribes

In Re Application for enrollment
Bynum Luther Sanders
as a member of the Choctaw Nation of Indians
born on the 2nd day of April A.D. 1900
Name of Father: Jesse Sanders a Choctaw Indian
by blood
Name of Mother: Lizzie Sanders a Choctaw Indian
by intermarriage.

Post Office Terra Nova Tex.

Affidavit of Mother.

United States of America }
The Indian Territory } ss.
Southern Judicial District }

I, Lizzie Sanders, do solemnly swear that I am 25 years old, that I am a Choctaw Indian in intermarriage, that I am the lawful wife of Jesse Sanders, a Choctaw Indian by blood, that there was born to me on the 2nd day of April A.D. 1900 a male child, who has been named Bynum Luther Sanders, and that said child is now living. Lizzie Sanders

Subscribed and sworn to before me this 12 day of May 1900

J. G. [Signature] Notary Public
do this 12th day of May

Affidavit of Attending Physician

United States of America }
The Indian Territory } ss.
Southern Judicial District }

I, J. P. Curing, a physician & surgeon
swear that I attended on Mrs. Peggy Sanders
a Choctaw Indian by intermarriage the lawful
wife of Jesse C. Sanders a Choctaw Indian by
blood on the 2^d day of April 1882 that there
was born to her on said date a male child,
that said child was named [unclear] said to
have been named [unclear]

Subscribed and sworn to before me this 12th day of [unclear] 1882

[Signature]

Notary Public for the District of [unclear]

In Re

Application of

Cyrus Luther Sanders

for Enrollment as a

Member of the Chickasaw

Tribes

Filed & Approved this

MAY 24 1900. 1900.

D. S. Williams

Commissioner

FILED
MAY 14 1900
COMMISSION TO FIVE TRIBES.

no
509

IN RE

Application for Enrollment of

INFANT CHILD

Fremont Sanders

as a citizen of

Choctaw

Nation.

JUN 18 1902

[Large signature]
Commissioner.

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

FILED
JUN 18 1902

[Faint signature]
ACTING ASSISTANT

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

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Fremont Sanders, born on the 7 day of April, 1902
(Here insert name of child)
Name of Father: Jessie W Sanders, a citizen of the Choctaw Nation.
Name of Mother: Lizzie Sanders, a citizen of the Choctaw Nation.
Post-office, Serran

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,

District.

I, Lizzie Sanders, on oath state that I am 30
years of age and a citizen, by Choctaw Nation;
that I am the lawful wife of Jessie W Sanders, who is a citizen, by
Birth of the Choctaw Nation, that a male child was
born to me on the 17 day of April, 1902; that said child has been
named Fremont Sanders, and is now living.

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 5 day of June, 1902.

Geo W Stewart
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,

District.

I, F W Ewing, a MD, on oath state that I
attended on Mrs. Lizzie Sanders, wife of Jessie W Sanders,
on the 17 day of April, 1902; that there was born to her on
said date a male child; that said child is now living and is said to have been
named Fremont Sanders.

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 16 day of June, 1902.

F W Ewing, M.D.
Geo W Stewart
NOTARY PUBLIC

AMB
1860

7-5093.

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

--c0o--

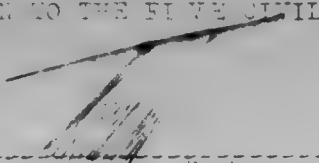
In the matter of the applications of Ida J. Sanders, Luther Bynum Sanders (Bynum Luther Sanders) and Fremont Sanders for enrollment as citizens by blood of the Choctaw Nation.

--o0o--

The applicants, Ida J. Sanders, Luther Bynum Sanders (Bynum Luther Sanders) and Fremont Sanders, claim the right to enrollment as citizens by blood of the Choctaw Nation through their father, Jesse W. Sanders.

The right of the applicants' father, Jesse W. Sanders (as Jesse Wilson Sanders or Tessie Wilson Sanders), to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court of November 21, 1904, in case number 73 upon the Tishomingoocket of said court, it is hereby ordered that the applications of Ida J. Sanders, Luther Bynum Sanders (Bynum Luther Sanders) and Fremont Sanders for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.



Chairman.

Muskogee, Indian Territory.

D

7-5093

COPY.

Muskogee, Indian Territory, December 13, 1904.

Jesse W. Sanders

Terral, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 12, 1904, dismissing the application for the enrollment of your minor children, Ida J. Sanders, Luther Bynum Sanders (Bynum Luther Sanders) and Fremont Sanders as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

[Signature]

Chairman.

Registered.

Incl. 7-5093.

7-5093

Muskogee, Indian Territory, December 13, 1904.

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

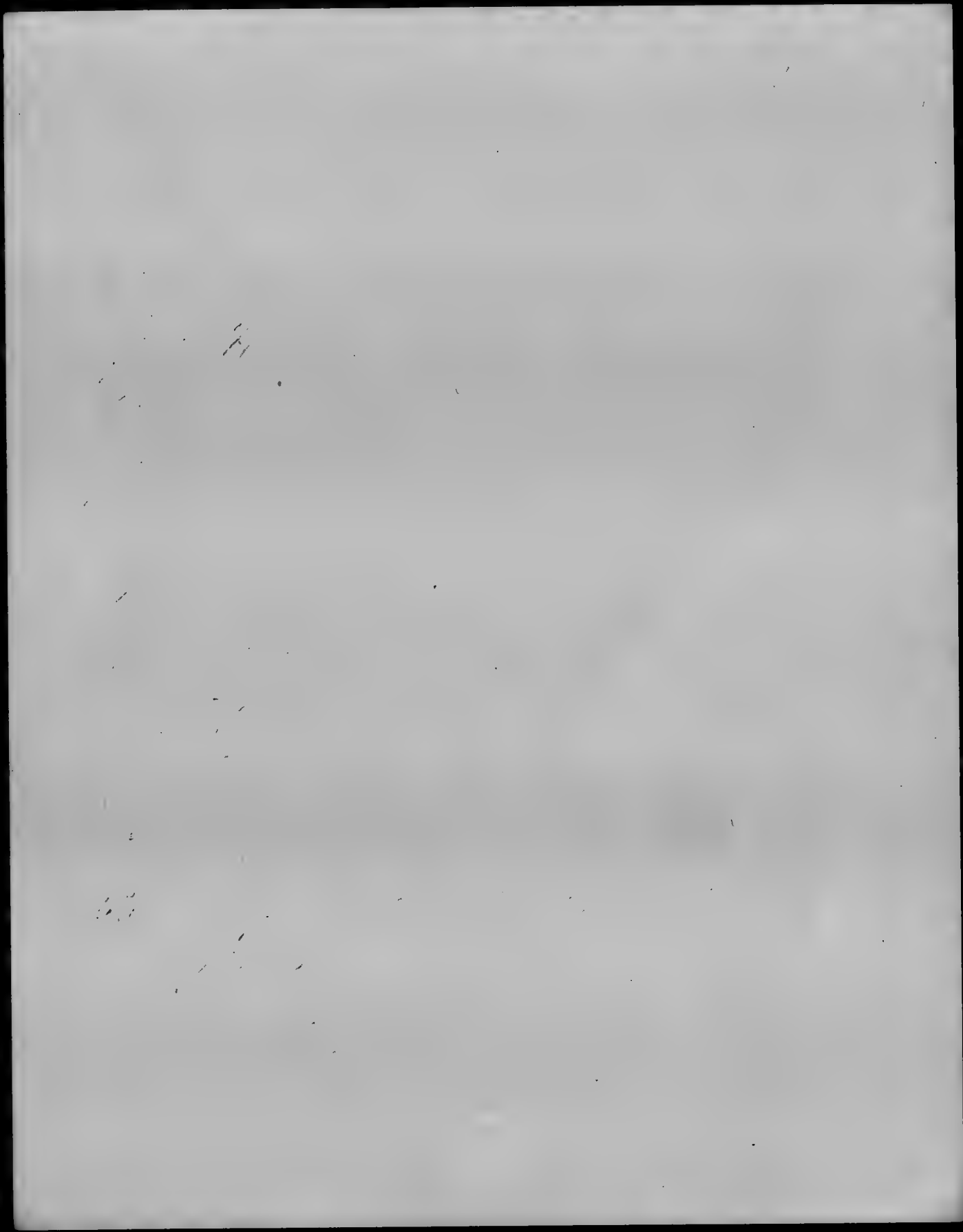
Gentlemen:

Inclosed herewith you will find copies of the orders of this Commission, dated December 12, 1904, dismissing the applications for the enrollment of Delmer Waldo Sanders, Ida J. Sanders, Luther Bynum Sanders (Bynum Luther Sanders) and Freemont Sanders as citizens by blood of the Choctaw Nation.

Respectfully,

Chairman.

2 Incls. 7-5093.



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 Bynum Luther Sanders, born on the 2 day of April 1900.
(here insert name of child)
 Name of Father: Jessie W Sanders a citizen of the Choctaw Nation.
 Name of Mother: Lizzie Sanders a citizen of the United States Nation.
 Tribal enrollment of father: Choctaw Tribal enrollment of mother: _____
 Postoffice: Tulsa Ind

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory.

Southern District.
 I, Lizzie Sanders, do hereby state that I am 32
 years of age and a citizen by inter marriage of the Choctaw Nation;
 that I am the lawful wife of Jessie W Sanders, who is a citizen, by
Blood of the Choctaw Nation; that a Male child was
 born to me on 2 day of April 1900; that said child has been named
Bynum Luther Sanders and was living March 4, 1906.
Lizzie Sanders

WITNESSES TO MARK:

[Must be Two Witnesses]

Subscribed and sworn to before me this 28 day of June 1906.

Geo M Stewart
Notary Public

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory.

Southern District.
 I, L D Ewing, Physician, do hereby state that I
 attended on Lizzie Sanders, wife of Jessie W Sanders,
 on the 2 day of April 1900; 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 _____

Bynum Luther Sanders L D Ewing MD

WITNESSES TO MARK:

[Must be Two Witnesses]

Subscribed and sworn to before me this 30 day of June 1906.

Geo M Stewart
Notary Public

NEW BORN

IN RE

Application for Enrollment of

MINOR CHILD

Act of Congress Approved
April 26, 1906.

Bynum Luther Sanders

as a citizen of

CHOCTAW

Nation.

Approved.

190

Commissioner.

Born April 2 1896

ACT OF CONGRESS APPROVED APRIL 26, 1906.

DEPARTMENT OF THE INTERIOR

JUL 11 1906

5593

CHOCTAW

RECEIVED

1906

Certificate of Record of Marriage

UNITED STATES OF AMERICA, }
INDIAN TERRITORY, } *scf.*
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. *R. Sanders* and
Willie Henson

were filed in my office in said Territory and District the *7* day of *Sept.* A. D. 190*1* and duly recorded in Book *E.* of Marriage Record, Page *538*

WITNESS my hand and Seal of said Court, at

Ardmore, this *7* day

of *Sept.* A. D. 190*1*

C. M. Campbell
CLERK.

When the license is returned to the United States Clerk at Ardmore, the license may be returned, if desired, by mail to the proper authorities.

THE PRINTING COMPANY

SEP 7 1901 P.M.

CAMPBELL Clerk.

FILED
001 20 1902

5093

508

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. J. A. Sanners,
of Terral, in the Indian Territory, aged 21. years and
M Willie Hinson, of Terral,
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 29th day
of AUGUST, A. D. 1901.

[Handwritten Signature]

Clerk of the United States Court

Certificate of Marriage.

UNITED STATES OF AMERICA,
INDIAN TERRITORY
SOUTHERN DISTRICT.

ss:

W. St. Garvin
Minister of the Gospel
do hereby certify, that on the 1st day of Sept-1901 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 6th 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 4, Page 12

W. St. Garvin
Minister of the Gospel

(NOTE - The person officiating should fill in the spaces
for book and page and sign here)

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, 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 - 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

NEW BORN

100

IN RE

Application for Enrollment of

MINOR CHILD

Act of Congress Approved
April 26, 1906.

Freemont Sanders

as a citizen of

CHOCTAW

Nation.

Approved.

190

Commissioner.

Born April 17, 1902

ACT OF CONGRESS APR

DEPT. OF THE INT.

CHOCTAW

RECEIVED

1906

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 *Fremont Sanders*, born on the *17* day of *April*, 1902
[Here insert name of child]
Name of Father: *Jessie W Sanders* a citizen of the *Choctaw* Nation
Name of Mother: *Lizzie Sanders* a citizen of the *Choctaw* Nation
Tribal enrollment of father: *Choctaw* Tribal enrollment of mother:
Postoffice: *General P. J.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory,

Lizzie Sanders on oath state that I am *32*
years of age and a citizen by *intermarriage* of the *Choctaw* Nation;
that I am the lawful wife of *Jessie W Sanders* who is a citizen, by
Blood of the *Choctaw* Nation, that a *Male* child was
born to me on *17* day of *April*, 1902, that said child has been named
Fremont Sanders and was living March 4, 1906
Lizzie Sanders

WITNESSES TO MARK:

[Must be Two Witnesses]

Subscribed and sworn to before me this *28* day of *June*, 1906.
Geo M Stewart
Notary Public

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory,

Dr J W Ewing Physician on oath state that I
attended on *Lizzie Sanders* wife of *Jessie W Sanders*
on the *17* day of *April*, 1902; 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 *Fremont Sanders*
J W Ewing MD

WITNESSES TO MARK:

[Must be Two Witnesses]

Subscribed and sworn to before me this *30* day of *June*, 1906.
Geo M Stewart
Notary Public

NEW BORN

199

IN RE
Application for Enrollment of
MINOR CHILD

Act of Congress Approved
April 26, 1906

M. *Diemer Waldo Sanders*

as a citizen of

C

Nation

Approved

190

Commissioner.

Enrolled 27/1906

A.

OFFICE OF THE COMMISSIONER

DEPARTMENT OF THE INTERIOR

Enrolled with...

503

CHOCTAW

RECEIVED
MAY 20 1906

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES

ENROLLMENT OF MINORS. ACT OF CONGRESS, APPROVED APRIL 26, 1905

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,
of Delmer W. do Lande, born on the 29 day of aug 1902
(Here insert name of child)
Name of Father: James M. Lande a citizen of the Choctaw Nation.
Name of Mother: Willie M. Lande a citizen of the _____ Nation.
Tribal enrollment of father Choctaw Tribal enrollment of mother _____
Postoffice Senal Ind Ter

AFFIDAVIT OF MOTHER

UNITED STATES OF AMERICA, Indian Territory,

Southern District

I, Willie M. Lande, 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 James M. Lande, who is a citizen, by
Blood of the Choctaw Nation; that a male child was
(Male or Female)
born to me on 29 day of Aug 1902; that said child has been named
Delmer W. do Lande, and was living March 4, 1906.

WITNESSES TO MARK:

[Must be two Witnesses] {
Subscribed and sworn to before me this 16 day of July, 1906.
[Signature]
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE

UNITED STATES OF AMERICA, Indian Territory,

_____ District.

I, W. J. Evening, a Physician, on oath state that I
attended on Willie M. Lande, wife of James M. Lande
on the 29 day of July, 1902; 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 Delmer W. do Lande.

WITNESSES TO MARK:

[Must be two Witnesses] {
Subscribed and sworn to before me this 16 day of July, 1906.
[Signature]
Notary Public.

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

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Catoctin Nation,
of Arizona Territory, born on the 13 day of June, 1884.
(Here insert name of child)
Name of Father: James R. Sanders a citizen of the Catoctin Nation.
Name of Mother: White Sanders a citizen of the Catoctin Nation.
Postoffice Catoctin

AFFIDAVIT OF MOTHER.

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

I, White Sanders, do hereby on oath state that I am 23
years of age and a citizen by birth of the Catoctin Nation;
that I am the lawful wife of James R. Sanders, who is a citizen, by
birth of the Catoctin Nation, that a child child was
(Male or Female.)
born to me on 13 day of June, 1884; that said child has been named
Arizona and was living March 4, 1905.

WITNESSES TO MARK:

(Must be Two) }
Witnesses }

Subscribed and sworn to before me this 17 day of April, 1905.
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

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

I, F. J. ..., do hereby on oath state that I
attended on Mrs. White Sanders, wife of James R. Sanders,
on the 13 day of June, 1884, that there was born to her on said date a Female
(Male or Female.)
child; that said child was living March 4, 1905, and is said to have been named Arizona.

WITNESSES TO MARK:

(Must be Two) }
Witnesses }

Subscribed and sworn to before me this 8 day of Apr, 1905.
Notary Public.

Muskogee, Indian Territory, November 21, 1900.

L. W. Hobson,

Terral, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 12th instant in which you desire to be informed if Walton Patterson and Jesse Sanders are enrolled as citizens of the Choctaw Nation .

You are informed that the records of this Commission show that, Walton Patterson, 48 years of age, of San Bois, Indian Territory, and his wife, Martha J. and his four minor children, Maggie, Green, Pearl A. and Kittie J. Walton, were listed for enrollment as citizens of the Choctaw Nation, on June 19, 1899.

The records of this Commission also show that Jesse W. Sanders, 42 years of age, of Comanche, Indian Territory, together with his wife Lizzie, and his six minor children, James R., John N., Joseph M., Izey M., Ida J. and Luther Bynum Sanders are duly listed for enrollment as citizens of the Choctaw Nation by this Commission.

Yours truly,

Acting Chairman.

7-2857
7-5093

Muskogee, Indian Territory, December 12, 1901.

Walton Patterson,

Terral, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 10th instant, in which you desire to be informed as to the rights to citizenship in the Choctaw Nation of J. W. Sanders and of W. H. and Nora Mills.

Replying to your inquiry you are informed that it appears from our records that on September 22, 1898, Jesse W. Sanders, 42 years of age, of Colancho, Indian Territory, together with his wife and minor children were listed for enrollment as citizens of the Choctaw Nation by this Commission, having been admitted to such citizenship by a judgment of the United States Court for the Southern District of the Indian Territory, rendered at Ardmore, Indian Territory, December 20, 1897 in citizenship case No. 96.

It also appears from our records that on the same date, Nora D. Mills, 29 years of age, of Fleetwood, Indian Territory, with her minor children, were listed for enrollment by this Commission as citizens of the Chickasaw Nation, having been admitted to such citizenship by judgment of the United States Court for the Southern District of the Indian Territory, rendered at Ardmore, on

W P 2

March 10, 1898 in citizenship case No. 16. The husband of Nora D. Mills appears upon our records as Hugh S. Mills and it is presumed this is the S. U. Mills referred to in your communication.

These persons have been listed for enrollment by the Commission in pursuance of judgments of the United States Court for the Southern District of the Indian Territory and it is not now within the jurisdiction of the Commission to receive or consider evidence tending to show that such judgments were procured by fraud.

Yours truly,

Commissioner in Charge.

9-C-28

7-5093

Muskogee, Indian Territory, February 11, 1902.

James Robert Sanders,

Terral, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 8th instant in which you desire to be informed as to the necessary procedure in order to obtain the enrollment of your wife as a citizen by intermarriage of the Choctaw Nation.

You are advised that it appears from our records that on September 22, 1898, James R. Sanders, 18 years of age, of Comanche, Indian Territory, was listed for enrollment as a citizen of the Choctaw Nation in pursuance of a judgment of the United States Court for the Southern District of the Indian Territory.

If you have since that time married a white woman whom you now desire to have enrolled as a citizen by intermarriage of the Choctaw Nation, it will be necessary for her to present herself in person before the Commission for the purpose of examination under oath so that a sufficient record may be made upon which her rights to enrollment can be determined.

Upon her personal appearance the Commission will accept such evidence of her marriage as she may present.

Yours truly,

Muskogee, Indian Territory, June 9, 1902.

Jesse W. Sanders,

Terral, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Freeman Sanders, infant son of Jesse W. and Elisabeth J. Sanders, born April 17, 1902, and the same is returned to you herewith.

You are informed that the records of the Commission show that when you and your family were listed for enrollment as citizens of the Choctaw Nation it was stated that your wife's name was Lis-zie and her name so appears upon our records.

The rules of the Commission require that the signature of the mother must be identical with her name as the same appears listed for enrollment.

Upon return of the application for enrollment of your child with the name of the mother signed to her affidavit in accordance with the information contained herein the matter will receive further consideration.

Yours truly,

Acting Chairman.

Choctaw 3093

Muskogee, Indian Territory, June 18, 1902.

Jesse W. Sanders,

Terral, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Freeman Sanders, the infant son of Jessie W. and Lizzie Sanders, born April 17, 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.

7-5097.

Washington, D. C. Territory, October 10, 1906.

James Robert Sanders,

General, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for
enrollment and citizenship of the Cherokee Nation of Oklahoma
of James Robert Sanders, James Robert and Willie Sanders, born
August 29, 1884; and the same is returned to you herewith.

You are informed that in order to receive the
enrollment, it will be necessary that you or your wife or child or
other person should appear in person, in person or by certificate, or a
certified copy thereof, before the application for the enrollment
of your child or receive further ~~enrollment~~.

Upon receipt of such evidence of marriage and paternity of
the applicant for enrollment of this child, the same will
receive further consideration.

Respectfully,

Acting Chairman.

Enc B I 55.

7-5093.

Muskogee, Indian Territory, October 29, 1908.

James R. Sanders,

Terral, 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 Delmer Waldo Sanders, infant son of James Robert and Willie Sanders, born August 29, 1908; and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Receipt is also acknowledged of the marriage license and certificate between J.R. Sanders and Willie Rinson; and the same have been duly filed with the records of the Commission in the matter of the application for enrollment of the above named child.

Respectfully,

Acting Chairman.

7-5093

Muskogee, Indian Territory, April 24, 1905.

James R. Sanders,

Terral, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the affidavits of Willie Sanders and F. W. Ewing to the birth of Arizona Pearl Sanders, daughter of James R. and Willie Sanders, June 13, 1904.

You are advised that on November 29, 1904, the Choctaw and Chickasaw Citizenship Court denied your citizenship in the Choctaw Nation in court case No. 73 on the Tishomingo docket.

Respectfully,

Chairman.

7-5093

Muskogee, Indian Territory, April 25, 1905.

James R. Senders,
Terral, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of the affidavits of Willie Senders and T. W. Young to the birth of Arizona Pearl Senders, daughter of James R. and Willie Senders, June 13, 1904.

You are advised that on November 29, 1904, the Choctaw and Chickasaw Citizenship Court decided in favor of the Choctaw Nation in court case No. 75 on the Fishbein's docket. Under the provisions of the act of Congress approved March 3, 1905, the Commission is authorized for a period of six months from that date to receive applications for the enrollment of children born to citizens enrolled of the Choctaw and Chickasaw Nations whose enrollment had prior to that time been approved by the Secretary of the Interior. You will therefore see that the Commission is without authority to enroll your child.

Respectfully,

Chairman.

7-5093

Muskogee, Indian Territory, July 6, 1906.

Lizzie Sanders,

Terral, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of the affidavits of Lizzie Sanders and L. D. Ewing M. D., to the birth of Bynum Luther Sanders April 2, 1900, and the affidavits of Lizzie Sanders and F. W. Ewing M. D., to the birth of Fremont Sanders and C. Cruce Sanders, April 17, 1902, and July 23, 1905, respectively, children of Jessie W. and Lizzie Sanders.

Respectfully,

Commissioner.

Choc 5094 William H. Bowen

#6 Dismissed 12-12-04

5094

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

--oOo--

Record in the matter of the application for enrollment
as a citizen by blood of the Choctaw Nation of
Royal E. Bennett,
7-5094.

To the Honorable Commission to the Five Civilized Tribes, at
Muskogee.

Application for enrollment of Royal E. Bennett.

Name of father, W. S. Bennett a citizen of
United States.

Name of mother, Nancy B. Bennett (ne. Baorn) a citizen of
Choctaw Nation by conf.

Postoffice address Edgington, N.

Indian Territory,
Southern District.

Nancy B. Bennett being duly sworn on
her oath states that she is a citizen of the Choctaw
Nation by blood and the wife of W. S. Bennett
a citizen of the United States. That she was confined on
the 19 day of August 1900, and that there was born to
her a male child, which is still living and is named Royal
E. Bennett

Subscribed and sworn to before me this the 15th day of August
1900.

Joe B. Harrison
Notary Public.

Indian Territory,
Southern District.

BEFORE ME, The undersigned authority, this day personally appeared A. U. Baker and being by me duly sworn, on his oath, states that he is a regularly practicing physician, and that he attended on Harvey E. Bennett on the 19 day of August 1900, and that there was born to her a male child, which is still living and which is said to be named Royal E. Bennett

+ A. U. Baker M.D.

Subscribed and sworn to before me this the 25th day of August 1900.

Joe B. Wilkerson
Notary Public.

CHOCTAW.

Application for Enrollment
In favor of
Royal E. Bennett.

CHOCTAW.

Approved AUG 30 1900

[Handwritten signature]

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE EFFECT OF
FILED
AUG 31 1900

CHOCTAW.

5094.

AM
1804

7-5094.

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

--000--

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

--000--

The applicant, Royal E. Bennett, claims the right of enrollment as a citizen by blood of the Choctaw Nation through his mother, Nancy E. Bennett (nee Owen).

The right of the applicant's mother, Nancy E. Bennett, nee Owen, (as Nancy Bartena Owen), to citizenship in the Choctaw Nation having been adversely determined by a decision of the Choctaw and Chickasaw Citizenship Court of November 29, 1904, in case number 73 upon the Wishingochee docket of said court, it is hereby ordered that the application of Royal E. Bennett for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.



Chairman.

Muskogee, Indian Territory,

DEC 1 1904

7-5094

Muskogee, Indian Territory, December 13, 1904.

Nancy B. Bennett,

Comanche, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 12, 1904, dismissing the application for the enrollment of your minor child, Royal E. Bennett as a citizen by blood of the Choctaw Nation.

Respectfully,

Chairman

Registered.

Incl. 7-5094.

7-5094.

COPY,

Muskogee, Indian Territory, December 13, 1904.

Gilbert and Gilbert,
Attorneys at Law,
Duncan, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 12, 1904, dismissing the application for the enrollment of Royal E. Bennett as a citizen by blood of the Choctaw Nation.

Respectfully,

Chairman.

Registered.

Incl. 7-5094.

7-5094

COPY.

Muskogee, Indian Territory, December 13, 1904.

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

Gentlemen:

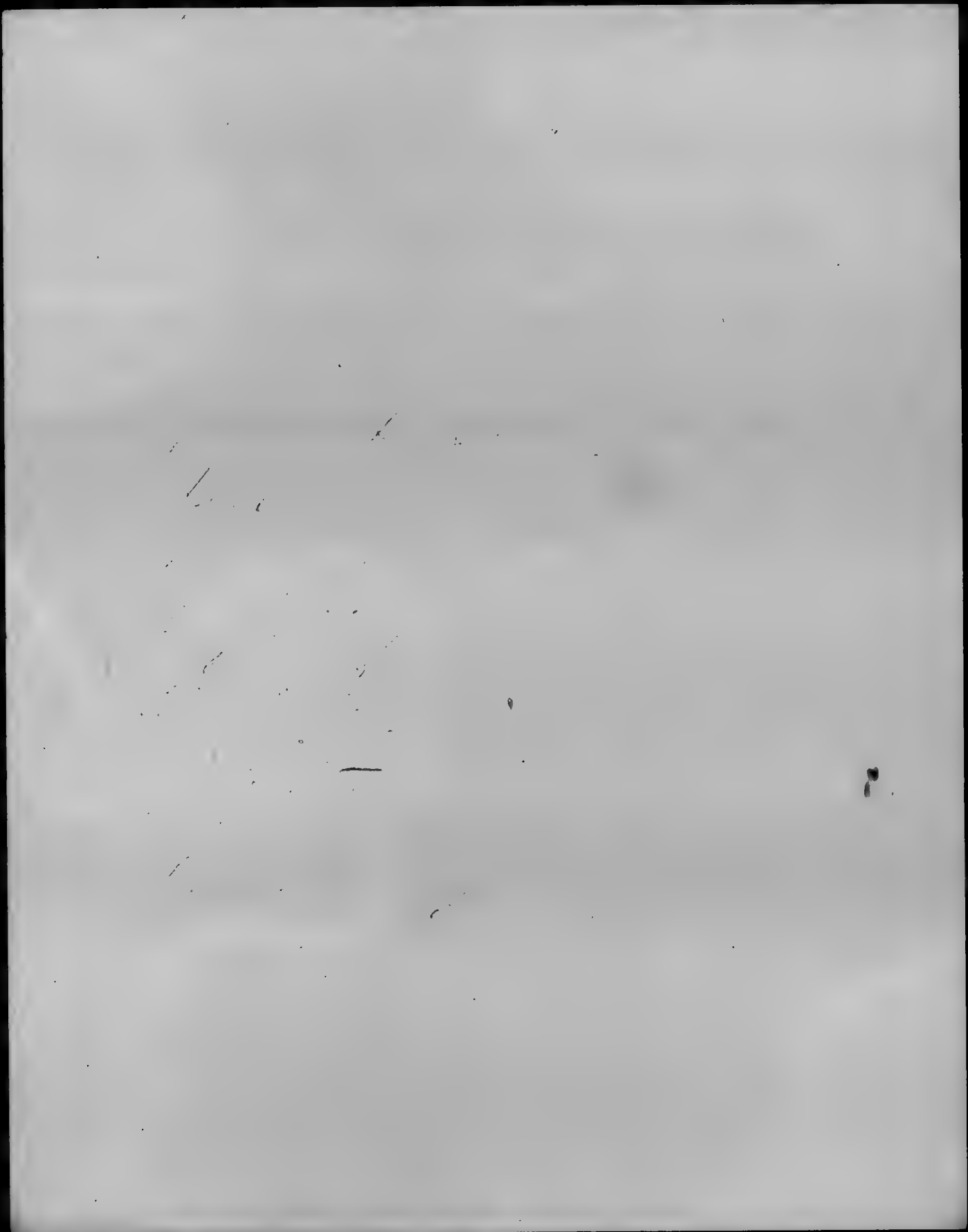
Inclosed herewith you will find a copy of the order of this Commission, dated December 12, 1904, dismissing the application for the enrollment of Royal E. Bennett as a citizen by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Chairman.

Incl. 7-5094.



William H. Bowen and others.

William H. Bowen says:

I have been living in the Territory a little over a year . I came here from Arkansas in September 1897, from Arkansas.

Admitted Sept 26 1898

William H. Bowen
Kessiah Bowen
Nancy B. Bowen
Elizabeth J. Bowen
James S. Bowen

enrolled.

Muskogee, Indian Territory, September 7, 1900

Gilbert & Gilbert,

Attorneys at Law,

Duncan, Indian Territory.

Gentlemen:

The Commission is in receipt of your letter of the 1st instant, in which you state that the information contained in the Commission's letter of the 30th ultimo in regard to the identity of Nancy B. Bennett, is correct.

You have the thanks of the Commission for your prompt attention to this matter.

Yours truly,

Acting Chairman.

Washlogoe, Indian Territory, August 30, 1900

Gilbert C. Gilbert,
Attorneys at Law,
Duncan, Indian Territory.

Gentlemen:

The Commission is in receipt of your letter of the 27th instant, enclosing application for enrollment of Royal H. Bennett, the infant son of W. S. A. and Nancy E. Bennett, formerly Nancy E. Bowen, and the same being in proper form, has been filed with the records of this Commission, the having identified Nancy E. Bennett, the mother of this child as the daughter of William W. and Keziah Bowen of Comanche, Indian Territory, who were admitted to citizenship by blood quantum, in the United States Court for the Southern District of the Indian Territory, in court case No. 23.

If you are correct, please advise this Commission.

Yours truly,

Acting Chairman.

In reply, please
refer to 7-3094

7-5094.

Muskogee, Indian Territory, August 28, 1909.

W.N. Boen,

Adington, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 25th inst., requesting to be advised whether or not your wife can be listed for enrollment without appearing in person before the Commission.

You are informed that the rules of the Commission require applicants for enrollment as citizens by intermarriage of the Choctaw Nation to present themselves in person before the Commission for the purpose of an examination under oath, that a sufficient record may be made upon which to base a decision as to the right of such applicants to enrollment.

If, therefore, your wife desire to make application for enrollment as an intermarried citizen of the Choctaw Nation, she will be heard upon her personal appearance at the office of the Commission at Muskogee, Indian Territory, at any time prior to the closing of the final rolls of the citizens of the Choctaw Nation.

W E B D

It is suggested, however, that if she intends to make such application, she should do so with as little delay as practicable.

Yours truly,

Acting Chairman.

COMMISSIONERS:
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRACKENRIDGE.

WM. O. BEALL,
Secretary.

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

REFER IN REPLY TO THE FOLLOWING:

7-5094

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, December 13, 1904.

Nancy B. Bennett,

Comanche, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 12, 1904, dismissing the application for the enrollment of your minor child, Royal E. Bennett as a citizen-by blood of the Choctaw Nation.

Respectfully,

Chairman.

Registered.

Incl. 7-5094.

Choc 5095 George G. Brown

Cancelled

Transferred to Chocram card #6024

Aug 13/1906

5095

EMPTY

EMPTY

EMPTY

Choc 5098 John W. Percy

Nos 3-4 Dismissed SEPT 15, 1904

5098

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

Record in the matter of the application for enrollment
as citizens by blood of the Choctaw Nation of:

SARAH EVELINE PIEARCY, ET AL.

7-5098



Faint, illegible text at the top of the page, possibly a header or address.

~~_____~~
~~_____~~

It is hereby for signed on the _____

134 U.S. Court
Admission

Affidavit
Birth of Child.

IN RE APPLICATION OF
Josephina E. Purdy
FOR CITIZENSHIP IN
Croatia
NATION

Brown

Brown & Lykins
Attys
Cincinnati, O.
J. J.

126

INDEXED

20

IN RE

Application for Enrollment of

INFANT CHILD

Andrew Jackson Pienary
as a citizen of the

Choctaw Nation.

AUG 13 1901

Approved. 190

[Signature]
Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

AUG 13 1901

[Signature]
ACTING

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 Pearcey, born on the 18th day of January, 1901
(Here insert name of child)
Name of Father: John W. Pearcey, a citizen of the Choctaw Nation.
Name of Mother: Ada Pearcey, a citizen of the Choctaw Nation.
Post-office: Wilcox, Okla.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY
Southern District.

I, Ada Pearcey, on oath state that I am 46
years of age and a citizen, of the United States Nation;
that I am the lawful wife of John W. Pearcey, who is a citizen, by
blood, of the Choctaw Nation; that said child was
born to me on the 18th day of January, 1901; that said child has been
named Andrew Jackson Pearcey, and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses.)
E. L. Scott
C. B. Adcox

Subscribed and sworn to before me this 2nd day of June, 1901.

NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY
Southern District.

I, Dr. Phippen E. Pearcey, a mid wife, on oath state that I
attended on Mrs. Ada Pearcey, wife of John W. Pearcey,
on the 18th day of January, 1901; that there was born to her on
said date a male child; that said child is now living and is said to have been
named Andrew Jackson Pearcey.

WITNESSES TO MARK:

(Must be Two Witnesses.)
Phippen E. Pearcey
E. R. H.

Subscribed and sworn to before me this 3rd day of June, 1901.

W. J. Mason
NOTARY PUBLIC.

170

7-5098.

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

In the matter of the application for the enrollment of Sarah Eveline Pearcey and Andrew Jackson Pearcey as citizens by blood of the Choctaw Nation.

The applicants, Sarah Eveline Pearcey and Andrew Jackson Pearcey, claim their right to enrollment as citizens by blood of the Choctaw Nation through their father John W. Pearcey. The right of the applicants' father, John W. Pearcey, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case No. 18 upon the Tishomingo docket of said court, it is hereby ordered that the application of Sarah Eveline Pearcey and Andrew Jackson Pearcey for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,


Chairman.

Muskogee, Indian Territory,

SEP 10 1904

Choctaw-5098

COOPY

Muskogee, Indian Territory, September 15, 1904.

John W. Pearcey,

Wilson, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 15, 1904, dismissing the application for the enrollment of Sarah Eveline Pearcey and Andrew Jackson Pearcey as citizens by blood of the Choctaw Nation.

Respectfully,

W. H. H. H.

Samuel Flaxby

Chairman.

Registered.

Incl. 7-5098.

Choctaw-5098

COPY!

Muskogee, Indian Territory, September 15, 1904.

Brown & Mason,
Attorneys at Law,
Ardmore, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 15, 1904, dismissing the application for the enrollment of Sarah Eveline Pearcey and Andrew Jackson Pearcey as citizens by blood of the Choctaw Nation.

Respectfully,

~~(SIGNED)~~

James Sixby
Chairman.

Registered.

Incl. 7-5098

COPY.

Muskogee, Indian Territory, September 15, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated September 15, 1904, dismissing the application for the enrollment of Sarah Eveline Pearcey and Andrew Jackson Pearcey as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

James Dixby

Chairman.

Incl. 7-5098.

John W. Brown
Lieut. Col.

Master

U.S. Army

7-3048

John W. Percy and others.

John W. Percy says:

I was married to Sarah E. Easley, May 14th 1898 under U.S. license issued by the Clerk at Ardmore, and have been admitted as a Choctaw by blood.

(License and certificate exhibited).

I have been living in the Chickasaw Nation 2 years last August. I came from Arkansas and have lived here continuously since that time.

Sept. 22 1898.

John W. Percy
Sarah E. Percy

enrolled.

INDEXED

CHOCTAW.

32.

IN RE
THE DEATH OF

Sarah E. Pearey
a citizen of the
Choctaw Nation.

Approved

[Signature]
Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

AUG 13 1901

TAW.
7-5098

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

In the matter of the death of *Sarah E. Piorecy*
(Here insert name of deceased)
a citizen of the *Choctaw* Nation, who formerly resided at or near
Wilson, Ind. Ter., and died on the *28* day of *September*
(Here insert name of post office.)
1898

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,)

Southern INDIAN TERRITORY. District)
I, *John W. Piorecy*, on oath state that I am *60*
years of age and a citizen, by *Blood*, of the *Choctaw* Nation;
that my post office address is *Wilson*, Ind. Ter.; that I am
her husband (State relationship, as the father, an uncle, a cousin, etc) of *Sarah E. Piorecy*
(Here insert name of deceased)
who was a citizen, by *marriage*, of the *Choctaw* Nation;
and that said *Sarah E. Piorecy* died on the *28* day of
September, 1898
(Here insert name of deceased)
John W. Piorecy

WITNESSES TO MARK

(Must be Two)
(Witnesses)

Subscribed and sworn to before me this *10* day of *August*, 1901
E. Walker
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,)

Southern INDIAN TERRITORY. District)
I, *E. D. Short*, on oath state that I am *35*
years of age, and a citizen, by *of the United States* Nation;
that my post office address is *Wilson*, Ind. Ter.;
(Here insert name of post office.)
that I was personally acquainted with *Sarah E. Piorecy*
(Here insert name of deceased)
who was a citizen, by *marriage*, of the *Choctaw* Nation;
and that said *Sarah E. Piorecy* died on the *28* day of
September, 1898
(Here insert name of deceased)
E. D. Short

WITNESSES TO MARK

(Must be Two)
(Witnesses)

Subscribed and sworn to before me this *10* day of *August*, 1901
E. Walker
Notary Public.

INDEXED

A.V.

Certificate of Record of Marriage.

UNITED STATES OF AMERICA,
THE INDIAN TERRITORY, ^{SCD}
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. *J. W. Hensley* and
M *Ada Boyer*

were filed in my office in said Territory and District the *14* day of *Nov*

A. D. 1 *888* and duly recorded in Book *10* of Marriage Record, page *337*

WITNESS my hand and seal of said Court,

at Ardmore, this *10* day of *Nov*

A. D. 1 *889*

C. M. Campbell CLERK

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
AUG 13 1901

[Signature] ACTING CHAIRMAN

NOV 14 1899

M. CAMPBELL, Clerk



MARRIAGE LICENSE.



UNITED STATES OF AMERICA,
INDIAN TERRITORY,
SOUTHERN 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. J. N. Pearson of *Wesley*
in the Indian Territory, aged *27* years, and
H. Ada *Craig* of *Wesley*
in the Indian Territory, aged *24* 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 *20th* day
of *October* A. D. *1899*
W. Campbell
Clerk of the United States Court



Certificate of Marriage.

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

D. D. Hopkins
a Minister

do hereby certify, that on the *20* day of *Oct* 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 *6* day of *Nov* A. D. *1899*

My credentials are recorded in the office of the Clerk of the United States Court,
Indian Territory, Southern District, at Ardmore Book *A* Page *10*

D. D. Hopkins
a Minister of 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 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 creden-
tials have first been recorded in the Clerk's office.

Muskogee, Indian Territory, July 2, 1901.

Messrs. Brown & Mason,
Attorneys at Law,
Ardmore, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 29th ultimo, enclosing an application for enrollment as a citizen of the Choctaw Nation of Andrew Jackson Pearcey, the infant son of John W. and Ada Pearcey, born January 18, 1901, and the same is returned to you herewith for further information.

It is stated in the affidavit of the mother to the birth of this child that her name is Ada Pearcey; that she is twenty-six years of age and the lawful wife of John W. Pearcey, who is a citizen by blood of the Choctaw Nation.

You are informed that the records of the Commission show that John W. Pearcey was admitted to citizenship in the Choctaw Nation by a judgment of the United States court rendered at Ardmore, Indian Territory, February 1, 1898. It further appears that his wife was also included in said judgment as Sarah E. Pearcey, and their names so appear on Choctaw Roll Card, No. 5098.

You are requested to state whether Sarah E. Pearcey is living or dead. If dead, state the date of her death. If living, whether

B. & M.--2.

she and John W. Plearoy have been divorced. If she is living and is divorced from John W. Plearoy, it will be necessary that a certified copy of the decree of divorce and either the original marriage license and certificate or a certified copy thereof between John W. Plearoy and the mother of the child for whom application is now made, be supplied the Commission as a matter of record.

Upon the return of the application, together with the information requested herein, and either the original marriage license and certificate or a certified copy thereof, the application for enrollment of this child will receive further consideration.

Yours truly,

Commissioner in Charge.

7-5096

MEM
126

Muskogee, Indian Territory, August 13, 1901.

Mr. E. H. Brown,

Attorney at Law,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 10th instant, enclosing the affidavit of John W. Pearcey and that of E. D. Short, relative to the death of Sarah Pearcey, which occurred September 28, 1898, and the same being in proper form have been duly filed with the records of the Commission.

Receipt is also acknowledged of the license and certificate of marriage between J. W. Pearcey and Ada Cryer, and the same has been duly filed with the records of the Commission.

Also the application for enrollment as a citizen of the Choctaw Nation of Andrew Jackson Pearcey, the infant son of John W. and Ada Pearcey, born January 18, 1901, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

You also request that you be supplied with a number of blank applications for the enrollment of infant children and a quantity of blanks for proof of death.

H. H. B.--2.

You are informed that ten blanks each of such description have been sent you this day under separate cover.

Yours truly,

Commissioner in Charge.

7-5098

Choctaw 5069
Choctaw 5098
Choctaw 5101

Muskogee, Indian Territory, March 21, 1903.

R. T. Hall,

Ashland, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of March 15, asking if the names of Joseph Pearcey, John Pearce, and James Pearcey appear on the citizenship rolls as citizens of the Choctaw Nation.

In repl. to your letter you are advised that it appears from our records that Joseph A. Pearcey and his family, John W. Pearcey and his family, and James W. Pearcey and his family were admitted to citizenship in the Choctaw Nation by a judgment of the United States Court for the Southern District of the Indian Territory, rendered at Ardmore, February 1, 1898. 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 decisions of the United States Courts in Indian Territory, admitting persons to citizenship in the Choctaw and Chickasaw Nations.

Respectfully,

Chairman.

Choctaw 5096.

Muskogee, Indian Territory, August 12, 1904.

J. W. Pearcy,

Wilson, Indian Territory.

Dear Sir:

Your letter of August 1, addressed to the United States Indian Agent, has been by him referred to the Commission for consideration and appropriate action. You state therein that you are an applicant for citizenship in the Choctaw Nation and wish to be informed if you have been finally accepted or rejected.

In reply to your letter, you are informed that the Choctaw and Chickasaw Citizenship Court, on June 29, 1904, rendered its decree in case number 13 on the Tishomingo docket, denying the citizenship of John W. Pearcy in the Choctaw Nation.

Under existing legislation, the action of the Choctaw and Chickasaw Citizenship Court is final.

Respectfully,

Commissioner in Charge.

11708

COMMISSIONER,
AMERICAN
INDIAN SERVICE,
WASHINGTON,
D. C.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

Choctaw 5089

COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, September 15, 1904.

Minnie Williams,

Ardmore, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 15, 1904, dismissing the application for the enrollment of Floyd Williams and Ebb Williams Jr. as citizens by blood of the Choctaw Nation.

Respectfully,

Chairman.

Registered.

In. 7- 5089.

Choc 5099 Martha E. Belcher

5099

111

Martha E. Belcher.

Martha E. Belcher says:

I have been living in the Territory 2^o years.

I came from Arkansas in October 1896. I am living in the Chickasaw Nation and have never lived here before that time.

Ardmore Sept. 22

Martha E. Belcher

enrolled.

Choc 5100 James B. Nichols

Cancelled

Transferred to check card 6025 + 6026

Aug 13, 1906

5100

EMPTY

Choc 5101 James W. Pearcey

Nº 4 Dismissed Sept 15, 1904

#3 Dismissed Mar 4, 1907

5101

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:

JOSEPH ELIJAH PEARCY

7-8181.

985

IN RE

Application for Enrollment of

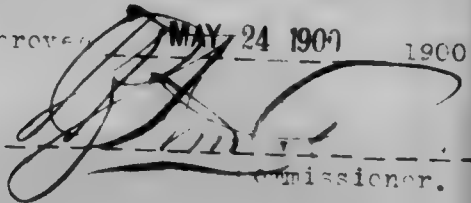
INFANT CHILD

Joseph Elijah Ficarey

As a Citizen of the

Choctaw Nation.

Approved MAY 24 1900 1900



Commissioner.

Choc. 140.
C. 51-

Application for Enrollment of Infant Child.

In Re, Application to be enrolled as a citizen of the Choctaw Nation, of Joseph Elijah Pearcey, born on the 5th day of January 1900:
Name of father, James W. Pearcey, a citizen of the Choctaw Nation:
Name of mother, ~~Birdie~~ ~~Dasie~~ ~~Dean~~ Pearcey a citizen of the United States.
Post office: Brady, Indian Territory.

Affidavit of Mother
-----e-----

I, ~~Birdie~~ ~~Dasie~~ ~~Dean~~ Pearcey, do solemnly swear that I am 23 years old, that I am a citizen of the United States of America, and the lawful wife of James W. Pearcey, a citizen of the Choctaw Nation by blood, that there was born to me on the 5th day of January 1900, a male child who is now living and has been named Joseph Elijah Pearcey.

Birdie Dasie Dean Pearcey

Subscribed and sworn to before me this 20th day of January, 1900.

R. H. Howard

Notary Public.

Affidavit of Attending Physician.

I, *G. A. Fanning M.D.* a physician do solemnly swear that I attended Mrs. ~~Birdie~~ ~~Dasie~~ ~~Dean~~ Pearcey, wife of James W. Pearcey, on the 5th day of January, 1900, that there was born to her on said date a male child whose name is said to be Joseph Elijah Pearcey, and that said child is now living.

G. A. Fanning M.D.

Subscribed and sworn to before me this 20th day of January, 1900.

R. H. Howard

Notary Public.

Photo

7-5101

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

In the matter of the application for the enrollment of Joseph Elijah Pearcey as a citizen by blood of the Choctaw Nation.

-----O-----

The applicant, Joseph Elijah Pearcey, claims his right to enrollment as a citizen by blood of the Choctaw Nation through his father James W. Pearcey. The right of the applicant's father, James W. Pearcey, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case No. 18 upon the Tishomingo docket of said court, it is hereby ordered that the application of Joseph Elijah Pearcey for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



Chairman.

Muskogee, Indian Territory,

SEP 15 1904

Choctaw 5101

COPY!

Muskogee, Indian Territory, September 15, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated September 15, 1904, dismissing the application for the enrollment of Joseph Elijah Pieagoy as a citizen by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

James Dixie.

Chairman.

Incl. 7- 5101.

Choctaw 5101

COPY:

Muskogee, Indian Territory, September 15, 1904.

James W. Pearcey,
Wilson, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 15, 1904, dismissing the application for the enrollment of Joseph Elijah Pearcey as a citizen by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

James Birby

Chairman.

Registered.

Incl. 7- 5101.

Handwritten text, possibly a signature or name, located in the upper left quadrant of the page.

Department of the Interior.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,
of *John Daniel Piarey*, born on the *5th* day of *August*, 1897.
Name of father: *James Wesley Piarey*, a citizen of the *Choctaw* Nation.
Name of mother: *Birdie Piarey*, a citizen of the *United States* Nation.
Post Office: *Wilson Ind Ter.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, *Mrs Birdie Piarey*, on oath, state that I am *24* years of age and a
citizen, of *United States residing in Chickasaw* Nation, that I am the
lawful wife of *James W Piarey* who is a citizen, by *blood* of the
Choctaw Nation; that a child was born to me on the *5th* day
of *August*, 1897; that said child has been named *John Daniel Piarey*
and is now living.

Subscribed and sworn to before me this *20* day of *August*, 1899.
Birdie Piarey
[Signature]
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, *Christine L Piarey*, a _____, on oath, state that I
attended on Mrs. *Birdie Piarey*, wife of *James W Piarey*
on the *5th* day of *August*, 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 *John Daniel Piarey*.

Subscribed and sworn to before me this *11th* day of *August*, 1899.
[Signature]
Notary Public.

James W. Percy and others.

James W. Percy says:

I came from Arkansas and have lived in the
Chickasaw Nation continuously for 3 years.

more or less 22 1898.

James W. Percy
Rosa B. Percy
John D. Percy

enrolled.

Choctaw 5069
Choctaw 5098
Choctaw 5101

Muskogee, Indian Territory, March 21, 1903.

E. W. Hall,

Ashland, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of March 15, asking if the name of Joseph Pearcey, Jr. Pearcey and James Pearcey appear on the citizenship rolls of the Choctaw Nation.

In reply to your letter you are advised that it appears from the records that Joseph A. Pearcey and his family, John W. Pearcey and his family and James W. Pearcey and his family were admitted to citizenship in the Choctaw Nation by a judgment of the United States Court for the Southern District of the Indian Territory, rendered at Ardmore, February 1, 1898. 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 decisions of the United States Courts in Indian Territory, admitting persons to citizenship in the Choctaw and Chickasaw Nations.

Respectfully,

Chairman.

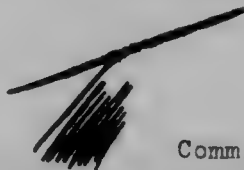
7-5101.

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

In the matter of the application for the enrollment of
John D. Pearcy as a citizen of the Choctaw Nation.

-----cc000-----

The applicant, John D. Pearcy, claims his right to enrollment as a citizen of the Choctaw Nation through his father, James W. Pearcy. The right of the applicant's father, James W. Pearcy, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court of June 29, 1904, in case No. 18 upon the Tishomingo Docket of said court, it is hereby ordered that the application of John D. Pearcy for enrollment as a citizen of the Choctaw Nation be dismissed.



Commissioner.

Muskogee, Indian Territory,

Choc 5102 George W. Taylor.

#1-2-3-4-5-6 Dismissed Dec 3, 1904

5102

DEPARTMENT OF JUSTICE
COMMISSIONER OF IMMIGRATION AND NATURALIZATION SERVICE

He is a native born citizen of the United States and is entitled to the same rights and privileges as citizens of the United States.

George W. [Name], [Address], [City], [State], [Country].

IN RE application of George W. Taylor and others.

Sworn by Commission McKennon,

George W. Taylor says:

I came from the Cherokee Nation and have lived in the Chickasaw Nation continuously for 8 years. I was born and raised in Arkansas.

Attest: Sept. 22 1880

George W. Taylor
Fanny Taylor
William H. Taylor
James G. Taylor
Ezell Taylor
Louis Taylor

enrolled.

7-5102.

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

In the matter of the application for the enrollment of George W. Taylor and his four children William H., James G., Ezell and Louis Taylor as citizens by blood, and for the enrollment of his wife Fanny Taylor as a citizen by intermarriage, of the Choctaw Nation.

-----oOo-----

It appears from the records of the Commission to the Five Civilized Tribes that on September 4, 1896 in the case entitled "Geo. W. Taylor, et al., vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, case number 296) the applicant George W. Taylor made original application to the 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 himself, his children William H. Taylor, James G. Taylor, Ezell Taylor and Louis Taylor and his wife Fanny Taylor and on December 2, 1896 said applicants were by this Commission 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 "George W. Taylor, et al., vs. Choctaw Nation" (Citizenship Case number 89), reversed the decision of the Commission denying said George W. Taylor, William H. Taylor, James G. Taylor, Ezell Taylor, Louis Taylor and Fanny Taylor admission to citizenship in the Choctaw Nation and admitted said applicants as citizens of the Choctaw Nation, the said George W. Taylor (as Geo. W. Taylor), William H. Taylor (as Wm. H. Taylor), James G. Taylor, Ezell Taylor and Louis Taylor as citizens by blood, and the said Fanny Taylor (as Fannie Taylor) as a citizen by intermarriage.

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

2.

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. 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 George W. Taylor, William H. Taylor, James G. Taylor, Ezell Taylor and Louis Taylor as citizens by blood, and for the enrollment of Fanny Taylor as a citizen by intermarriage, of the Choctaw Nation and it is, therefore, hereby ordered that the application for the enrollment of George W. Taylor, William H. Taylor, James G. Taylor, Ezell Taylor and Louis Taylor as citizens by blood, and for the enrollment of Fanny Taylor as a citizen by intermarriage, of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



Chairman.

Muskogee, Indian Territory,

7-5102.

Muskogee, Indian Territory, December 3, 1904.

George W. Taylor,
Comanche, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 3, 1904, dismissing the application for the enrollment of yourself, your minor children, William H. Taylor, James G. Taylor, Esell Taylor and Louis Taylor as citizens by blood, and of your wife, Fanny Taylor as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

Chairman.

Registered.

Incl. 7-5102.

COPY!

7-5102.

Muskogee, Indian Territory, December 3, 1904.

Wilkinson and Wilkinson,
Attorneys at Law,
Comanche, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 3, 1904, dismissing the application for the enrollment of George W. Taylor, William H. Taylor, James G. Taylor, Ezell Taylor and Louis Taylor as citizens by blood, and of Fanny Taylor as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

SIGNED

Chairman.

Registered.

Incl. 7-5102.

7-5102.

COPY.

Muskogee, Indian Territory, December 3, 1904.

Mansfield, McMurray and 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 December 3, 1904, dismissing the application for the enrollment of George W. Taylor, William H. Taylor, James G. Taylor, Esell Taylor and Louis Taylor as citizens by blood, and of Fanny Taylor as a citizen by intermarriage of the Choctaw Nation.

Respectfully

SIGNED:

[Signature]
Chairman.

Incl. 7-5102.

Muskogee, Indian Territory, October 10, 1900.

Wilkinson & Wilkinson,
Attorneys at Law,
Comanche, Indian Territory.

Gentlemen:

The Commission is in receipt of your letter of the 8th instant in which you request to be furnished with a certified copy of the records of the proceedings of the Commission showing that George W. Taylor and his family are entitled to citizenship.

You are advised that the Commission cannot at this time furnish you with a certified copy of the kind requested, but you also are advised that the records of the Commission show that George W. Taylor, his wife Fanny and his children, William H., James G., Rzell and Louis Taylor were listed for enrollment as citizens of the Choctaw Nation by this Commission, September 22nd, 1898, having been admitted to such citizenship by judgment of the United States Court for the Central District of the Indian Territory rendered at South McAlester, on January 18th, 1898 in court case No. 89.

Yours truly,

7-5102

Acting Chairman.

Choc 5103 Walter W. Jones

#6 Dismissed Jan 26, 1905

#2 Dismissed Feb 1, 1905

see Loula West case
C-108

5103

(COPY)

Choctaw Court Card C. 148.

IN RE application of Walter W. Jones and others.

Sworn by Commissioner McKennon.

Walter W. Jones says:

I have been living in the Territory with my family continuously for 5 years.

Sept. 22, 1898.

Walter W. Jones
Jennie Jones
Fitzhugh L. Jones
Ruby E. Jones
Minnie C. Jones

enrolled.

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

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the **Choctaw** Nation,
of **Maud Jones** (Here insert name of child.) , born on the **12** day of **Aug.** , **1899**

Name of Father: **Walter W. Jones** a citizen of the **Choctaw** Nation.

Name of Mother: **Jennie Jones** a citizen of the **Choctaw** Nation.

Postoffice **Elk, Ind. Ter.**

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Southern DISTRICT

I, **Jennie Jones** , 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 **W. W. Jones** , who is a citizen, by

blood , of the **Choctaw** Nation; that a **female** child was
Male or Female.

born to me on **12** day of **Aug.** , **1899**; that said child has been named

Maud , and is now living.

WITNESSES TO MARK:

Jennie Jones

(Must be Two Witnesses.)

Subscribed and sworn to before me this **19th** day of **Aug.** , **1899**.

(SEAL)

Jos. A. Edwards
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MID-WIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Southern DISTRICT

I, **C. L. Sullinan** , a **physician** , on oath state that I
attended on Mrs. **Jennie Jones** , wife of **Walter W. Jones**

on the **12** day of **Aug.** , **1899**; that there was born to her on said date a **female**
(Male or Female.)

child; that said child is now living and is said to have been named **Maud**

WITNESSES TO MARK:

C. L. Sullinan, M. D.

(Must be Two Witnesses.)

Subscribed and sworn to before me this **19th** day of **Aug.** , **1899**.

(SEAL)

Jos. A. Edwards
Notary Public.

A(6k)

7-5103.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE MIAKOGEE INDIANS.

In the matter of the application for enrollment
of Maud Jones as a citizen by blood of the Choctaw Nation.

-----oOo-----

The applicant, Maud Jones, claims the right to en-
rollment as a citizen by blood of the Choctaw Nation through
her father Walter W. Jones.

The right of the applicant's father, Walter W.
Jones, to citizenship in the Choctaw Nation has been
adversely determined by a decree of the Choctaw and Chickasaw
Citizenship Court, of November 21, 1901, in case No. 10,
upon the Tishomingo packet of said court, which decree ordered
that the application of Maud Jones for enrollment as a citi-
zen by blood of the Choctaw Nation be dismissed.

COPIED BY THE TRIBUNE PRINTING CO.,



CHAS. W. W.

Muskogee, Indian Territory.

JAN 26 1905

7-5103.

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

In the matter of the application of Jennie Jones for enrollment as a citizen by intermarriage of the Choctaw Nation.

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It appears from the records of the Commission that on September 7, 1896, in the case entitled "Walter W. Jones et al. vs. Choctaw Nation" (1896 Choctaw citizenship docket, case No. 96) original application was made to this Commission for admission to citizenship in the Choctaw Nation of (among others), the applicant herein (as Jennie W. Jones), as a citizen by intermarriage thereof, claiming the right thereto by reason of her marriage to Walter W. Jones; that on December 1, 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 Southern District of the Indian Territory, which Court, on January 17, 1898 in the case entitled "Walter W. Jones, et al. vs. Choctaw Nation" (Citizenship case No. 146) entered of record a decree reversing the decision of this Commission, and admitting to citizenship in the Choctaw Nation the parties named therein, and on March 24, 1898, entered of record an order correcting said original judgment, and admitting to citizenship in said nation the applicant herein Jennie Jones.

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 Southern District of the Indian Territory, entered on January 17, 1898, and said order entered by said Court on March 24, 1898, correcting said original judgment. Said cause, as to certain of the applicants therein, was duly certified to said Choctaw and Chickasaw Citizenship Court for a trial de novo, within the time prescribed by said Act of Congress approved July 1, 1902 (32 Stat., 641), but as to the applicant herein said Choctaw and Chickasaw Citizenship Court, on November 26, 1904, in case No. 167 upon its Tishomingo docket, entered of record a decree dismissing her petition for want of jurisdiction.

In accordance with the opinion of the Acting Attorney General dated May 8, 1904, (I.T.D.324-1904), and the opinion of the Assistant Attorney General for the Department of the Interior dated July 30, 1904, (I.T.D.3246-1904), the Commission to the

Five Civilized Tribes is without authority to take any action of any character looking to the enrollment of the applicant herein, Jennie Jones, as a citizen by intermarriage of the Choctaw Nation, and it is, therefore, hereby ordered that the application for the enrollment of Jennie Jones as a citizen by intermarriage of the Choctaw Nation, be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.



Chairman.

Muskogee, Indian Territory,

FEB 1 1908

Choctaw 5103

COPY

Muskogee, Indian Territory, February 1, 1905.

Jennie Jones,

Tatums, Indian Territory

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated February 1, 1905, dismissing your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

Chairman.

Registered.

Incl. 7-510.

COPY

Muskogee, Indian Territory, February 1, 1905

Wansfield, 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 February 1, 1905, dismissing the application for the enrollment of Jennie Jones as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

Chairman.

Incl. 7-5103.

DEPARTMENT OF THE INTERIOR.

Commissioner to the Five Civilized Tribes.

In The Matter of Enrollment of,

Walter W. Jones, as a citizen of the Choctaw Nation.

Commissioner To The Five Civilized Tribes,

Sir,

Your petitioner, Walter W. Jones, would respectfully represent that he is a Choctaw Indian by blood and that his post office is Duncan, I. T., and that he has resided in the Southern District, Chickasaw Nation, Indian Territory, continuously now for 12 years; That petitioner claims citizen-ship in the Choctaw Nation through the following ancestral line of descent to-wit: Simon P. Jones married a full blood Indian woman named Tuskahoma, and by her as an issue of their marriage, were born to them, among others, one child named James Jones. This James Jones was married to Peggy Smith and by her, as an issue of their marriage, a child named James L. Jones was born. This James L. Jones was married to Betty Brown, deceased, and later married Frances Gamblin in Georgia in the year 1859, of this marriage to Frances Gamblin, now Jones, no issue was born. Of the first marriage to Betty Brown and by her as an issue of this marriage was born the following children to-wit: Brinkley Wilburn Jones, who is the lawful father of petitioner; Petitioner would further state that one Sam Jones who was formerly Chief of the Choctaw Nation Tribe of Indians at the time the Choctaws left Georgia to go west,--and that the aforesaid James L. Jones is a first cousin by blood of this Sam Jones, and that they are related to Milburn Jones on the Indian side and that he is an enrolled Choctaw Indian, and that they have been recognized by the Indian authorities as Choctaw Indians; that the Choctaw and Chickasaws have issued permits to their tenants under them.

Your petitioner would further state he was duly and lawfully married to Jennie Covington, on the _____ day of _____, 18____, and by the union of said marriage the following children were born, to-wit: Fitzhue Lee Jones, Rubby Estalla Jones, Minnie C. Jones, and Maud Jones;

That your petitioner would further state that on the _____ day of _____ 1896, he applied to the Dawes Commission to be enrolled as a Choctaw Indian and was rejected; That on the _____ day of _____ 1896, petitioner appealed from said decision to the United States Court before the Hon. Hosea Townsend, Judge, at Ardmore, I. T. and was duly admitted as a Choctaw Indian; That said judgment was carried before the late Choctaw and Chickasaw Citizen-ship Court at Tishomingo, I. T., and was denied citizen-ship by said court.

S E A L :

WHEREFORE, petitioner pray that upon filing of this petition he be awarded a hearing of said cause and upon final hearing he be enrolled as a Choctaw Indian.

(Signed) Walter W.X Jones
his
mark

Witnesses to mark.

(Signed) H. M. Wolverton

Walter W. Jones states on his oath and says that he has been made acquainted with the foregoing petition and that the facts as set forth in said petition are, as he believes, true. his

(Signed) Walter W.X Jones
mark

Subscribed and sworn to before me this the 20 day of March 1906.

S E A L :

(Signed) W M Wolverton
Notary Public.

INDIAN TERRITORY,)
(SS.
SOUTHERN DISTRICT)

Chas. P. Baker, being first duly sworn on his oath and says that he served a carbon copy of above petition on Mansfield-McMurry & Cornish, Attorneys, for the Choctaw and Chickasaw Nationd, at South McAlester, I. T., by registered mail; That attached registered receipt is hereunto attached and made a part hereof.

(Signed) Chas. P. Baker,

Subscribed and swron to befofre me' this the 20 day of March 1906.

(Signed) W. W. Wolverton
Notary Public.

S E A L :

Indorsed as follows:

Department of the Interior, Commissioner to the Five
Civilized Tribes, F I L E D MAR 22 1906 Tams Bixby, Commissioner.

DEPARTMENT OF THE INTERIOR.

In the matter of enrollment of Ruby Estella Jones, minor, by her father, Walter W. Jones.

Commissioner to the Five Civilized Tribes.

Sir,

Your petitioner, Ruby Estella Jones, minor, by her father, Walter W. Jones, would respectfully represent that she is a Choctaw Indian by blood and that my last office is Duncan, I. T., and that _____ was born on the _____ day of _____ 18____, and have resided in the Indian Territory, continuously ever since the _____ day of _____ 18____. That petitioner claims citizenship in said Nation of Indians through the following ancestral line of decendants, to-wit: Simon P. Jones married a full blood Indian woman named Tuskahoma, and by her as an issue of their marriage, were born to them, among others, one child named James Jones. This James Jones was married to Peggy Smith and by her, as an issue of their marriage, a child by the name of James L. Jones was born. This James L. Jones, was married to Betty Brown, deceased, and later married Frances Gamblin in Georgia in the year 1859, of this marriage to Frances Gamblin, now Jones, no issue was born. Of the first marriage to Betty Brown and by her as an issue of their marriage, was born the following children, among others, Brinkley Wilburn Jones who is the lawful father of Walter W. Jones and Walter W. Jones being the lawful father of petitioner.

Petitioner would further state that one Sam Jones who was formerly chief of the Choctaw Nation or Tribe of Indians at the time the Choctaws left Georgia to go west,--and that the aforesaid James L. Jones is a first cousin by blood to this Sam Jones,--and that they are related to Milburn Jones on the Indian side and that he is an enrolled Choctaw Indian,--and that they have been recognized by the Indian authorities as Choctaw Indians; That the Choctaw and Chickasaws have issued permits to their tenants under them.

Your petitioner would further state that she made application to the Dawes Commission To Five Civilized Tribes in 1896, for enrollment and was rejected,---and afterwards appealed to the United States Court at Ardmore, I. T., and was duly admitted to citizenship in Said Nation and that afterwards to-wit: on the _____ day of _____ 1905, said judgment was carried before the late Choctaw and Chickasaw Citizenship Court at Tishomingo, I. T., and was denied citizenship by said court.

Petitioner would further state that said Walter W. Jones, petitioner's father, is a Choctaw Indian by blood and that petitioner is the lawful child of said Walter W. Jones.

WHEREFORE, petitioner prays that upon filing of this petition she be awarded a hearing for enrollment and such other and further relief as she may be in equity entitled to in the premises.

(Signed) Ruby Estella Jones,

By her father Walter W. Jones ^{his} mark

Witness to mark:

(Signed) W M Wolverton

" Chas P Baker

Walter W. Jones states on oath that he has been made acquainted with the above and foregoing petition and that the facts as set forth in said petition, as he believes, are true. his

(Signed) Walter W x Jones
mark

S E A L

Subscribed and sworn to before me this the 20 day of Mch 1906.

(Signed) W M Wolverton
Notary Public.

Chas P Baker, states on oath that he served a carbon copy of above petition on Mansfield McMurry & Cornish, Attorneys, for the Choctaw and Chickasaw Nations, at South McAlester, I. T., by registered mail; attached registered receipt is made a part hereof.

(Signed) Chas P Baker

Subscribed and sworn to before me this the 20 day of March 1906.

(Signed) W M Wolverton
Notary Public.

S E A L :

Indorsed as follows:

Department of the Interior, Commissioner to the
Five Civilized Tribes, F I L E D MAR 22 1906 Tams Bixby,
Commissioner.

DEPARTMENT OF THE INTERIOR.

In the matter of enrollment of Maud Jones, minor, by her father,
Walter W. Jones.

Commissioner To Five Civilized Tribes.

Sir,

Your petitioner, Maud Jones, minor, by her father,

Walter W. Jones, would respectfully represent that _____ is a Choctaw Indian by blood and that my postoffice is Duncan, I. T., and that _____ was born on the _____ day of _____ 18____, and have resided in the Indian Territory, continuously ever since the _____ day of _____ 19____. That petitioner claim citizenship in said Nation of Indians through the following ancestral line of decedents, to-wit: Simon P. Jones, married a full blood Indian named Tusknom, and by her as an issue of their marriage, were born to them, among othes, one child named James Jones. This James Jones was married to Peggy Smith and by her, as an issue of their marriage, a child by the name of James L. Jones was born. This James L. Jones, was married to Betty Brown, deceased, and later married Frances Gamblin in Georgia in the year 1869, of this marriage to Frances Gamblin, now Jones,, no issue was born. Of the first marriage to Betty Brown and by her as an issue of their marriage, was born the following children, among others, Brinkley Wilburn Jones who is the lawful father of Walter W. Jones and Walter W. Jones being the lawful father of petitioner.

Petitioner would further state that one Sam Jones who was formerly chief of the Choctaw Nation or Tribe of Indians at the time the Choctaws left Georgia to go west,--and that the aforesaid James L. Jones is a first cousin by blood to this Sam Jones,--and that they are related to Wilburn Jones on the Indian side and that he is an enrolled Choctaw Indian,--and that they have been recognized by the Indian authorities as Choctaw Indians; That the Choctaw and Chickasaws have issued permits to their tenants under them.

Petitioner would further state that said Walter W. Jones, petitioner's father, is a Choctaw Indian by blood and that petitioner is the lawful child of said Walter W. Jones.

WHEREFORE, petitioner prays that upon filing of this petition she be awarded a hearing for enrollment and such other and further relief as she may be in equity entitled to in the premises.

Witnesses to mark

(Signed) W M Wolverton
" Chas P. Baker

(Signed) Maud Jones
his

S E A L :

by Walter W.X Jones, (father)
mark

Walter W. Jones states on oath that he has been made acquainted with the above and foregoing petition and that the facts as set forth in said petition, as he believes, are true.

his
(Signed) Walter W.X Jones
mark

Subscribed and sworn to before me this the 20 day of March 1906.

S E A L :

(Signed) W M Wolverton
Notary Public.

Chas P Baker, states on oath that he served a carbon copy of above petition on Mansfield McMurry & Cornish, Attorneys, for the Choctaw and Chickasaw Nations, at South McAlester, I. T., by registered mail; attached registered receipt is made a part hereof. (Signed) Chas P Baker
Subscribed and sworn to before me this the 20 day of March 1906.

(Signed) W M Wolverton
Notary Public.

Indorsed as Follows: Department of the Interior, Commissioner to the Five Civilized Tribes F I L E D MAR 22 1906 Taws Fixby Commissioner

~~DEPARTMENT OF THE INTERIOR.~~

In the matter of enrollment of Minnie Clitus Jones, minor, by her father, Walter W. Jones.

Commissioner To Five Civilized Tribes,

Sir,

Your petitioner, Minnie Clitus Jones, ^{minor} by her father, Walter W. Jones, would respectfully represent that she is a Choctaw Indian by blood and that my postoffice address is Duncan, I. T., and that I was born on the _____ day of _____ 18____, and have resided in the Indian Territory continuously ever since the _____ day of _____ 18____. That your petitione claims citizenship in said Nation of Indians through the following ancestral line od decentants, to-wit: Simon P. Jones married a full blood Indian woman named Guskahow, and by her and as an issue of

their marriage, were born to them, among others, one child named James Jones. This James Jones was married to peggy Smith and by her, as an issue of their marriage, a child by the name of James L. Jones was born. This James L. Jones was married to Betty Brown, deceased, and later married Frances Gamblin in Georgia in the year 1859, of this marriage to Frances Gamblin, now Jones, no issue was born. Of the first marriage to Betty Brown and by her as an issue of their marriage, was born the following children to, to-wit:

Brinkley Wilburn Jones, whos is the lawful father of Walter W. Jones, and Walter W. Jones, being the lawful father of petitioner.

Petitioner would further state that one Sam Jones who was formerly chief of the Choctaw Nation or Tribe of Indians at the time the Choctaws left George to go West,--and that the aforesaid James L. Jones is a first cousin by blood to this Sam Jones-- and that they are related to to Milburn Jones on the Indian side and that he is an enrolled Choctaw Indian, and that they have been recognized by the Indian authorities as Choctaw Indians; That the Choctaw and Chickasaws have issued permits to their tenants under them.

Your petitioner would further state that she made application to the Dawes Commission To Five Civilized Tribes in 1896, for enrollment and was rejected--afterwards appealed to the U. S. Court at Ardmore, I. T., and was duly admitted as Choctaw citizens and afterwards to, wit: on the _____ day of _____ 18____, said judgment was carried before the late Choctaw and Chickasaw Citizenship Court at Tishomingo, I.T., and denied citizen-ship by said court.

Petitioner further states that said Walter W. Jones is a Choctaw Indian by blood--and that petitioner is a lawful child of said Walter W. Jones.

WHEREFORE, petitioner prays that upon filing of said petition she be allowed a hearing of said cause and such other and further relief she may be entitled in the premises.

S E A L :

Witness to mark

(Signed) W. M. Wolverton

(Signed) Minnie Clitus Jones

By her father Walter W.X Jones mark

Chas . P. Baker, states that the above and foregoing petition, as he believes, are true.

(Signed) Walter W.X Jones mark

Subscribed and sworn to before me this the 20 day of Mch 1896.

(Signed) W M Wolverton

Notary Public.

Chas. P. Baker, states on oath that he served a carbon copy of above petition on Mansfield McMurry & Cornish, Attorneys, for Choctaw and Chickasaw Nation, at South McAlester, I. T. by registered mail, registered receipt is hereto attached and made a part hereof.

(Signed) Chas P Baker

Subscribed and sworn to before me this the 20 day of Mch 1906.

(Signed) W M Wolverton

Indorsed as follows

Department of the Interior; Commissioner to the Five Civilized Tribes, F I L E D MAR 22 1906 Tams Bixby Commissioner.

DEPARTMENT OF THE INTERIOR.

In the matter of enrollment of Fitzhuc Lee Jones, minor, by his father, Walter W. Jones.

Commissioner To Five Civilized Tribes,

Sir,

Your petitioner, Fitzhuc Lee Jones, minor, by his father, Walter W. Jones, would respectfully represent that he is a choctaw Indian by blood and that my post office address is Duncan, I. T., and that I was born on the _____ day of _____ 1891 __, and have resided in the Indian Territory continuously ever since the _____ day of Sept 1894. That your petitione claims citizen-ship in said Nation of Indians through the following ancestral line od decendants, to-wit: Simon P. Jones married a full blood Indian woman named Guskahoma, and by her and as an issue of their marriage, were born to th m, among others, one child named James Jones. This James Jones was married to peggy Smith and by her, as an issue of their marriage, a child by the name of James L. Jones was born. This James L. Jones was married to Betty Brown, deceased, and later married Frances Gamblin in Georgia in the year 1859, of this marriage to Frances Gamblin, now Jones, no issue was born. Of the first marriage to Betty Brown and by her as an issue of their marriage, was born the following children to-to-wit:

Brinkley Wilburn Jones, whos is the lawful father of Walter W. Jones, and Walter W. Jones, being the lawful father of petitioner.

Petitioner would further state that one Sam Jones who was formerly chief of the Choctaw Nation or Tribe of Indians at the time the Choctaws left Georgia to go west,--and that the aforesaid James L. Jones is a first cousin by blood to this Sam Jones--and that they are related to to Wilburn Jones on the Indian side and that he is an enrolled Choctaw Indian, and that they have been recognized by the Indian authorities as Choctaw Indians; That the Choctaw and Chickasaws have issued permits to their tenants under them.

Your petitioner would further state that he made application to the Dawes Commission To Five Civilized Tribes in 1896, for enrollment and was rejected--afterwards appealed to the U. S. Court at Ardmore, I. T., and was duly admitted as Choctaw citizens and afterwards to-wit: on the _____ day of _____ 18_____, said judgment was carried before the late Choctaw and Chickasaw Citizenship Court at Tishomingo, I. T., and denied citizen-ship by said court.

Petitioner further states that said Walter W. Jones is a Choctaw Indian by blood--and that petitioner is a lawful child of said Walter W. Jones.

WHEREFORE, petitioner prays that upon filing of said petition he be allowed a hearing of said cause and such other and further relief he may be entitled in the premises.

S E A L :

(Signed) Fitzhuc Lee Jones

Witness to Mark:-

W M Wolverton

his
by his father Walter W. X Jones
mark

Chas P Baker, states that the above and foregoing petition, as he believes, are true.

(Signed) Walter W x Jones
his
mark

Subscribed and sworn to before me this the 20 day of March 1896.

(Signed) W M Wolverton
Notary Public.

Chas P Baker, states on oath that he served a carbon copy of the above petition on Mansfield McMurry & Cornish, Attorneys, for Choctaw and Chickasaw Nation, at South McAlester, I. T. by registered mail, registered receipt is hereto attached and made a part hereof.

(Signed) Chas P Baker

Subscribed and sworn to before me this the 20 day of Mch 1906.

(Signed) W M Wolverton
Notary Public.

S E A L :

Indorsed as follows:

Department of the Interior, Commissioner to the Five
Civilized Tribes, F I L E D MAR 22 1906 Tans Bixby, Commissioner.

C-108.
7-5103.

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

In the matter of the application for the enrollment of Walter W. Jones, 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 at Ardmore, Indian Territory, September 22, 1898, by Walter W. Jones for the enrollment of himself and his minor children, Fitzhugh L. Jones, Ruby S. Jones and Minnie C. Jones as citizens of the Choctaw Nation, and for the enrollment of his wife, Jennie Jones, as a citizen by intermarriage of the Choctaw Nation.

Subsequent thereto written application was filed for the enrollment of Maud Jones, minor daughter of Walter W. Jones and Jennie Jones, as a citizen of the Choctaw Nation.

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that the applicants, Walter W. Jones, Jennie Jones, as Jennie V. Jones, Fitzhugh L. Jones, as Fitzhugh Lee Jones, Ruby S. Jones, as Rubie R. Jones, and Minnie C. Jones, as Mamie Clotis Jones, 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, in 1896 Choctaw Citizenship Case, No. 56; that they were denied such admission by a decision of the Commission on December 1, 1896, from which decision an appeal was taken to the United States Court for the Southern District of the Indian Territory, and on January 17, 1898, said court rendered a judgment reversing the decision of the Commission as to the applicants, Walter W. Jones, Fitzhugh Lee Jones, Ruby Estella Jones and Minnie Clotis Jones, and admitted said applicants to citizenship in the Choctaw Nation.

On March 24, 1899, said court rendered a supplemental judgment, admitting the applicant, Jennie Jones to citizenship in the Choctaw Nation.

Said judgments were subsequently vacated, set aside and held for naught by a decree of the Choctaw-Chickasaw Citizenship Court, rendered December 17, 1902, in the test case of the Choctaw and Chickasaw Nations, or Tribes vs. J. T. Riddle, et al. Said case was subsequently certified to the Choctaw-Chickasaw Citizenship Court created under the Act of Congress approved July 1, 1902 (32 Stats., 641), and on November 28, 1904, in the

case entitled Walter W. Jones, et al., vs. Choctaw and Chickasaw Nations (Choctaw-Chickasaw Citizenship Court Case, No. 107, Tishomingo Docket), said court rendered a decision therein where in it was ordered, adjudged and decreed that the petition of the plaintiffs Walter W. Jones, Fitzhugh Lee Jones, Ruby Estella Jones, Minnie Cletus Jones 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." In the same decree, the application for the enrollment of Jennie Jones was dismissed by said citizenship court for want of jurisdiction.

On January 22, 1906, the Commission to the Five Civilized Tribes issued an order dismissing the application for the enrollment of Naua Jones as a citizen of the Choctaw Nation, for the reason that the right of the applicant's father, Walter W. Jones, to citizenship in the Choctaw Nation had been adversely determined by a decree of the Choctaw-Chickasaw Citizenship Court on November 28, 1904. On January 1, 1906, the Commission to the Five Civilized Tribes issued an order dismissing the application for the enrollment of Jennie Jones 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 were filed on March 22, 1906, petitions praying for the enrollment of Walter W. Jones and his children, Fitzhugh Lee Jones, Ruby Estella Jones, Minnie Cletus Jones and Naua Jones, as citizens of the Choctaw Nation. Said petitions are identical with the petitions for their enrollment applications were made in 1904.

It is alleged in the petition of Walter W. Jones, the great great grandfather of the petitioner, Walter W. Jones, was married to a full blood Indian woman named Tuckahoma, and that Jones I. Jones, the grandfather of the petitioner, Walter W. Jones, was a first cousin by blood of Sam Jones, formerly Chief of the Choctaw Nation; that the petitioners have been recognized by the Indian authorities as Choctaw Indians; that the Choctaw and Chickasaw Nations have issued permits to their tenants under them.

It does not appear from the tribal records of the Choctaw Nation in the possession of this office that the applicants have ever been recognized as citizens of the Choctaw Nation by any duly constituted authority; their names do not appear upon any of the tribal rolls of the Choctaw Nation in the possession of the Commissioner to the Five Civilized Tribes.

I am of the opinion that inasmuch as it does not appear from the records in the possession of the Commissioner to the Five Civilized Tribes and is not alleged in the petitions herein that the applicants ever occupied such a status as would entitle them to enrollment as citizens of the Choctaw Nation, the decree of the Choctaw-Chickasaw Citizenship Court of November 28, 1904, denying the petition for the admission to citizenship in the Choctaw Nation of Walter W. Jones, Fitzhugh L. Jones, Ruby E. Jones and Minnie C. Jones, is final, and that the application for the enrollment of Walter W. Jones, Fitzhugh L. Jones, Ruby E. Jones and Minnie C. Jones, and the petitions filed March 22, 1906, insofar as the same apply to said applicants should be denied, under the provisions of the Act of Congress approved July 1, 1902 (U. S. Stats., 641), and it is so ordered.

I am further of the opinion that the petition filed March 22, 1906, insofar as the same applies to the petitioner, Maud Jones, whose application has heretofore been dismissed, should be denied, and it is so ordered.

Muskogee, Indian Territory.

SEP 28 1906



Commissioner.

C--109.
7-5103.

Muskogee, Indian Territory, September 28, 1906.

Jennie Jones,

Tatums, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered September 28, 1906, denying the application and petitions for the enrollment of Walter V. Jones, Fitzhugh L. Jones, Ruby E. Jones, Minnie M. Jones and Maud Jones 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,

Commissioner.

Registered.

Incl. C-109, 7-5103.

C-108
7-5103.

Muskogee, Indian Territory, September 28, 1906.

George Collins,

Elk, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered September 28, 1906, denying the application and petitions for the enrollment of Walter W. Jones, Fitzhugh L. Jones, Ruby E. Jones, Minnie C. Jones and Maud Jones, 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,

Commissioner.

Registered.

Incl.C--108, 7-5103.

C-108,
7-5103.

Muskogee, Indian Territory, September 28, 1906.

S. B. Spain,

Whitehead, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered September 28, 1906, denying the application and petitions for the enrollment of Walter W. Jones, Fitzhugh L. Jones, Ruby E. Jones, Minnie C. Jones and Maud Jones 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,


Commissioner.

Registered.

Incl. C-108, 7-5103.

C--108.
7-5103.

Muskogee, Indian Territory, September 28, 1906.

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

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered September 28, 1906, denying the application and petitions for the enrollment of Walter W. Jones, Fitzhugh L. Jones, Ruby T. Jones, Minnie C. Jones and Maud Jones 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,

Commissioner.

Incl. C-108,7-5103.

COPY

Muskogee, Indian Territory, September 28, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith record of proceedings in the matter of the application and petitions for the enrollment of Walter W. Jones, Fitzhugh L. Jones, Ruby E. Jones and Minnie C. Jones, and the petition for the enrollment of Maud Jones, as citizens of the Choctaw Nation, including the decision of the Commissioner to the Five Civilized Tribes, dated September 28, 1906, denying said application and petitions.

Respectfully,

Commissioner.

2 Incl. C-108, T-6103.

Through the

Commissioner of Indian Affairs.

D. C. 12854-1907.

DEPARTMENT OF THE INTERIOR,

WASHINGTON.

March 4, 1907.

I. T. D.

4398, 5188, 5184, 6928,
6952, 7112, 7450, 7452,
7456, 7464, 7494, 7496,
7664, 7688, 7692, 7706,
7710, 7722, 7726, 7732,
7740, 7750, 7756, 7818,
7570, 7832, --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 enclosed herewith.

Title of Case.	Date of your letter of transmittal.
Carlton Smith (Miss. Choc.)	January 21, 1907.
Mattie McFarland (intermarriage),	October 19, 1906.
Elmer Meadows (freedman),	February 13, 1907.
Daniel Oscar Sledge, et al., (by blood),	February 14, 1907.
Hula Lewis (freedman),	February 14, 1907.
Henry Adams (freedman),	February 14, 1907.
Mattie Doak (intermarriage),	February 13, 1907.
Clyde R. Coleman (by blood),	February 21, 1907.
Alice Chatman (freedman),	February 21, 1907.
Jim Brown (freedman),	February 21, 1907.
John Frankling Brewer (by blood),	February 21, 1907.
Cordelia Frazier, et al. (freedmen),	February 21, 1907.
John Herbert LeFlore (freedman),	February 23, 1907.

Title of Case.	Date of your letter of transmittal.
Mabel V. Jones, et al. (by blood),	February 21, 1907.
Charles W. Hopkins, et al. (Choctaw or Chickasaw freedman)	February 23, 1907.
T. L. Reid, Jr., et al. (by blood),	February 26, 1907.
Albert James (by blood),	February 26, 1907.
Arella Colbert, et al. (as citizens),	February 26, 1907.
John D. Fleming (by blood),	February 26, 1907.
Edmond Maceo Cohee (freedman),	February 26, 1907.
Temperance Caroline Batty (by blood),	February 26, 1907.
Amos Lewis (freedman),	February 26, 1907.
Mary A. Crowder (intermarriage)	February 26, 1907.
Gally Reives (freedman),	February 26, 1907.
W. J. Miller, et al. (Miss. Choct.),	February 7, 1903.
Henry Pruitt, et al.,	February 26, 1907.

A copy hereof and all the papers in the above mentioned cases have been sent to the Indian Office.

Respectfully,

R. A. Hitchcock,

Secretary.

26 enclosures, and
63 enclosures to Ind. Of.,
with copy hereof.

WCF. 3-4-07.

Refer in reply to the following:

Land 19654-1907.

COPY

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, March 1, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed a report from Commissioner Sixty dated February 21, 1907, transmitting the record relative to the application of Mable M. Jones and Nellie C. Jones for enrollment as citizens by blood of the Choctaw Nation. On February 21, 1907, the Commissioner denied the application. An examination of the record shows that the position taken by the Commissioner is correct, and the approval of his decision is recommended.

Very respectfully,

C.F. Larrabee,
Acting Commissioner.

GAW-GH.

23-1036

Muskogee, Indian Territory, April 15, 1907.

Walter W. Jones,

Duncan, Indian Territory.

Dear Sir.

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of February 21, 1907, denying the application for the enrollment of Mable M. Jones and Nellie C. Jones as citizens by blood of the Choctaw Nation.

Respectfully,

Commissioner.

23-1056

Muskogee, Indian Territory, April 16, 1907.

Mansfield, McMurray & Cornish,

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 this office of February 21, 1907, denying the application for the enrollment of Mable M. Jones and Nellie C. Jones as citizens by blood of the Choctaw Nation.

Respectfully,

Commissioner.

Muskogee, Indian Territory, March 22, 1901.

S. B. Spain,

Whitehead, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 19th instant in which you desire to be informed if J. M. McDaniel, and Walter Jones or W. W. Jones are enrolled as citizens of the Choctaw or Chickasaw Nations.

Replying to your letter the Commission has to inform you that a careful search of its records does not show that any party by the name of J. M. McDaniel has ever been an applicant for enrollment or listed for enrollment as a citizen of either the Choctaw or Chickasaw Nations.

As to the other party of whom you inquire, the records of the Commission show that Walter W. Jones, 36 years of age, of Tatum, Indian Territory is listed for enrollment as a citizen of the Choctaw Nation, having been so listed in pursuance of a judgment of the United States Court for the Southern District of the Indian Territory rendered at Ardmore, Indian Territory, January 17th, 1898 in court case No. 148.

Yours truly,

Acting Chairman.

Muskogee, Indian Territory, October 31, 1901.

George Collins,

Elk, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 23rd instant, in which you desire to be informed if E. P. and G. A. Poole and Walter W. Jones have been enrolled as citizens of the Chickasaw Nation.

Replying to your letter, you are informed that it appears from the records of the Commission that on September 7, 1898, Georgia A. Poole, 34 years of age, and the wife of Elsey R. Poole, was listed for enrollment by this Commission as a citizen of the Choctaw Nation in pursuance of a judgment of the United States Court for the Central District of the Indian Territory, in citizenship case No. 63.

It further appears that on March 14, 1901, the Commission was in receipt of the evidence of death of Georgia A. Poole on the 16th day of February, 1901.

It further appears from our records that on September 2, 1899, Elsey R. Poole, 30 years of age, of Elk, Indian Territory, made application to this Commission for enrollment as a citizen by intermarriage of the Choctaw Nation. It appears that Elsey R.

002

Pooler under the Act of Congress of June 10, 1896, filed with this Commission an original application for citizenship in the Choctaw Nation which was denied by the Commission and on appeal by the applicant to the United States Court for the Central District of the Indian Territory, the court sustained the decision of this Commission. The action of the Commission and the court under the Act of Congress of June 10, 1896, is final.

It further appears from our records that on September 22, 1898, Walter W. Jones, 38 years of age, of Tatum, Indian Territory, was listed for enrollment as a citizen of the Choctaw Nation, having been admitted to such citizenship by a judgment of the United States Court for the Southern District of the Indian Territory, rendered at Ardmore, Indian Territory, January 17, 1898 in court case No. 148.

Yours truly,

Acting Chairman.

7-4969

7-8103

7-D413

7-5103.

Muskogee, Indian Territory, August 30, 1902.

W. T. Scott,

Elk, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 13th instant, stating that Walter W. Jones is holding considerable Indian land, and requesting to know whether you should pay the rent for said land to him or not.

It appears from the records of the Commission that on September 22, 1898, Walter W. Jones, thirty-eight years of age, his wife Jennie Jones, and their minor children, Fitzhugh L., Ruby F. and Minnie C. Jones, made application to the Commission for enrollment as citizens of the Choctaw Nation, all of said parties having been admitted to such citizenship on January 17, 1898, by a judgment of the United States Court for the Southern District of Indian Territory, under the act of June 10, 1896, in Court case No. 148. Application was subsequently made for the enrollment of Maud Jones, and proper evidence was filed showing her birth to Walter W. and Jennie Jones, on August 12, 1869.

The Commission cannot advise you relative to when you

W. T. S., 2.

should pay rent on land held by individuals claiming citizenship in the Choctaw and Chickasaw Nations, nor has the Commission at this time means of recording the selections of allotments or applicants for enrollment as citizens of said tribes, and such selections will only be received at the allotment offices to be opened in said nations.

Yours truly,

Acting Chairman.

Choctaw 8103

Muskogee, Indian Territory, September 3, 1902.

T. N. Weaver,

Duncan, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of August 13, 1902, addressed to the Secretary of the Interior, Washington, D. C., and which has been by him referred to this Commission for consideration and appropriate action.

Therein you desire to be advised if you would be safe in paying money rent to Walter W. Jones on agricultural land for the year 1903, as the said Jones claims to be on the rolls.

You are advised that the payment of rents and the leasing of land in the Choctaw-Chickasaw country is a matter not within the jurisdiction of this Commission.

You are advised, however, that it appears from the records of this office that on September 22, 1898, Walter W. Jones, 38 years of age, of Tatum, Indian Territory, was listed for enrollment by this Commission as a citizen of the Choctaw Nation, having been admitted to such citizenship by judgment of the United States Court for the Southern District of the Indian Territory, rendered at Ardmore, Indian Territory, January 17, 1898, in Choctaw citizenship case No. 148.

Yours truly,

Choctaw
5103

Muskogee, Indian Territory, January 30, 1903.

W. S. Scott,

Elk, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 5, in which you state that the place which you desire to rent for the year 1903 is claimed by both a court citizen, Walter W. Jones, and by Jack Mauldan. You ask to be advised if said Jack Mauldan is a citizen.

In reply to your letter you are informed that it appears from our records that Walter W. Jones and his family were admitted to citizenship in the Choctaw Nation by a judgment of the United States Court for the Southern District, Indian Territory, rendered at Ardmore, January 7, 1898, in Citizenship Case Number 148. It further appears that Betsy Mauldin, wife of Jack Mauldin, and her three minor children have been enrolled by this Commission as citizens by blood of the Choctaw Nation, and, on December 12, 1902, their enrollment was approved by the Secretary of the Interior.

You are informed that the Commission cannot, at this time, take cognizance of controversies arising between citizens of the Choctaw and Chickasaw Nations relative to the right to possession of individual tracts of land: matters of this character will re-

W. S. Scott---2

ceive its consideration upon the establishment of land offices in the two Nations for the purpose of allowing the citizens of these two tribes to make selection of and file upon their respective allotments.

You are further informed that the renting of lands does not come within the jurisdiction of the Commission, and it is, therefore, impossible to give you any advice in the premises.

Respectfully,

Acting Chairman.

JJ Jr

DEPARTMENT OF THE INTERIOR

LLB

WASHINGTON

D.C. 10675-1907.
I.T.D. 3906-1907.

February 10, 1907.

IRS

Direct.

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

Sir:

September 26, 1907, your letter and record in the matter of the application for a license to sell liquor to Walter W. Jones, District No. 1, Muskogee, Indian Territory, and the application for a license to sell liquor to Walter W. Jones, District No. 1, Muskogee, Indian Territory, are hereby returned to you, as directed, in accordance with the provisions of the Act of September 26, 1907, and the regulations thereunder.

Reference is made to the report of the District Office recommending that the license be granted. A copy of its letter is enclosed.

The Department concurs in said recommendation, and your decision is hereby affirmed.

The copies of the report and the record in this matter have been sent to the District Office.

Very truly,
Sincerely,
Yours,
Respectfully,
Very truly,
Sincerely,
Yours,
Respectfully,

Director of the Bureau of Indian Affairs.

First Assistant Secretary

A.P.M.C.
E-21-07.

Refer in reply to the following:
Land.
86154-1906.

-Co -

DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS
WASHINGTON

February 16, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed a report from the Commissioner to the Five Civilized Tribes, dated September 21, 1906, transmittting the record relative to the application for enrollment of Walter W. Jones and his minor children, Fitzugh L. Jones, Ruby L. Jones and Minnie C. Jones, as citizens of the Choctaw Nation. On September 21, 1906, the Commissioner advised that the applicants were not entitled to enrollment.

It appears from the record that application was made to the Commission to the Five Civilized Tribes on September 21, 1898, for the enrollment of Walter W. Jones and his minor children above mentioned, and for the enrollment of his wife Jennie Jones as a citizen by intermarriage with the Choctaw Nation. Subsequent hereto written application was filed for the enrollment of Maud Jones, minor daughter of Walter W. Jones and Jennie Jones.

It further appears that application was made for the enrollment of all the foregoing parties except Maud Jones, as Choctaw citizens, under the provisions of ^{the} Act of June 10, 1896 (29 Stat. L., 321), and that they were denied admission by the Commission to the Five Civilized Tribes on December 1, 1896.

From this decision an appeal was taken to the United States Court for the Southern District of Indian Territory, and on January 17, 1898, that court admitted Walter W. Jones, Fitzhugh Lee Jones, Ruby Estella Jones and Minnie Cletus Jones. On March 24, 1899, the same court by a supplemental decision, admitted Jennie Jones.

These judgments were vacated by the Choctaw and Chickasaw Citizenship Court on December 17, 1902. The case was subsequently certified to the Choctaw and Chickasaw Citizenship Court for a trial de novo, and on November 28, 1904, a decision was rendered holding that Walter W. Jones, Fitzhugh Lee Jones, Ruby Estella Jones and Minnie Cletus Jones were not entitled to enrollment. In the same decree the application for enrollment of Jennie Jones was dismissed for want of jurisdiction.

On January 26, 1905 the Commission of the Five Civilized Tribes issued an order denying the application for enrollment by Maud Jones for the reason that her marriage with Walter W. Jones had been lawfully determined by the Choctaw and Chickasaw Citizenship Court. On February 1, 1905, the Commission issued an order dismissing the application for the enrollment of Jennie Jones as a citizen by intermarriage.

On March 22, 1906, petitions were filed praying for the enrollment of Walter W. Jones and his children Fitzhugh Lee Jones, Ruby Estella Jones, Minnie Cletus Jones and Maud Jones as citizens of the Choctaw Nation. The petitioners are identical with the applicants in 1894.

It is alleged in the petitions that Simon B. Jones, great-great-grandfather of Walter W. Jones, was married to a full-blood Indian woman named Tuckaloma; that James L. Jones, grandfather of Walter W. Jones, was a first cousin, blood of Sir Jones, formerly a Chief of the Choctaw Nation; that the petitioners have been recognized by the Indian authorities as Choctaw Indians and that the Choctaw and Chickasaw Indians have issued permits to their tenants under them. Commissioner Fixley says that it does not appear from the tribal records of the Choctaw Nation in the possession of his Office that the applicants have ever been recognized as citizens of the Choctaw Nation, and that constitutes a barrier, and that the same applies to any of the tribal rolls of the Choctaw Nation in his possession.

This case does not seem to be so different from that in the Hill West case.

Inasmuch as it does not appear from the records of the Commissioner to the five civilized Tribes that it is alleged in the petitions that the applicants ever occupied such status as would entitle them to enrollment as citizens of the Choctaw Nation, under the provisions of the Act of July 1, 1902 (32 Stat. L., 641) the applicants are not entitled to enrollment.

It is therefore recommended that the decision of the Commissioner by reference to the applicants be approved.

Very respectfully,

C. J. Lawrence,

J.P.B. - NL

Acting Commissioner.

C-108
7-8103

Muskogee, Indian Territory, April 19, 1907.

George Collins,

Elk, Indian Territory.

Dear Sir:

You are hereby advised that on February 20, 1907, the Secretary of the Interior affirmed the decision of this office of September 28, 1906, denying the application and petitions for the enrollment of Walter W. Jones, Fitzhugh L. Jones, Ruby E. Jones, Minnie C. Jones and Maud Jones as citizens of the Choctaw Nation.

Respectfully,

Commissioner.

C-108
7-5103

Muskogee, Indian Territory, April 19, 1907.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on February 20, 1907, the Secretary of the Interior affirmed the decision of this office of September 28, 1906, denying the application and petitions for the enrollment of Walter W. Jones, Fitzhugh L. Jones, Ruby E. Jones, Minnie C. Jones and Maud Jones, as citizens of the Choctaw Nation.

Respectfully,

Commissioner.

Aug. 26-1907

Hon. James Garfield,

Sec. of Interior, Washington, D. C.

Sir:

I am a member of the Walter W. Jones Claim for citizenship in the Choctaw Nation or Tribe of Indians- and as such have fought hard in the United States Courts southern Dist. Ind. Ter. for what I firmly believe to be my right as a member of said Tribe. being rejected by the Commission in 1896 we appealed to the U. S. Courts of the southern district of Ind. Ter. here we proceed a judgment for citizenship in the rolls as citizens of the Choctaw tribe of Indians. we then went to work and in good faith improved our lands paid out our money and done much hard labor finally the citizenship court overruled our judgment we then appealed as non citizen so we disposed of most of our improvements the best we could-the Grafters buting most of it and filing Indians on it. Then come the ruling in the Lula West and Thompson case which placed some of my relatives on the Choctaw rolls and even permitted some of them to file their land. Then we got possession of other lands and begin in Earnest to place substantial improvements thereon.

Handwritten:
Walter W. Jones (No. 8-88-07)
Sept 9-16-07

Now we are informed that the said West and Thompson cases have been stricken from the rolls together with all similar cases this of course means us which certainly places us in a delima. We want to be law abiding people but do not know what to do.

Now then knowing that you are a great power, and authority, in this matter we ask your advise. Of course we would not think of asking you to step aside from your official duty-please advise us just what will be the final outcome of the Walter L. Jones case.

This claim is constituted almost entirely of farmers and poor people and should not be lead on by lawyers to spend money unneserorly.

Mrs. E. A. Fawburn,
Foyal, Ind. Ter.

MEMPHIS, Indian Territory, September 14, 1907.

Subject:

Choctaw enrollment case
Walter W. Jones et al.

The Honorable,

The Secretary of the Interior.

Sir:

Receipt is hereby acknowledged of Indian Office letter of September 6, 1907, (I.T.D. 78011-1907, file 50) inclosing communication of August 26, 1907, from Mrs. Payburn, Royal, Indian Territory, relative to her claim to citizenship in the Choctaw Nation.

Mrs. Payburn details the efforts which have been made by the applicants for enrollment in the Choctaw Nation who are involved in the case known as the Walter W. Jones case; shows the trouble and expense incurred in the improvement of lands and for the purpose of securing their rights, and asks for advice with reference to the improvements already made and the propriety of making further improvements on lands now held by them. The Indian Office desires a report on this subject, giving the status of the applications of these people and the situation of the lands held by them if this office has any record of the

Secretary #2.

Enc. C.

Reporting in this matter I have to advise that Walter W. Jones and other members of his family, filed with the Commission to the Five Civilized Tribes a petition for citizenship in the Choctaw Nation, under the act of Congress approved June 10, 1896, in Choctaw Citizenship Case No. 56. This petition was denied by the Commission to the Five Civilized Tribes and on appeal to the United States Court the decision was reversed, and the applicants were admitted as citizens of the Choctaw Nation by the United States Court for the Southern District of Indian Territory, January 17, 1908 in Court Case No. 142 on the citizenship docket.

It appears that Mary A. Rayburn, formerly Jones, is the child of John G. Jones and Lizal Jones, and the relationship of John G. and Walter W. Jones is not apparent from the records of this office. John G. Jones and his seven children among whom were Mary A. Jones were not applicants to the Commission in 1896 in the Choctaw case of Walter W. Jones et al., but on appeal to the United States Court for the Southern District of the Indian Territory, their names were interpolated in the petition for appeal and they were

Secretary #5.

admitted to citizenship in the Choctaw Nation in case No. 143.

Subsequently on January 17, 1904, the United States Court entered an order striking the names of John S. Jones and his children from the judgment for the reason that they had not made original application to the Commission to the Five Civilized Tribes for citizenship under the Act of Congress approved June 10, 1896; the case of Walter W. Jones et al. was appealed to the Choctaw and Chickasaw Citizenship Court and John S. Jones and his children Mary A., William O., George S., Walter J., Lizzie S., Milburn S., and Pearl W. Jones were dismissed by said court on November 24, 1904. In case No. 197 on the Fishomingoocket, the court holding that it had no jurisdiction of these persons.

February 6, 1905, the Commission to the Five Civilized Tribes rendered a decision refusing the application for the enrollment of John S. Jones and his children Mary A., William O., George S., Walter J., Lizzie S., Milburn S., and Pearl W. Jones as citizens of the Choctaw Nation and this decision was approved by the Secretary of the Interior March 10, 1905.

Walter W. Jones, Fitzhugh Lee Jones, Ruby Estella Jones, Minnie Cletus Jones and Jennie V. Jones were the

Secretary 4.

original applicants to the Commission to the Five Civilized Tribes in 1896 in the Choctaw Nation in case No. 56, but the United States Court in its decision of January 17, 1898, admitted forty-three persons to citizenship in the Choctaw Nation.

Walter W. Jones, Minnie G. Jones, Hubert Jones, and Fitzhugh L. Jones made application for certain land in Sections 19, 20, 21 and 30, Township 1 South, Range 6 West, and Sections 24 and 25, Township 1 South, Range 7 West, and involved in certain Chickasaw Allotment Contest cases which were subsequently dismissed, but the records of this office do not show any contest instituted by Mary A. Jones, or Barburn, or the members of her immediate family.

The letter of Mary A. Barburn, enclosed with Indian Office letter of September 1, 1908, is herewith returned.

Respectfully,

Acting Commissioner.

Through the
Commissioner of Indian Affairs.

Choctaw 5056.

Choc 5104 Harriet Gordon

5104

Harriet Gordon
William M^e Felridge
George Gordon

Choctaw

Waltham, 93, Feb. 20 1898

5104

Harriet Gordon and others.

Harriet Gordon says:

I have lived in the Chickasaw Nation 9 years.

I have lived in the Choctaw and Chickasaw Nations for 25 years. I had lived in the Choctaw Nation about 12 years. I have lived here continuously since that time.

Attest: Sept 22 1898.

Harriet Gordon
William McFatrige
George Gordon

enrolled.

Choctaw 5104
5105;5274;5276.

Muskogee, Indian Territory, April 10, 1903.

William U. Lowrance,
Harrisburg, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of March 27, addressed to the Secretary of the Interior, which has been by him referred to this Commission for consideration and appropriate action. You ask therein concerning the enrollment of James McPatridge, Florence Lowrance, William McPatridge, Jane Davenport, and George Gordon as members of the Choctaw tribe of Indians.

In reply to your letter you are advised that it appears from our records that James McPatridge, and his family, Florence Lowrance and her child, Jane Davenport and her children, and William McPatridge and George Gordon were admitted to citizenship in the Choctaw Nation by judgments of the United States Courts for the Southern District of the Indian Territory.

On December 17, 1902, the Choctaw-Chickasaw Citizenship Court, created under the act of Congress of July 1, 1902, vacated and set aside all decisions of the United States Courts in Indian Territory admitting persons to citizenship in the Choctaw and Chickasaw Nations.

Respectfully,

Choc 5105 James McFartridge

4-5-6 Dismissed Nov 12, 1904

5105

James M. Fataudye

Elyza

Maudie

Myrtle

born Oct 27th 1897

Choctaw

Leah M. Oleson 229

October 5th 1897

Note: Elyza M. Fataudye

admitted as a

member of the

1897

Muskogee, Indian Territory, February 8, 1900.

Messrs Gilbert & Gilbert,

Duncan, Indian Territory,

Gentlemen:

The Commission is in receipt of your letter of February 1, inclosing application for enrollment of Robert McPatridge, infant son of James McPatridge and Eliza McPatridge as a citizen of the Choctaw Nation. The same has been duly filed, and in accordance with your request, receipt has been acknowledged to Mr. James McPatridge, at Loco, Indian Territory.

Yours truly,

Acting Chairman.

Mankogo, Indian Territory, September 9, 1901.

Mr. J. H. Acree,

Chagris, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 4th instant in which you request to be advised whether or not certain children named therein are listed for enrollment as citizens of the Choctaw Nation and entitled to school privileges.

You are informed that the records of this office show that Willard Parks, 12 years of age, Jesse Parks, 10 years of age and Nora Parks, 6 years of age, minor children of W. T. and Martha Parks of Hop, Indian Territory, were listed for enrollment as citizens of the Choctaw Nation October 13, 1898, in pursuance of a judgment rendered by the United States Court for the Southern District of the Indian Territory at Ardmore, Indian Territory, January 20, 1898, court case number 133.

The records further show that Thomas Ward, 10, years of age, Cora Ward, 8 years of age and Willie Ward 6 years of age minor children of Bettie Hallie and John Ward, deceased were listed for enrollment October 13, 1898 in pursuance of a judgment of the United States Court for the Southern District

J. N. A.--2.

of the Indian Territory at Ardmore, Indian Territory, January 20, 1898 court case number 132.

The records also show that Maude McEstridge, 4 years old, the daughter of James and Eliza McEstridge of Velma, Indian Territory was listed for enrollment as a citizen of the Choctaw Nation September 20, 1892 in pursuance of a judgment rendered by the United States Court for the Central District of the Indian Territory at Searcy, Indian Territory, October 8, 1892 court case number 132.

You are further informed that the records do not show the name of Fokio Lawrence as being listed for enrollment as a citizen of the Choctaw Nation. You are therefore requested to state her age, the name of her father and of her mother to which she belongs and any other information which you may have that will enable this office to identify Fokio Lawrence.

You are requested to give this matter prompt attention and forward your reply in the enclosed envelope which requires no postage.

Yours truly,

Commissioner in charge.

7-5197
7-5195
7-5299

May

7-3105

Muskogee, Indian Territory, April 8, 1902.

James E. McPatridge,

Looco, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of William Edward McPatridge, infant son of James T. and Lizzie McPatridge, born February 17, 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 5104
5106;5274;5276.

Hubboree, Indian Territory, April 10, 1906.

William V. Lowmace,
Hubboree, Indian Territory,
Dear Sir:

Receipt is hereby acknowledged of your letter of March 27, addressed to the Secretary of the Interior, which has been by him referred to the Bureau to determine what course is appropriate. We are hereby respectfully advised that the same is being handled as a matter of fact by the United States Court for the Southern District of the Indian Territory, at Muskogee, Oklahoma, and that the same is being handled as a matter of fact by the United States Court for the Southern District of the Indian Territory.

It is hereby respectfully advised that it appears from our records that the family of Mrs. Lowmace and her husband, James Lowmace, and her children, the William McFadden and the Mrs. Lowmace were admitted to citizenship in the Choctaw Nation by judgment of the United States Courts for the Southern District of the Indian Territory.

On December 17, 1905, the Choctaw-Chickasaw Citizenship Court, created under the act of Congress of July 1, 1905, vacated and set aside all decisions of the United States Courts in Indian Territory admitting persons to citizenship in the Choctaw and Chickasaw Nations.

Respectfully,

7-5105.

Muskogee, Indian Territory, January 19, 1906.

James T. McPatridge,

Loco, Indian Territory.

Dear Sir:

Your letter of January 3, 1906, addressed to the Secretary of the Interior, has been by him referred to this office for consideration and appropriate action. Therein you state that you presented your claim to citizenship in the Choctaw Nation for yourself and your family eight years ago, and was accepted by the Commission but on appeal the United States Court affirmed this decision, but that you were denied by the Choctaw and Chickasaw Citizenship Court; you therefore ask what steps to take in order to secure your enrollment.

In reply to your letter you are advised that you and your family were denied citizenship in the Choctaw Nation by the Choctaw and Chickasaw Citizenship Court, but if it is now desired to present a claim under the ruling of the Department in the Loula West case, there are inclosed herewith opinions of the Assistant Attorney General in this case, and circular giving full information relative to the procedure to be taken in the presentation of cases of this character.

Respectfully,

Commissioner.

7-5105

Muskogee, Indian Territory, May 23, 1906.

James F. McPatridge,

Loco, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 14, 1906, in which you ask why Mrs. Maggie Richardson, your mother's sister has been enrolled as a citizen of the Choctaw Nation and you have been refused.

In reply to your letter you are advised that you and your wife and your child Laud McPatridge, were denied by the Choctaw and Chickasaw Citizenship Court No. 127 on the Tishomingo docket, November 20, 1904, and this office therefore considers your case closed.

Maggie Richardson and her children were admitted by the Commission to the Five Civilized Tribes in 1896 and no appeal was taken from the decision in this case to the United States Court in Indian Territory or to the Choctaw and Chickasaw Citizenship Court and they were therefore enrolled as citizens of the Choctaw Nation.

Respectfully,

Acting Commissioner.

THE UNIVERSITY OF MICHIGAN
COLLEGE OF ENGINEERING

1. The first part of the paper is devoted to a
discussion of the general theory of the
problem.

THE UNIVERSITY OF MICHIGAN 1-105.

James McPatridge and others.

James McPatridge says:

Myrtle was born October 27th 1897 .

I have been living continuously in the Chickasaw and Choctaw Nations for a number of years.

Memor. S. P. 1898.

James McPatridge
Eliza McPatridge
Grand McPatridge
Myrtle McPatridge

enrolled.

To the Hon. Commission to the Five Civilized Tribes, Muskogee, I.T.
In Re: the enrollment of Robert McPatridge.

Name of father, James McPatridge, a Choctaw Indian by blood, name of
mother Lizzie McPatridge, a Choctaw citizen by intermarriage, name of
child, Robert McPatridge.

Indian Territory,)
Southern District.)

Before me the undersigned authority on this day personally appeared Lizzie
McPatridge, who being duly sworn on oath states "My name is Lizzie
McPatridge, my age is 24 years, my Post Office address is Toco, I.T., I
am a citizen of the Choctaw citizen by intermarriage. On the 7-day of
Nov, 1899 there was born to me a male child, he is named Robert McPatridge
and is still living.

Lizzie McPatridge

Subscribed and sworn to before me this 4th day of Jan. 1900 A.D.

R. N. Stevens
Notary Public.

Indian Territory,)
Southern District.)

Before me the undersigned authority on this day personally appeared T.J.
Cranfield, who being duly sworn on oath states, "My name is T.J.
Cranfield, my Post Office address is Toco, I.T., I am a practicing physician,
on the 7-day of Nov, 1899 I waited upon Lizzie McPatridge and there was
born to her a male child who is still living and who is said to be named
Robert McPatridge.

T.J. Cranfield M.D.

Subscribed and sworn to before me this 4th day of Jan. 1900 A.D.

R. N. Stevens
Notary Public.

IN RE

Application for Enrollment of

INFANT CHILD

William Edward J. Friedman
as a citizen of

Nation.

Approved

190

[Signature]
Commissioner.

DEPARTMENT OF JUSTICE
COMMISSION TO INVEST AND REPORT UPON THE ACTS OF

FILED

APR 8 1902

[Signature]
CHIEF CLERK

5105

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In RE Application for Enrollment, as a citizen of the *Choctaw* Nation,
 of *William Edward McFulledge* born on the *17* day of *July*, 1907
 (Here insert name of child)
 Name of Father: *James M. McFulledge* citizen of the *Choctaw* Nation.
 Name of Mother: *Lizzie McFulledge* a citizen of the *Choctaw* Nation.
 Post-office: *Boonville*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Southern District.

I, *Lizzie McFulledge*, on oath state that I am *48*
 years of age and a citizen, by *marriage* of the *Choctaw* Nation;
 that I am the lawful wife of *James M. McFulledge*, who is a citizen, by
Blood of the *Choctaw* Nation; that a *male* child was
 born to me on *17* day of *July*, 1907 that said child has been
 named *William Edward McFulledge* and is now living.

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this

17 day of *April*

1907

NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Southern District.

I, *L. J. Crumwell*, a *Physician* on oath state that I
 attended on Mrs. *Lizzie McFulledge*, wife of *James M. McFulledge*
 on the *17* day of *July*, 1907 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 Edward McFulledge*

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this

1 day of *April*

1907

NOTARY PUBLIC

Handwritten initials and scribbles

7-5105

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

-oOo-

In the matter of the application of Myrtle McFatrige, Robert McFatrige and William Edward McFatrige for enrollment as citizens of the Choctaw Nation.

-oOo-

The applicants, Myrtle McFatrige, Robert McFatrige and William Edward McFatrige, claim their right to enrollment as citizens of the Choctaw Nation through their father, James McFatrige or James McPhetridge.

The right of the applicants' father, James McFatrige or James McPhetridge, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court on October 20, 1904, in case number 127 upon the Tishomingo Docket of said court, it is hereby ordered that the applications of Myrtle McFatrige, Robert McFatrige and William Edward McFatrige, for enrollment as citizens of the Choctaw Nation, be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory,

~~Handwritten signature~~

Chairman.

NOV 12 1904

Chocta. 5105

Muskogee, Indian Territory, November 12, 1904.

James McPatridge (or McPhetridge),

Loco, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated November 12, 1904, dismissing the application for the enrollment of your minor children, Myrtle McPatridge, Robert McPatridge and William Edward McPatridge as citizens of the Choctaw Nation.

Respectfully,

Registered.

Chairman.

Incl. 7-5105

Choctaw 5105

Muskogee, Indian Territory, November 12, 1904.

Gilbert & Gilbert,
Attorneys at Law,
Duncan, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated November 12, 1904, dismissing the application for the enrollment of Myrtle McFatriage, Robert McFatriage and William Edward McFatriage as citizens of the Choctaw Nation.

Respectfully,

Registered.

Chairman.

Incl. 7-5105.

Choctaw 5105

Muskogee, Indian Territory, November 12, 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 November 12, 1904, dismissing the application for the enrollment of Murtle McPatridge, Robert McPatridge and William Edward McPatridge as citizens of the Choctaw Nation.

Respectfully,

Incl. 7-5105.

Chairman.

Choc 5106 William T. Askew

#9-10-11 Dismissed Nov 12, 1904

Decision rendered Oct 23, 1906

Dismissed Oct 23, 1906

Record forwarded Dept Oct 24, 1906

Notice and decisions in 7-5200

See PET #C-105

5106

C. P. D. C.

7-5106.

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

-c0c-

In the matter of the application for the enrollment of Ethel Askew and Robert Askew as citizens by blood of the Choctaw Nation.

It appears from the record that the applicants, Ethel Askew and Robert Askew, claim their right to enrollment as citizens by blood of the Choctaw Nation through their father, William Thomas Askew (or William Thomas Askew).

The right of the applicant, father, William T. Askew, (or William Thomas Askew), to enrollment in the Choctaw Nation, having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court of September 14, 1904, in case No. 2 upon the Fishemingo Docket of said court, it is now ordered that the application of Ethel Askew and Robert Askew, for enrollment as citizens by blood of the Choctaw Nation, be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

(SIGNED)

Jams Bixby
Chairman.

Muskogee, Indian Territory.

NOV 12 1904

Choctaw 5106

Muskogee, Indian Territory, November 12, 1904.

William Thomas Askew,
Wolsom, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of this Commission dated November 12, 1904, dismissing the application for the enrollment of your minor children, Ethel Askew and Robert Askew as citizens by blood of the Choctaw Nation.

Respectfully,

Registered.

Chairman.

Incl. 7-5106.

Choctaw 5106

Muskogee, Indian Territory, November 12, 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 this Commission dated November 12, 1904, dismissing the applications for the enrollment of Robert Floy Shipman, Ethel Askew and Robert Askew as citizens by blood of the Choctaw Nation.

Respectfully,

2 Incl. 7-5106.

Chairman.

ARB
10/11

7-5100.

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

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

The applicant, Robert Floy Shipman, claims the right
to enrollment as a citizen by blood of the Choctaw Nation
through his mother, Thane Shipman (formerly Thane Askew).

The right of the applicant's mother, Thane Shipman
(formerly Thane Askew), to enrollment as a citizen by blood of
the Choctaw Nation having been adversely determined by a decree
of the Choctaw-Chickasaw Citizenship Court of September 19,
1904, in case numbered 2 upon the Tishomingo docket of said
Court, it is hereby ordered that the application of Robert Floy
Shipman, for enrollment as a citizen by blood of the Choctaw
Nation, be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.



Chairman.

Muskogee, Indian Territory.

NOV 12 1904

Copy,

Choctaw 5106

Muskogee, Indian Territory, November 12, 1904.

Thane Shipman,

Folsom, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated November 12, 1904, dismissing the application for the enrollment of your minor child, Robert Floy Shipman as a citizen by blood of the Choctaw Nation.

Respectfully,

Registered.

Chairman.

Incl. 7-5106.

C octaw 5106

COPY

Muskogee, Indian Territory, November 12, 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 this Commission dated November 12, 1904, dismissing the applications for the enrollment of Robert Floy Shipman, Ethel Askew and Robert Askew as citizens by blood of the Choctaw Nation.

Respectfully,

2 Incl. 7--5106.

Chairman.

C- 105
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DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of
Newt Askew, 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 an application was made to the Commissioner of the Five Civilized Tribes at Ardmore, Indian Territory, September 23, 1898, by Newt Askew, for the enrollment of himself, his wife, Lizzie Askew, William C. Askew, Henry C. Askew, Elizabeth W. Askew, William C. Askew and Toxy T. Askew, children of said Newt Askew and Lizzie Askew, as citizens by blood of the Choctaw Nation; that on April 10, 1900, written application was made for the enrollment of Alpha Marie Wefner as a citizen by blood of the Choctaw Nation; that on April 11, 1900, written application was made for the enrollment of Julius Edward Askew as a citizen by blood of the Choctaw Nation; that on April 25, 1900, written application was made for the enrollment of Nancy Ann Wefner as a citizen by blood of the Choctaw Nation; that application was made by William C. Askew at Ardmore, Indian Territory, September 23, 1898, for the enrollment of himself and minor children, Mattie Askew, Ellen Askew, and Tom Askew as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Martha Askew, as a citizen by intermarriage of said nation; that application was made by Rebecca Askew, at Ardmore, Indian Territory, September 23, 1898, for the enrollment of herself as a citizen by blood of the Choctaw Nation; that application was made by William C. Askew at Ardmore, Indian Territory, September 23, 1898, for the enrollment of himself and minor children, Thane Askew, Perry Askew, Tommy Askew, Willie Askew, Albert Askew and Lizzie Askew as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Bettie Askew, as a citizen by intermarriage of said nation; that on October 10, 1900, written application was made for the enrollment of Ethel Askew, minor daughter of said William C. Askew and Bettie Askew, as a citizen by blood of the Choctaw Nation; that on August 10, 1901, written application was made for the enrollment of Robert Askew, minor son of the said William C. Askew and Bettie Askew, as a citizen by blood of the Choctaw Nation; that on November 30, 1901, written application was made for the enrollment as a citizen by blood of the Choctaw Nation of Robert Floy Shipman, minor child of Thane Shipman (nee Askew), by her husband, I. S. Shipman; that application was made by Mary E. Jackson at Ardmore, Indian Territory, September 23, 1898, for the enrollment of herself and her minor children, Taylor F. Jackson, Alma Jackson, Charley Jackson, Roscoe

Jackson and Ethel Jackson, as citizens by blood of the Choctaw Nation; that application was made by Mary C. Brewer at Ardmore, Indian Territory, September 23, 1898, for the enrollment of herself and minor children, Emma Brewer and Elmer Brewer, as citizens by blood of the Choctaw Nation; that on December 13, 1898, written application was made for the enrollment of the applicant, Mary B. Brewer, minor daughter of said Mary C. Brewer and J. B. Brewer, as a citizen by blood of the Choctaw Nation; that application was made by George W. Askev at Ardmore, Indian Territory, September 23, 1898, for the enrollment of himself and minor children, Sophia Askev and Alice Askev, as citizens by blood of the Choctaw Nation; and for the enrollment of his wife, Dora Askev, as a citizen by intermarriage of said nation; that application was made by Martha E. Turner at Ardmore, Indian Territory, September 13, 1898, for the enrollment of herself as a citizen by blood of the Choctaw Nation; that application was made by John Askev at Ardmore, Indian Territory, September 23, 1898, for the enrollment of himself as a citizen by blood of the Choctaw Nation; that application was made by Frank Askev at Ardmore, Indian Territory, September 23, 1898, for the enrollment of himself as a citizen by blood of the Choctaw Nation; and for the enrollment of his wife, Lora Askev, as a citizen by intermarriage of said nation; that on March 20, 1901, written application was made for the enrollment of Frankie Askev, minor daughter of said Frank Askev and Lora Askev, as a citizen by blood of the Choctaw Nation; that on April 1, 1901, written application was made for the enrollment of Leo Askev, minor son of said Frank Askev and Lora Askev, as a citizen by blood of the Choctaw Nation; that application was made by John Askev at Ardmore, Indian Territory, September 23, 1898, for the enrollment of himself as a citizen by blood of the Choctaw Nation.

It further appears from the records in the possession of the Commission to the Five Civilized Tribes that the applicants, William C. Askev, William Askev, George A. Askev, Sam Askev, Martha Askev, John Askev, Alice Askev, Tom Askev, George Askev, Thine Askev, Jerry Askev, Tony Askev, Willie Askev, Walter Askev, Annie Askev, Tom Askev and Sarah Askev 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., 381); that they were denied such admission by a decision of the Commission of December 1, 1897 (1897 Choctaw Citizenship Case No. 1); that on this decision an appeal was taken to the United States Court for the Southern District of Indian Territory, which Court on December 11, 1897, in the case entitled "William C. Askev, et al., vs. Choctaw Nation", rendered a judgment reversing the decision of the Commission to the Five Civilized Tribes as to the applicants, and admitted all of said applicants to citizenship in the Choctaw Nation, except Martha Askev, Nettie Askev and Dora Askev. On December 13, 1898, said Court rendered a supplemental decision in said case, admitting said Martha Askev, Nettie Askev and Dora Askev to citizenship in the Choctaw Nation.

These judgments were subsequently vacated, set aside, and held for naught by a decree of the Choctaw and Chickasaw Citizenship Court on December 17, 1901, in the test case of "Choctaw and Chickasaw Nations, or Tribes, vs. J. B. Piddle, et al."

Said cause was subsequently certified to the Choctaw and Chickasaw Citizenship Court, created by the Act of Congress approved July 1, 1902 (32 Stats., 641), for a trial de novo, and on September 19, 1904, said Citizenship Court in the case entitled "William Quint Askew, et al., vs. Choctaw and Chickasaw Nations" (Choctaw-Chickasaw Citizenship Court Case No. 1, Tishomingo Docket), rendered a judgment therein, wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, William Quint Askew, Artha Askew, Mattie Askew, Ellen Askew, Tom Askew, William Thomas Askew, Bettie Askew, Perry Askew, Thomas Askew or Tommy Askew, Lily Askew or Lillie Askew, Gilbert Askew, Lizzie Askew, Thane Shipman, or Thane Askew, George Washington Askew, Cor. Askew, Sophia Askew, and Sam Askew be denied, and that they be declared not citizens of the Choctaw Nation and not entitled to enrollment as said citizens and not entitled to any rights whatever flowing therefrom."

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that under the provisions of the Act of Congress approved June 15, 1896 (29 Stats., 321), application was made to the Commissioner to the Five Civilized Tribes for admission to citizenship in the Choctaw Nation of the following named persons: Rebecca Askew, Johnnie Askew, Newton Askew, Nancy Maline Askew, William Howard Askew, Henry Edward Askew, Elizabeth Viola Askew, Dallas Alexander Askew, Loxie Cordelia Askew, Mrs. Mary Catherine Brewer, George Brewer, Alma Brewer, Emma Brewer, Mrs. Mary Ellen Jackson, Tom Jackson, Taylor Franklin Jackson, Almer Jackson, Charlie Jackson, Roscoe Jackson, Mrs. Artha Etta Turner and Mrs. A. A. Turner. All of said applicants were denied admission to citizenship in the Choctaw Nation by judgment of the Commissioner on December 1, 1896 (1896 Choctaw Citizenship Case No. 1).

Said cause was subsequently appealed to the United States Court for the Southern District of Indian Territory, which Court on December 21, 1897, reversed the decision of the Commissioner to the Five Civilized Tribes as to certain of the applicants, and admitted the following as citizens of the Choctaw Nation: John Askew, Newt Askew, Willie Howard Askew, Henry Edward Askew, Elizabeth Viola Askew, Dallas Alexander Askew, Loxie Cordelia Askew, Mrs. Rebecca Askew, Mrs. Nancy Elinda Askew, Mrs. Mary Catherine Brewer, Emma Brewer, Almer Brewer, Mary Ellen Jackson, Taylor Franklin Jackson, Alma Jackson, Charlie Jackson, Roscoe Jackson and Mrs. Artha Etta Turner. In addition thereto the judgment of the Court recited "It further appears that exceptions have been filed to that part of the Master's Report relating to George Brewer, Marshall Turner and Tom Jackson, and it is hereby ordered that this cause stand open as to these three parties, so that said exceptions may be considered hereafter".

Said judgment was subsequently vacated, set aside, and held for naught by a decree of the Choctaw and Chickasaw Citizenship Court of December 17, 1902, in the test case of "Choctaw and Chickasaw Nations, or Tribes, vs. J. T. Riddle et al."

Said cause as to certain of the applicants was subsequently certified to the Choctaw and Chickasaw Citizenship Court, created under the act of Congress approved July 1, 1902 (32 Stats., 641), for a trial de novo, and on September 19, 1904, in the case entitled "Newt Askew, et al., vs. Choctaw and Chickasaw Nations" (Choctaw-Chickasaw Citizenship Court Case No. 1, Tishomingo Docket),

rendered a judgment therein, wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, Newt Askew, Nancy Malinda Askew, William Howard Askew, Dallas Alexander Askew, Henry Edward Askew, Roxie Cordelia Carter (nee Askew), or Roxie Cordelia Askew, Jonnie Askew, or John Askew, Mary Catherine Brewer, or May Catherine Brewer, Emma Brewer, Elmer Brewer, Mary Ellen Jackson, Taylor Franklin Jackson, Alma Jackson, Charlie Jackson, Roscoe Jackson, Elizabeth Viola Hefner (nee Askew), or Elizabeth Viola Askew, and Rebecca Askew 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."

On November 12, 1904, the Commission to the Five Civilized Tribes issued orders dismissing the applications for the enrollment of Alpha Marie Hefner, Nancy Ann Hefner, Julius Edward Askew, Mary B. Brewer, Lena Askew, Frankie Beatrice Askew, Leo Askew, Alice Askew, Ethel Askew, Robert Askew, Robert Floy Shipman, and Ethel Jackson, for the reason that the persons through whom they claimed the right to enrollment had been denied citizenship by the Choctaw and Chickasaw Citizenship Court.

On December 3, 1904, the Commission to the Five Civilized Tribes issued an order dismissing the application for the enrollment of Martha E. Turner as a citizen by blood of the Choctaw Nation 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).

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there was filed on March 14, 1906, by Thomas Norman, attorney for the petitioners, a petition praying for the enrollment of the following persons as citizens of the Choctaw Nation: Newt Askew, Nancy Malinda Askew, John Askew, Dallas Alexander Askew, Carrie Margarette Askew, Roxie Cordelia Carter (nee Askew), Marshall Turner, Mary Ellen Jackson, Tom Jackson Taylor Jackson, Alma Jackson, Charley Jackson, Roscoe Jackson, Ethel Jackson, Viola Elizabeth Hefner, Joe Hefner, Alpha Marie Hefner, Nancy Ann Hefner, Mary Catherine Brewer, George Brewer, Emma Narcissus Brewer, Elmer Washington Brewer, Mary Belle Brewer, William Howard Askew, Tavi Askew, Julius Edward Askew, Henry Edward Askew, Rebecca Askew, William Quint Askew, Martha Askew, Mattie Askew, Ellen Askew, Tom Askew, William Thomas Askew, Bettie Askew, Perry Askew, Tom Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Askew, Thaney Shipman, Floy Shipman, George Washington Askew, Dora Anderson Askew, Sophia Askew, Alice Askew, Sam Askew, Lena Askew and Leo Askew.

It is alleged in the petition that the petitioners are Choctaw descendants of Choctaw ancestry; that they took up a residence in the Indian Territory between the years 1880 and 1890, and have continued to reside in either the Choctaw or Chickasaw Nation since that time; that they claimed before and after their removal to said nations to be citizens of the Choctaw Nation by virtue of their Choctaw blood and Choctaw descent; that all their

kinsfolk on Choctaw Indian side of the family, or a great many of them, are on the roll as citizens of the Choctaw Nation, that they have taken their allotment of lands and drawn their share of moneys thereof, and that their enrollment has long since been approved by the Secretary of the Interior.

The petitioners further state that among other children, an old half-blood Choctaw Indian, named Aaron Askew, had three children, two boys named Murrill and Tom, and one girl named Elizabeth, or Betty, who married a man named Douglas; that the United States Indian Agent rendered a decision about 1890, which was approved by the Choctaw Council, in which he adjudged the children of Murrill Askew to be citizens of the Choctaw Nation, all of whom are now on the approved roll of Choctaws; that in 1896 the Commission to the Five Civilized Tribes rendered a decision that the children of Elizabeth Douglas were citizens of the Choctaw Nation, and from this decision no appeal was taken; that all of said children are on the approved Choctaw rolls; that the petitioners herein are the legitimate descendants of the other brother named Tom Askew, and that they as well as the descendants of the said Murrill Askew and Elizabeth Douglas (nee Askew) are citizens of said nation.

On July 19, 1906, written applications were made to the Commissioner of the Five Civilized Tribes for the enrollment of the following persons as citizens by blood of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137): Carl Hefner, born February 23, 1906, minor child of Joe H. Hefner and Viola Hefner; Perry Q. Askew, born June 4, 1903, minor child of George W. Askew and Dora A. Askew; Oscar G. Askew, born December 22, 1902, and Vernie Askew, born July 11, 1903, minor children of Dallas A. Askew and Carrie F. Askew; Violet Askew, born September 25, 1904, minor child of William H. Askew and Octavia W. Askew; Arthur W. Carter, born January 16, 1904, minor son of Charles Carter and Roxy C. Carter; and Roy Shipman, born August 12, 1903, minor child of Tom Shipman and Thanie Shipman. April 26, 1906, written application was made for the enrollment of Vera Shipman, born September 29, 1903, minor child of Thanie Shipman and T. D. Shipman, as a citizen by blood of the Choctaw Nation.

It does not appear from the records in the possession of the Commissioner of the Five Civilized Tribes that any of the applicants has ever been recognized or enrolled as a citizen of the Choctaw Nation by any duly constituted authority.

The names of none of said applicants appear upon any of the tribal rolls of the Choctaw Nation in the possession of the Commissioner of the Five Civilized Tribes.

I am of the opinion that inasmuch as it does not appear from the record herein or from the records in the possession of this office that any of the applicants who applied to the Commission to the Five Civilized Tribes in 1896 possessed any tribal status as citizens of the Choctaw Nation, said Commission had jurisdiction to pass upon their rights as citizens of said nation, and I am without authority to take any action looking to their enrollment as citizens of said nation, and that the petition in so far as it relates to said applicants should be dismissed, and it is so ordered.

I am further of the opinion that as to those persons whose applications were dismissed for the reason that they failed to appeal to the Choctaw and Chickasaw Citizenship Court, or for the reason that their parents had been denied by a decree of said court, said dismissals should be affirmed, and the petition in so far as it relates to said applicants should be dismissed, and it is so ordered.

-6-

I am further of the opinion that the applications for the enrollment of Carl Hefner, Perry Q. Askew, Oscar G. Askew, Vernie Askew, Violet Askew, Arthur W. Carter, Roy Shipman, and Vera Shipman as citizens by blood of the Choctaw Nation should be denied, under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137), and it is so ordered.

Tams Bixby
Commissioner.

Muskogee, Indian Territory,

Oct. 23, 1906.

7-5106

Muskogee, Indian Territory, October 23, 1906.

William T. Askew,
Folsom, Indian Territory,

Dear Sir:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on October 23, 1906, rendered his decision, dismissing the applications and petition for the enrollment of yourself, Perry Askew, Tommy Askew, Willie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew and Robert Askew, as citizens by blood, and for the enrollment of your wife, Bettie Askew 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,

Registered.

Lawson
Commissioner.

7-5106

Muskogee, Indian Territory, October 23, 1906.

Thano Shipman,

• • • • •
Wolson, Indian Territory,

Dear Madam:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on October 23, 1906, rendered his decision, dismissing the application and petition for the enrollment of yourself and Robert Floy Shipman as citizens by blood of the Cherokee Nation, and denying the application for the enrollment of Vera Shipman and Roy Shipman as citizens by blood of said 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,

Registered.

Commissioner.

C-105
7-2200 et al

Wichita, Indian Territory, October 23, 1906.

Thomas Norman,
Attorney at Law,
Ardmore, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Choctaw Nation, dated October 23, 1906, dismissing the application for the enrollment of West Askew, Nancy W. Askew, Henry W. Askew, William Askew, Elizabeth W. Askew, Dallas A. Askew, Roxie C. Askew, John Marie Wefner, Julius Edward Askew, Nancy Ann Wefner, William C. Askew, Mattie Askew, Allen Askew, Tom Askew, Rebecca Askew, William T. Askew, Thane Askew, Parry Askew, Tommy Askew, Lillian Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Floy Whipman, Robert Askew, Mary E. Jackson, Taylor F. Jackson, Alma Jackson, Charley Jackson, Roscoe Jackson, Ethel Jackson, Mary C. Brewer, Emma Brewer, Elmer Brewer, Mary B. Brewer, George W. Askew, Sophia Askew, Alice Askew, Martha E. Turner, Sam Askew, Frankie Beatrice Askew, Leo Askew and John Askew, as citizens by blood of the Choctaw Nation, and the application and petition for the enrollment of Martha Askew, Bettie Askew, Lena Askew and Dora Askew as citizens by intermarriage of said nation, and denying the application for the enrollment of Carl Wefner, Perry

T. N. - - #2.

C. Askew, Oscar G. Askew, Vernie Askew, Violet Askew, Arthur W. Carter, Roy Shipman, and Vera Shipman as citizens by blood for 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 as shown to you a copy of the office is informed the same.

Respectfully,

James H. ...
Commissioner.

Registered.

Incl. C-106--7-200 et 1.

C-10:

7-5200 et al

Muskogee, Indian Territory, October 23, 1906.

Cruce, Cruce and Fleakmore,

Attorneys at Law,

Aromore, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 16, 1906, dismissing the applications and petition for the enrollment of West Moore, Nancy A. Askew, Henry B. Askew, William A. Askew, Elizabeth W. Askew, William A. Askew, Roy C. Askew, Alpha Marie Hefner, Julius Edward Askew, Nancy Ann Hefner, William Askew, Mattie Askew, Ellen Askew, Tom Askew, Rebecca Askew, William T. Askew, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Flo. Shipman, Robert Askew, Mary B. Jackson, Taylor F. Jackson, Alma Jackson, Charley Jackson, Joscoe Jackson, Ethel Jackson, Mary C. Brewer, Fama Brewer, Fler Brewer, Perry B. Brewer, George T. Askew, Sophia Askew, Alice Askew, Martha A. Turner, Sam Askew, Frankie Beatrice Askew, Leo Askew, and John Askew, as citizens by blood of the Choctaw Nation, and the applications and petition for the enrollment of Martha Askew, Bettie Askew, Lena Askew, and Nora Askew, as citizens by intermarriage of said nation, and denying the application for the enrollment of Carl

C. C. & R. - - #2.

Hefner, Parry Q. Askew, Oscar G. Askew, Vernie Askew, Violet Askew, Arthur E. Carter, Roy Shipman and Vera Shipman as citizens by blood 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,

James C. ...

Commissioner.

Registered.

Incl. 4-108--7-2219 et al.

C-105

7-5200 et al.

COPY.
Muskogee, Indian Territory, October 23, 1901.

Chester Howe,

Washington Loan and Trust Building,
Washington, D. C.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered October 2, 1901, dismissing the application and petition for the enrollment of Scott Askew, Nancy W. Askew, Henry A. Askew, William A. Askew, Elizabeth W. Askew, Lillian A. Askew, Roxie C. Askew, Alpha Marie Hefner, Julius Edward Askew, Nancy Ann Hefner, Willia. C. Askew, Mattie Askew, Helen Askew, Tom Askew, Rebecca Askew, William F. Askew, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Floy Askew, Robert Askew, Mary E. Jackson, Taylor E. Jackson, Alma Jackson, Charles Jackson, Roscoe Jackson, Ethel Jackson, Mary C. Brewer, Lena Brewer, Elmer Brewer, Mary B. Brewer, George V. Askew, Sophia Askew, Alice Askew, Martha E. Turner, Sam Askew, Frankie Beatrice Askew, Lee Askew, and John Askew, as citizens by blood of the Choctaw Nation, and the applications and petition for the enrollment of Martha Askew, Bettie Askew, Lena Askew, and Dora Askew as citizens by intermarriage of said nation, and denying the application for the enrollment of Carl Hefner, Perry

C. H. --#2.

Q. Askew, Oscar C. Askew, Vernie Askew, Violet Askew, Arthur W. Carter, Roy Shipman and Vera Shipman, all citizens by blood 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,

ONE Tamm
Commissioner.

Registered.

Incl. C-10b--7-8200 et al.

C-105

7-5200 et al.

COPY.

Muskogee, Indian Territory, October 23, 1902.

Wanfield, Murray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

Southwestern, Indian Territory.

Gentlemen:

Enclosed herewith are all the applications for the enrollment of the Choctaw and Chickasaw Nations, filed on October 23, 1902, and in the application for the enrollment of West Askew, Percy T. Askew, Henry T. Askew, William T. Askew, Elizabeth W. Askew, Callan A. Askew, Roy T. Askew, Alpha and Werner, Julius Edward Askew, Nancy Ann Askew, William O. Askew, Mattie Askew, Ellen Askew, Tom Askew, Rebecca Askew, William T. Askew, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Floy Chickman, Robert Askew, Mary B. Jackson, Taylor F. Jackson, Anna Jackson, Charles Jackson, Pascoe Jackson, Ethel Jackson, Mary C. Brewer, Emma Brewer, Elmer Brewer, Mary P. Brewer, George W. Askew, Sophia Askew, Alice Askew, Martha E. Turner, Sam Askew, Frankie Beatrice Askew, Leo Askew and John Askew, as citizens by blood of the Choctaw Nation, and the applications and petition for the enrollment of Martha Askew, Bettie Askew, Lena Askew and Dora Askew as citizens by intermarriage of said nation, and denying the application for the enrollment of Carl Hefner,

N. N. & C. - - #2.

Perry Q. Askew, Oscar G. Askew, Vernie Askew, Violet Askew, Arthur W. Carter, Re Shipman, and Vera Shipman as citizens by blood of the Choctaw Nation, under the provisions of the Act of Congress approved April 20, 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 the same is inferred to the case.

Very respectfully,

Wm. H. Hunt
Commissioner.

reginald red.

Incl. C-100--1-8200 t 1.

COPY.

Muskogee, Indian Territory, October 24, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith the record before the Commission to the Five Civilized Tribes and its successor in the matter of the application for the enrollment of Newt Askew, et al., as citizens of the Choctaw Nation, with my decision of October 23, 1906, denying a petition filed with this office by Thomas Norman, attorney at law, Ardmore, Indian Territory, on March 14, 1906, praying for the enrollment of Newt Askew, et al., as citizens of the Choctaw Nation.

This petition was filed under the opinion of the Assistant Attorney General for the Department of the Interior of December 8, 1905, (I.T.D. 3093-1905), in the Loula West case.

The majority of the persons named in the petition submitted by Mr. Norman were denied citizenship in the Choctaw Nation by decrees of the Choctaw and Chickasaw Citizenship Court.

While it is not claimed that the petitioners in question were ever recognized and enrolled by the tribal authorities as citizens of the Choctaw Nation, it is insisted that they are entitled to enrollment by reason of the fact that certain of their co-relatives

(2)

have been duly enrolled as citizens of the Choctaw Nation.

I also enclose for the consideration of the Department in connection with the contention of the petitioners, a brief filed with this office on October 1, 1906, Thomas Norman, Cruce, Cruce & Bleakmore, and Chester Howe, attorneys for the petitioners.

This case was the subject of my report of January 15, 1906, to the Department and of Departmental letter of March 12, 1906 (I.T. D. 4058-1906).

There is also enclosed herewith the original petition directed to the President of the United States and the Secretary of the Interior, which was originally filed with the Department June 20, 1905. The case was also the subject of the Department letter of October 15, 1906, (I.T.D. 12775-1906), enclosing for report a letter of Chester Howe, attorney at law, Washington, D. C., dated October 10, 1906, and addressed to the Department, requesting that the Commissioner to the Five Civilized Tribes be directed to pass upon the case at the earliest practicable date, to the end that a final decision may be secured upon the questions raised.

I have the honor to further report that the principal petitioners have been advised of the action taken by me on October 23, 1906, and that their attorneys and the attorneys for the Choctaw and Chickasaw Nations have been furnished with a copy of my decision of that date.

Respectfully,

Signed Tams Pixby

Commissioner.

Through the Commissioner
of Indian Affairs.
OP 24-5

Muskogee, Indian Territory, October 1, 1900.

William T. Asker,

Folsom, Indian Territory.

Dear Sir:

The Commission is in receipt of the application for enrollment as a citizen by blood of the Choctaw Nation of Ethel Askew, the infant daughter of W. T. and Bettie Askew, born August 16th, 1900, and the same is returned to you herewith for the reason that R. P. Dickey, the attending physician at the birth of the child, has failed to sign the affidavit made by him on September 29th, 1900.

Upon this omission being supplied and the application returned to the Commission, the matter will receive further consideration.

Yours truly,

Acting Chairman.

In reply to this
letter please
refer to 7-6106.

5796

Enc a

Muskogee, Indian Territory, October 13, 1900.

W. T. Askew,

Folsom, Indian Territory.

Dear Sir:

The Commission is in receipt of the application for enrollment as a citizen of the Choctaw Nation of Ethel Askew, the infant daughter of W. T. and Bettie Askew, born August 15th, 1900.

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.

7-5106

Muskogee, Indian Territory, December 2, 1901.

T. D. Shipman,
Tulsa, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the marriage license and certificate between T. D. Shipman and Thania Askew and the same has been duly filed with the records of this office.

Receipt is also acknowledged of the application for enrollment for enrollment as a citizen of the Choctaw Nation of Robert Floy Shipman, the infant son of T. D. and Thania Shipman, born October 26, 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.

7-6106

7-5100.

Muskogee, Indian Territory, August 16, 1902.

W.T. Askew,

Folsom, Indian Territory.

Dear Sir:

The receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Robert Askew, infant son of W.T. and Bettie Askew, born July 19, 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.

7-5106

Muskogee, Indian Territory, November 19, 1903.

T. D. Shipman,

Folsom, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the affidavits of Thanie Shipman and L. R. Summers relative to the birth of Vera Shipman, infant daughter of T. D. and Thanie Shipman, September 29, 1903, which it is presumed have been forwarded to this office as an application for enrollment of the above named child as a citizen of the Choctaw Nation.

You are informed that under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), the Commission is now without authority to receive or consider the original application for enrollment of any person whomever as a citizen of the Choctaw or Chickasaw Nation.

Respectfully,

Chairman.

IN RE
Application for Enrollment of
MINOR CHILD

Act of Congress Approved
April 26, 1906.

Ethel Askew

as a citizen of

CHOCTAW Nation.

Approved..... 190...

Commissioner.

Rev. Aug 16" 1906

ACT OF CONGRESS APPROVED APRIL 26, 1906.

DEPARTMENT OF THE INTERIOR
COMMISSIONER

AUG 13 1906

*Sup. file of Rev
on 7-5106*

CHOCTAW
3106

RECEIVED

JUL 19 1906

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 Ethel Asken [Here insert name of child], born on the 16 day of August, 1906.
Name of Father: William Asken a citizen of the Choctaw Nation.
Name of Mother: Better Asken a citizen of the U.S. Nation.
Tribal enrollment of father: Choctaw Tribal enrollment of mother: by marriage Choctaw
Postoffice: Neil J. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory,)

Central District.)
I, Better Asken, on oath state that I am 43
years of age and a citizen by intermarriage of the Choctaw Nation;
that I am the lawful wife of William Asken, who is a citizen, by
blood of the Choctaw Nation; that a female child was
(Male or Female)
born to me on 16 day of August, 1906; that said child has been named
Ethel Asken and was living March 4, 1906

WITNESSES TO MARK:

[Must be Two Witnesses]

Subscribed and sworn to before me this 28 day of June, 1906.

H. G. Keebler
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory,)

Central District.)
I, R. P. Dickey, a physician on oath state that I
attended on Mrs. Better Asken wife of William Asken,
on the 16 day of August, 1906; that there was born to her on said date a female
(Male or Female)
child; that said child was living March 4, 1906, and is said to have been named Ethel Asken

WITNESSES TO MARK:

[Must be Two Witnesses]

Subscribed and sworn to before me this 28 day of June, 1906.

H. G. Keebler
Notary Public.

NEW BORN

100

IN RE

Application for Enrollment of

MINOR CHILD

Act of Congress Approved
April 26, 1906.

Floy Shipman.....

as a citizen of

..... Nation.

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

Commissioner.

Born Oct 26 1901

.....

.....

.....

AUG 2 - 1906

*Sup. call of
No 10 on 7-31-06*

CHICK
7-5706

RECEIVED
JUL 19 1906

110-

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 Floy Shipman, born on the 26 day of October 1901.
[Here insert name of child]
Name of Father: Tom Shipman a citizen of the U.S. Nation.
Name of Mother: Thonie Shipman a citizen of the Choctaw Nation.
Tribal enrollment of father: none Tribal enrollment of mother: Choctaw
Postoffice: Mail

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory,
Central District

I, Thonie Shipman, 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 Tom Shipman, who is a citizen, by
U.S. of the U Nation; that a male child was
born to me on 26 day of October 1901; that said child has been named
Floy Shipman and was living March 4, 1906.

Thonie Shipman

WITNESSES TO MARK:

[Must be Two
Witnesses]

Subscribed and sworn to before me this 5 day of July 1906.

H. B. Hurrell
Notary Public
my commission
exp. Jan 9/1910

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory,
Central District

I, R. P. Dickey, a Physician, on oath state that I
attended on Mrs. Thonie Shipman, wife of Tom Shipman
on the 26 day of October 1901; 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 Floy Shipman.

R. P. Dickey

WITNESSES TO MARK:

[Must be Two
Witnesses]

Subscribed and sworn to before me this 7 day of June 1906.

J. G. Keebler
Notary Public

NEW BORN



190

IN RE

Application for Enrollment of

MINOR CHILD

Act of Congress Approved
April 26, 1906.

Robert Askeu

as a citizen of

CHOCTAW

Nation.

Approved..... 190

Commissioner.

Tom July 19 1902
ACT OF CONGRESS

DEPARTMENT OF THE INTERIOR
COMMISSIONER

AUG 13 1906

Askeu - July 20 1906
111 - 5 1906

CHOCTAW

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9-5706

JUL 19 1906

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 Robert Asken, born on the 19 day of July, 1902.
(Here insert name of child)
Name of Father: William Asken a citizen of the Choctaw Nation.
Name of Mother: Bettie Asken a citizen of the Choctaw Nation.
Tribal enrollment of father: Choctaw Tribal enrollment of mother: Choctaw by intermarriage
Postoffice: Nail Ind Ter

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory,

Central District.
I, Bettie Asken, on oath state that I am 45 years of age and a citizen by intermarriage of the Choctaw Nation; that I am the lawful wife of William Asken, who is a citizen, by blood of the Choctaw Nation; that a male child was born to me on 19 day of July, 1902; that said child has been named Robert Asken and was living March 4, 1906.
Bettie Asken

WITNESSES TO MARK:

[Must be Two Witnesses]

Subscribed and sworn to before me this 28 day of June, 1906.
J. G. Reader
Notary Public

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory,

Central District.
I, R. P. Dickey, a Physician, on oath state that I attended on Wm Bettie Asken wife of William Asken on the 19 day of July, 1902; 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 Robert Asken.

WITNESSES TO MARK:

[Must be Two Witnesses]

Subscribed and sworn to before me this 28 day of June, 1906.
J. G. Reader
Notary Public

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:

GRACIE A. LEONARD, ET AL.,

C-5107.

Sarah Leonard and others.

Sarah Leonard says:

Gracie A. was born Aug. 13th 1897.

I came with my family to the Territory in 1886. I went back to Texas and moved to Oklahoma and lived there until Aug. I then moved into the Territory.

Admitted Sept. 20 1898.

Sarah Leonard
William F. Leonard
Emma J. Leonard
Gracie A. Leonard

enrolled.

CHOCTAW.

20

XIX

IN RE

Application for Enrollment of

INFANT CHILD

John Roy Leonard

citizen of the

Choctaw

Nation.

MAR 21 1901

Approved,

190

C. H. Anderson
Commissioner

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

FILED

MAR 21 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 *John Roy Leonard*, born on the *29* day of *May*, 18*90*
(Here insert name of child.)
Name of Father: *John R. Leonard*, a citizen of the *Choctaw* Nation.
Name of Mother: *Sarah L. Leonard*, a citizen of the *Choctaw* Nation.
Post-office, *Dixie N.T.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA.

INDIAN TERRITORY
Southern District.

I, *Sarah L. Leonard*, 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 *John R. Leonard*, who is a citizen, by
Marriage, of the *Choctaw* Nation; that a *male* child was
born to me on the *29* day of *May*, 18*90*, that said child has been
named *John Roy*, and is now living.

WITNESSES TO MARK

(Must be Two
Witnesses.)

Subscribed and sworn to before me this *31* day of *May*, 1901.

William H. Williams
NOTARY PUBLIC
Dixie N.T., Indian Territory

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA.

INDIAN TERRITORY
Southern District.

I, *J. J. Benson*, a *Practising Physician* on oath state that I
attended on Mr. *Sarah L. Leonard*, wife of *John R. Leonard*,
on the *29* day of *May*, 18*90*; 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 *John Roy*.

WITNESSES TO MARK

(Must be Two
Witnesses.)

Subscribed and sworn to before me this *16* day of *May*, 1901.

J. J. Benson, M.D.
NOTARY PUBLIC
Dixie N.T., Indian Territory

Dbw

7-5107.

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

-----0-----

In the matter of the application for the enrollment of Gracie A. Leonard and John Roy Leonard as citizens by blood of the Choctaw Nation.

-----0-----

The applicants, Gracie A. Leonard and John Roy Leonard, claim their right to enrollment as citizens by blood of the Choctaw Nation through their mother Sarah Leonard. The right of the applicants' mother, Sarah Leonard, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case No. 62 upon the Tishomingo docket of said court, it is hereby ordered that the application of Gracie A. Leonard and John Roy Leonard for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,


Chairman.

Muskogee, Indian Territory,

SEP 10 1904

Choctaw 5107

~~CONF~~ COPY.

Muskogee, Indian Territory, September 15, 1904.

Sarah Leonard,
Dixie, Indian Territory,

Dear Madam;

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 15, 1904, dismissing the application for the enrrollment of Gracie A. Leonard and John Roy Leonard as citizens by blood of the Choctaw Nation.

Respectfully,

~~SIGNED~~

Jame Sixty.

Registered.

Chairman.

Incl. 7-5107.

COPY.
COPY.

Choctaw 5107

Muskogee, Indian Territory, September 15, 1904.

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

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated September 15, 1904, dismissing the application for the enrollment of Gracie A. Leonard and John Roy Leonard as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Dixby.

Chairman.

Incl. 7-5107.

Muskogee, Indian Territory, July 5, 1900.

Sarah Leonard,

Dixie, Indian Territory,

Dear Madam:

The Commission is in receipt of your letter of the 29th, in which you state that it is your intention to remove your children to Oklahoma or Texas for a few months for the purpose of sending your children to school, and you desire that this Commission inform you whether such an action will in any way prejudice your rights as a citizen of the Choctaw Nation. You are advised that the only rule in regard to residence under which this Commission is operating is found in the act of Congress of June 23rd, 1898 (Chapter 1st), which provides that no person can be enrolled who has not heretofore resided to such an good faith established his residence in the Nation until he claims citizenship. If, therefore, you have previously complied with that act, and have maintained a continuous residence in the Indian Territory, and have all your possessions and interests in the Choctaw Nation, the Commission is of the opinion that you have fully complied with the requirements of the act of Congress above referred to.

But as to whether a removal from the Indian Territory prior to the final allotment of lands will in any way prejudice your rights to citizenship in the Choctaw Nation is a question the Commission has not as yet determined. The mere fact, however, of your children being sent to school in Texas or Oklahoma would not, in the opinion of the Commission, in any way affect their rights as Choctaw citi-

3105

S.L. 2

sons.

You do not clearly state in your letter whether it is your intention to remove your home to Oklahoma or Texas during the time your children are in school, or whether it is merely your intention to go with them for the purpose of locating them in some educational institution.

Yours truly,

Acting Chairman.

In reply to this letter,
please refer to 7-5107

Muskogee, Indian Territory, March 21, 1901.

John R. Leonard,

Dixie, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Chectaw nation of John Ray Leonard, the infant son of John R. and Sarah L. Leonard, born August 29th, 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 Chectaw Nation.

Yours truly,

Acting Chairman.

7-5107

Choc 5108 W. G. Armstrong

5- Dismissed Jan 19, 1905

Nos 2-3-4-5 Granted July 9, 1906

No 1 Refused July 9, 1906

All action approved by Sec of Interior Aug 11, 1906

Record as to 2 to 5 to inclusive transferred to
Choctaw # 6014 July 24, 1906

For record see 7-6014

5108

Refer in reply to the
following:

and
88 45-1906.
65620-1906.

(COPY)

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

August 6, 1906.

The Honorable,

The Secretary of the Interior.

Sir:--

Referring to Departmental letter of July 31, 1906 I.T.D. 9286, directing the Commissioner to the Five Civilized Tribes to decide and forward the application of Mattie E. Armstrong et al for enrollment as citizens of the Choctaw Nation, I have the honor to enclose a report from the Commissioner, dated July 3, 1906, forwarding the record in the case.

The parties to the case are as follows: Mattie E. Armstrong, Layton B. Armstrong, Bonnie D. Armstrong and Rebecca K. Armstrong, who applied for enrollment as citizens by blood, and W. G. Armstrong, who applied for enrollment as an intermarried citizen. July 9, 1906, the Commissioner to the Five Civilized Tribes held that those who applied for enrollment as citizens by blood are entitled to such enrollment, and that W. G. Armstrong is not entitled to enrollment as an intermarried citizen.

There has been considerable correspondence about this case but inasmuch as the record contains a complete history of the case, the Office considers it necessary to only set forth the facts. It is shown by the record that W. G. Armstrong and Mattie

L. Armstrong were married in 1855 in accordance with the laws of the State of Texas, and that they removed to the Indian Territory in the early part of 1895.

By an act of the National Council of the Choctaw nation, approved November 8, 1895, that is Lee Armstrong, Bonnie D. Armstrong and Raydon Armstrong, among others, were admitted to all of the rights and privileges of citizenship in the Choctaw nation, the act to be effective and in full force from and after its passage.

In 1896, in accordance with the provisions of the Act of June 19, 1896, and of the application to except Rebecca W. Armstrong applied to the Commission to the Five Civilized Tribes for admission to citizenship; W. H. Armstrong or William G. Armstrong as a citizen by intermarriage, and the others as citizens by blood. The Commission to the Five Civilized Tribes held that the applicants were not entitled to enrollment, and an appeal was taken from their decision to the United States Court for the Southern District of Indian Territory, which reversed the decision of the Commission, and admitted William G. Armstrong to intermarried citizenship and the others to citizenship as Indians by blood.

Under the provisions of the Act of July 1, 1902, (32 Stats., 641; Choctaw-Chickasaw Supplemental Agreement), the decision of the Court was vacated or annulled by the Choctaw-Chickasaw Citizenship Court in the test case entitled J. T. Riddle, et al. Vs. the Choctaw-Chickasaw nation. The decision in the test case was rendered December 17, 1902.

Subsequently these applicants had the records in their

-3-

case certified to the Choctaw-Chickasaw Citizenship Court for trial de novo, and on November 28, 1904, that court held that they were not entitled to enrollment, except as to Rebecca K. Armstrong as to whom it held that it had no jurisdiction.

Mattie L. Armstrong and her minor children, Layton B. and Bonnie D. having been admitted to citizenship in the Choctaw Nation by act of the National Council, the action taken by the Commission and subsequently by the different courts, was, under the opinions of the Assistant Attorney-General of February 10, 1905, and December 8, 1905, in the Loula West case, without authority of law as the Commission and the courts, under these opinions, did not have jurisdiction, and the applicants, are under them entitled to enrollment. Rebecca K. Armstrong having been born subsequent to the admission of her mother to citizenship is also entitled to enrollment. W. G. Armstrong never having married his Choctaw wife in accordance with the laws of the Choctaw Nation is not entitled to enrollment.

For the reasons given the approval of the Commissioner's decision favorable to the four applicants who applied for enrollment as citizens by blood, and unfavorable to W. G. Armstrong, who desires to be enrolled as an intermarried citizen, is recommended. The case being on file in this Office when Department letter referred to was received, it was not transmitted to the Commissioner and is returned.

Very respectfully,

GAW-Ken.
4 encls.

Acting Commissioner.

J.W.H.
S.P.

DEPARTMENT OF THE INTERIOR,

I.I.D. 13700-1906.
D. C. 25006

August 11, 1906.

S. . . .

Commissioner of the Indian Territory,
Indian Territory.

Sir:

On July 1, 1906, you received a letter from Mr. J. W. H. S. P.,
a resident of the Indian Territory, in which he stated that
he had a claim for the land of his wife and children.

The claimant stated that his wife and children were
as a result of intermarriage with the Indians. The
wife and children claim that they are entitled to the
of admission.

In your decision of July 1, 1906, you denied the applica-
tion of Mr. Armstrong but granted that of his wife and chil-
dren. Report in the matter August 6/1906, the Indian
Office, after stating the facts in the case and its conclusion
in reference thereto, recommended that your action be approved.

This case has been fully considered by the Indian Office.
It was also the subject of departmental letters of April 1,
1906 and May 2, 1906.

In reaching the conclusion stated hereinafter relative

to Mr. Armstrong, the Department is not unmindful of the fact that his name appears upon the 1896 census roll of the Choctaw Nation? Such enrollment, however, while sufficient to give the Department jurisdiction of his case under act of June 25, 1898 (30 Stats., 495), cannot be held to confer upon him an absolute right of enrollment. Investigation has shown that he claims by intermarriage that his marriage was not solemnized in accordance with the laws of the Choctaw Nation, consequently his enrollment upon the 1896 roll must be deemed to be "without authority of law".

The Department concurs in the recommendation of the Indian Office and your decision of July 9, 1906, adverse to W. G. Armstrong and favorable to his wife, Mattie L. Armstrong, and children, Layton B. Armstrong, Bonnie D. Armstrong and Rebecca K. Armstrong, is hereby affirmed, and you are directed to place the names of said wife and children upon the final rolls of the Choctaw Nation.

A copy of Indian Office letter of August 6, 1906, is inclosed.

Respectfully,

Thos. Ryan,

Acting Secretary.

1 inclosure.

Choctaw 5108.

Muskogee, Indian Territory, April 12, 1905.

W. G. Armstrong,

Chickasha, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of April 6, in which you state that you had been advised by the Assistant Secretary of the Interior that the Commission had been requested to make a report in the case of Mattie L. Armstrong and her children and you state that these persons were admitted by an act of the Choctaw Council on November 8, 1895.

In reply to your letter you are advised that on November 28, 1904, the Choctaw and Chickasaw Citizenship Court denied the citizenship in the Choctaw Nation of W. G. Armstrong and wife, Mattie L. Armstrong, and his children, Layton B. and Bunnie D. Armstrong.

If further action is taken in this case by the Commission or the Department, you will be duly notified.

Respectfully,

SIGNED *T. B. Neudick*

Commissioner in Charge.

Choctaw 5108

Choctaw, Indian Territory, March 17, 1904.

W. G. Armstrong,

Choctaw, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of March 12, relative to the claim for enrollment as citizen of the United States of your wife, Mattie L. Armstrong and your children.

In reply to your letter, you are advised that from our records that the claim of yourself as full citizenship in the Choctaw Nation is now pending before the Choctaw and Chickasaw Citizenship Court, and for information as to the status of your case you should address the clerk of the court, James McAlester, Indian Territory.

Respectfully,

SIGNED *Tams Bixby*.

Commissioner in Charge.

Muskogee, Indian Territory July 29, 1903.

W. G. Armstrong,

Chickasha, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of July 25, asking if you can now make selection of allotment for yourself and your family Mattie L., Bonnie D., Layton B. and Rebecca K. Armstrong.

In reply to your letter you are informed that it appears from our records that W. G. Armstrong, his wife Mattie Armstrong, and their children Bonnie D., Layton B. and Rebecca K. Armstrong, were admitted to citizenship in the Choctaw Nation by a judgment of the United States court for the Southern District of Indian Territory, rendered at Ardmore August 12, 1897, in court case (citizenship docket) number 129.

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 land in the Choctaw or Chickasaw Nation to persons whose citizenship in said nation is dependent upon judgments of the United States court in Indian Territory, until their right to citizenship has been finally determined.

Respectfully,

SIGNED *Tame Bixby*.

Commissioner in Charge.

Choctaw 5108

Muskogee, Indian Territory, January 24, 1903.

W. G. Armstrong,

Chickasha, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of January 3, giving a history of your citizenship case, and asking what steps should be taken in the matter.

In reply to your letter you are advised that it appears from our records that W. G. Armstrong, and his wife, Maudie L. Armstrong and their children were admitted to citizenship in the Choctaw Nation by a judgment of the United States Court for the Southern District of the Indian Territory, at Ardmore, rendered August 12, 1897 in citizenship case number 129. On December 17, 1902, the "Choctaw-Chickasaw Citizenship Court", created under the provisions of the act of Congress of July 1, 1902, which was ratified by the Choctaw and Chickasaw Nations on September 25, 1902, vacated and set aside all judgments of the United States Courts in Indian Territory, admitting persons to citizenship in the Choctaw and Chickasaw Nations.

It may be added that lands upon which so-called "court claimants" have improvements, not in excess of lawful allotments, will not be allotted to any citizen until the rights of the said

W O A 2

court claimants are finally determined.

You are further advised that it appears from our records that W. G. Armstrong, Mattie L. Armstrong, Lexington B. Armstrong and Bonnie D. Armstrong, have been identified from the 1896 census roll of the Choctaw Nation as Choctaws residing in the Chickasaw Nation.

Respectfully,

SIGNED *Tame Bixby.*

Acting Chairman.

D 53
M. T.

J. W. H.
J. W. H.

DEPARTMENT OF THE INTERIOR,

WASHINGTON.

July 10, 1907.

Subject:

Enrolment of various members of
the Vaughan, Lancaster, Armstrong,
and Sumpter families as citizens of
the Choctaw and Chickasaw Nations.

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

Sir:

In order that you may stand advised in the premises
there are inclosed herewith copies of letters of even date to the
Attorney-General and to Messrs Kappler & Merrillat, of this city,
relative to the enrolment of Edward A. Vaughan and others as
citizens of the Choctaw and Chickasaw Nations.

Copies of the same letters are also inclosed herewith
for the information of the Commissioner of Indian Affairs.

Very respectfully,

(Signed) George W. Woodruff

4 Inclosures.
(Through the Commissioner of
Indian Affairs.)

Acting Secretary.

Z. S.

J. W. H.
Copy.

DEPARTMENT OF THE INTERIOR,

WASHINGTON.

Jul 10, 1907.

Subject:

Enrolment of various members of
the Vaughan, Lancaster, Armstrong,
and Sumpter families as citizens of
the Choctaw and Chickasaw Nations.

The Attorney-General.

Sir:

There is inclosed for your information a copy of a letter of even date, addressed to Messrs. Kappler & Merrillat, relative to the enrolment of E. A. Vaughan and others as citizens of the Choctaw and Chickasaw Nations.

You will observe that said attorneys suggest that certain agreements and stipulations be entered into in connection with the suits which they propose to file. As such suits will be under your supervision, they have been advised to make the desired arrangements with your Department.

Very respectfully,

(Signed) George W. Woodruff.

Acting Secretary.

1 Inclosure.

Z. S.

Copy.
J. W. H.

DEPARTMENT OF THE INTERIOR,

WASHINGTON.

Jul 10, 1907.

Subject:

Enrolment of various members :
of the Vaughan, Lancaster')
Armstrong, and Sumpter :
families as citizens of the)
Choctaw and Chickasaw Nations. :
:)
:

Messrs. Kappler & Merrillat,
Bond Building,
Washington, D. C.

Gentlemen:

Receipt is acknowledged of your letter of July 7, 1907,
requesting that the Department cause to be restored to the rolls of
citizens of the Choctaw and Chickasaw Nations the names of certain
persons, identified by you as follows:

Edward A. Vaughan, #4969, Chickasaw Roll, by blood.
Grover Cleveland Vaughan, #4970, Chickasaw Roll, by blood.
Oscar S. Vaughan, #4971, Chickasaw Roll, by blood.
Benjamin J. Vaughan, #606, Chickasaw Roll, by marriage.
William T. Lancaster, #612, Chickasaw Roll, by marriage.
Mattie L. Armstrong, #16,054, Choctaw Roll, by blood.
Layton B. Armstrong, #16,055, Choctaw Roll, by blood.
Bonnie D. Armstrong, #16,056, Choctaw Roll, by blood.
Rebecca K. Armstrong, #16,067, Choctaw Roll, by blood.
Jim Andy Sumpter, #16,647, Choctaw Roll, by blood.
Scott Taylor Sumpter, #16,648, Choctaw Roll, by blood.
Dixen D. Sumpter, #16,649, Choctaw Roll, by blood.

You state that it is your understanding that these people
were all put upon the rolls of said tribes after a due inquiry into
their rights and after notice to all parties interested, but that
later a line was drawn through their names on the supposed application

to their cases of some opinion of the Attorney-General and without notice to them.

Following the precedent heretofore adopted in analogous cases, the Department must decline to accede to your request, leaving the matter to be determined by the courts.

You state further that you are willing, as stated in a previous letter, that it may be stipulated that if the cases of such persons are similar to other cases heretofore filed by you the result in one case may determine the result in another; that the three members of the Sumpter families, included in the list quoted above, are, as you understand, all minors, represented by Jacob C. Good, as guardian, and that it would save expense if the Department would accede to a plan whereby all three of their cases might be brought in one suit, in the name of the guardian, instead of a suit in behalf of each one separately.

To both of these suggestions no objection is seen by this Department. On the contrary, they seem entirely proper, but inasmuch as the defense of the suit, if one is filed, will be under the direct supervision of the Department of Justice, it is suggested that the necessary arrangements and stipulations be made with it. A copy of this letter will be furnished said Department.

Very respectfully,

(Signed) George W. Woodruff.
Acting Secretary.

1-41205.

Land-
Population
98069-1909
J. E. D.

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

Dec. 11, 1909.

Enrollment cases
of Mattie Shockley,
et al, and Lulu
West, et al.

The Commissioner
to the Five Civilized Tribes, Muskogee, Oklahoma.

Sir:

Referring to your report of April 14, 1909, relative to the Choctaw enrollment cases of Mattie Shockley, et al, and Lulu West, et al, you are advised that on December 7, 1909, the Department held that in all material respects the claims of certain of the applicants in these cases were similar to that of Minerva F. Swadley, in which a decision adverse to the applicants was rendered by the Department on August 9, 1909, and therefore concluded that no further action should be taken looking to the enrollment of the applicants therein.

The Department also held that no favorable action should be taken concerning Felix F. West and the other applicants mentioned on the second page of Office letter of July 26, 1909.

You are requested to notify the applicants or their attorneys. A copy of Department decision of December 7, 1909, is transmitted herewith for your information and guidance. A copy of Office letter of July 26, 1909,

L-98069-2.

is also inclosed for your information.

Very respectfully,

(Signed) C. F. Hauke.
Chief Clerk.

GNK-10.
6524.

Cloc 5109 Ephriam E. Stockly

Granted

March 19, 1906

transferred to class and no 6030 May 20, 1906

5109

EMPTY

Choc 5110 Lucy Cude

2-3-4-5 Dismissed 1-24-05

see C-126

Record in Choctaw #5078

5110

Lucy Cude

Clayton
born June 24 1894

Willow
born Sep 5th 1898

Choctaw

Medmore Dec 22 1898

Muskegee, Indian Territory, October 3, 1900.

Green William Cude,

Ardmore, Indian Territory.

Dear Sir:

The Commission is in receipt of the application for enrollment as a citizen of the Choctaw Nation of Clarence Cude, the infant son of Green William and Lucy J. Cude, born September 20th, 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.

Yours truly,

Acting Chairman.

7-5110

7-5110

Muskogee, Indian Territory, March 24, 1902.

H. H. Brown,

Attorney at Law,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 21st instant enclosing the application for enrollment as a citizen of the Choctaw Nation of Vera Cude, the infant daughter of Green W. and Lucy Cude, born May 4, 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.

100-110

Austler et, L. T. Territory, October 21, 1902.

E. A. Sallerwhite,
Box 46,

Lone Grove, Indian Territory.

Dear Sir:

Received in your name a letter from the Choctaw Nation, both
first and second, in the name of the Choctaw Nation, and in
Chickasaw Territory, and in which you request that I should
C. W. Cude and family are not to be enrolled as citizens of
as court of claims.

From the Choctaw Nation, Indian Territory, and
Commissioner of the Choctaw and Chickasaw Nations,
rents on lands in the Choctaw and Chickasaw Nations.

You are further advised that on September 22, 1898, James
W. Cude, 29 years of age, of Ardmore, Indian Territory, made
application to this Commission for enrollment as a citizen by
intermarriage of the Choctaw Nation. No decision has up to
this time been rendered in the matter of his application.

On September 22, 1898, Lucy Cude, 19 years of age, and
her children Clayton, and William Cude were listed for enrollment
by this Commission as citizens of the Choctaw Nation, having been
admitted to such citizenship by a judgment of the United States

E E S 2

Court for the Southern District of the Indian Territory, rendered at Ardmore, Indian Territory, on December 22, 1896. Since the time Lucy Gude was so listed for enrollment, her infant children Clarence and Vera Gude have been listed for enrollment as citizens of the Choctaw Nation on presentation of proper evidence of their birth.

Respectfully,

Acting Attorney.

Choctaw D 301
Choctaw 5110

Muskogee, Indian Territory, February 11, 1906.

L. T. Bell,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of February 8, asking if William Green Gude and his wife, Lucie Gude, and their children, Arthur Clayton, William, Clarence and Vera Gude are on the rolls .

In reply to your letter you are advised that it appears from our records that Lucy Gude and her children, Clayton, William, Clarence and Vera Gude were admitted to citizenship in the Choctaw Nation by a judgment of the United States Court for the ~~District~~ District of the Indian Territory, rendered at Ardmore, December 22, 1898.

On December 17, 1902, the Choctaw-Chickasaw Citizenship Court, created under the provisions of the act of Congress of July 1, 1902, which was ratified by the Choctaw and Chickasaw Nations ^{Sept 15 1902} vacated and set aside all judgments of the United States Courts 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 allotments,

L T B 2

will not be allotted to any citizen until the rights of the said court claimants are finally determined.

It further appears from our records that Green W. Cude, husband of Lucy Cude, and father of the children above named, is an applicant to this Commission for enrollment as an intermarried citizen of the Choctaw Nation, by virtue of his marriage to Lucy Cude.

Respectfully,

Acting Chairman.

COMMISSIONERS:
TAMM BERRY,
THOMAS B. NEEDLES,
C. R. BRACKENRIDGE.

WM. O. BEALL,
Secretary.

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

REFER IN REPLY TO THE FOLLOWING:

Choctaw 5110

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 24, 1906.

Lucy Cude,
Ardmore, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated January 24, 1905, dismissing the application for the enrollment of your minor children, Clayton Cude, William Cude, Clarence Cude and Vera Cude as citizens by blood of the Choctaw Nation.

Respectfully,

Registered.

Chairman.

IncI. 7-5110

7-5110.

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

In the matter of the application for the enrollment of Clayton Cude, William Cude, Clarence Cude and Vera Cude as citizens by blood of the Choctaw Nation.

-----oOo-----

The applicants, Clayton Cude, William Cude, Clarence Cude and Vera Cude, claim the right to enrollment as citizens by blood of the Choctaw Nation through their mother Lucy Cude.

The right of the applicants' mother, Lucy Cude (as Lucy Cude, nee Huffman), 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 No. 37 upon the Tishomingo docket of said court, it is hereby ordered that the application of Clayton Cude, William Cude, Clarence Cude and Vera Cude for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

SIGNED:

Chairman.

Muskegee, Indian Territory,

JAN 2 1905

Chectaw Hill

COPY.

Mustoge, Indian Territory, January 24, 1907.

Lucy Cude,

Aronore, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated January 24, 1907, granting the application for the enrollment of four minor children, Clayton Cude, William Cude, Clarence Cude and Vera Cude as citizens of blood of the Chectaw Nation.

Respectfully,

SIGNED

James Dixby

Chairman.

Registered.

Incl. 7-5110

Chectaw 5110

COPY.

McNoguey, Indian Territory, January 24, 1908.

W. H. Brown,
Attorney at Law,
Aradmore, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Council of the Five Civilized Tribes, dated January 24, 1908, dispensing the application for the enrollment of Clayton Cude, William Cude, Clarence Cude and Vera Cude as citizens by blood of the Chectaw Nation.

Respectfully,

(SIGNED)

Tame L. ...

Chairman.

Registered.

Incl. 7-5110

Choctaw 5110

COPY.

Muskogee, Indian Territory, January 24, 1905.

Mansfield, McFurray & 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 24, 1905, dismissing the application for the enrollment of Clayton Gude, William Gude, Clarence Gude and Vera Gude as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Diaby

Chairman.

Incl. 7-5110.

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7-1077
1028
8060
8110

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

In a letter of the applicants, J. W. Harman, et al., citizens of the Choctaw Nation,

DECISION:-

I appear in record of the Commission to the Five Civilized Tribes that application was made to the Commissioner of the Five Civilized Tribes at Ardmore, Indian Territory, September 12, 1899, by J. W. Harman for the enrollment of himself and his wife, Mary Harman, of the Choctaw Nation, and her children, Daniel Harman, Charles Harman, and her children, Daniel Harman, Charles Harman, as citizens of the Choctaw Nation, and on October 31, 1901, written application was filed with the Commission to the Five Civilized Tribes for the enrollment of Frank Puscacharmy, minor son of J. W. Harman and his wife, Mary Harman, as a citizen of the Choctaw Nation, and on October 31, 1900, written application was filed for the enrollment of Isaac Cude, minor son of H. F. Cude and his wife, Victoria Cude, as a citizen of the Choctaw Nation, and on October 31, 1900, written application was filed for the enrollment of Vera Cude, minor daughter of the applicant, Isaac Cude and his wife, Victoria Cude, as a citizen of the Choctaw Nation; that on March 24, 1902, written application was filed for the enrollment of Frank Puscacharmy, minor son of J. W. Harman and his wife, Mary Harman, as a citizen of the Choctaw Nation; that on September 22, 1899, application was made by Susie Tucker for the enrollment of her children, as citizens of the Choctaw Nation; that on September 22, 1899, application was made by H. F. Cude for the enrollment of his children, as citizens of the Choctaw Nation; that on October 31, 1900, written application was filed for the enrollment of Isaac Cude, minor son of the applicant, Isaac Cude and his wife, Victoria Cude, as a citizen of the Choctaw Nation; that on March 24, 1902, written application was filed for the enrollment of Vera Cude, minor daughter of the applicant, Isaac Cude and his wife, Victoria Cude, as a citizen of the Choctaw Nation. It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that the applicants, J. W. Harman, Mary Harman (as Mrs. J. W. Harman), Melville Harman, Daniel Harman, Charles Harman, Victoria McClurg (as Mrs. Victoria McClurg), Susie McClurg (as Susie McClurg), Lillie McClurg (as Lily McClurg), Harry McClurg (as Harry McClurg), Frank Puscacharmy, Henry Wallis (as Henry Wallis), Susie Tucker and Lucy Cude, were applicants to the Commission to the Five Civilized

Choc 5111 Reuben L. A. Sessums

Nos 2-3 Dismissed may 27, 1904

Refused 12-28-06

see C-117

see 7-5082 for record

5111

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:

Iela E. Sessums, et al.,

7-2111.

-----o-----

Choctaw 5111.

COPY:

Muskogee, Indian Territory, June 7, 1904.

Reuben L.A. Sessums,
Wynnewood, 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 citizens by blood of the Choctaw Nation of Lela E. Sessums and Pora E. Sessums.

Respectfully,
(SIGNED)

W. H. H. H.

Chairman.

Registered.

Incl. 7- 5111.

Choctaw 5111

COPY:

Muskogee, Indian Territory, June 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 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 Lela E. Sessums and Dora E. Sessums.

Respectfully,

(SIGNED)

Wm. D. Doby.
Chairman.

Registered.

Incl. 7- 5111.

See Choctaw 5334 for registry receipt of 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 Wilson Wesley Sessums born on the 11 day of Feb, 1903
(Here insert name of child)
Name of Father: R. S. A. Sessums citizen of the Choctaw Nation.
Name of Mother: Judie Sessums a citizen of the Choctaw Nation.
Post-office Marvell S. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, Judie Sessums, 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 R. S. A. Sessums, who is a citizen, by Blood of the Choctaw Nation; that a Male child was born to me on 11 day of Febr., 1903 that said child has been named Wilson Wesley Sessums and is now living.
Judie Sessums

WITNESSES TO MARK:

Must be Two Witnesses.

Subscribed and sworn to before me this 27 day of April, 1903.

W. Hartley
Term expires 2-7-1906
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MID-WIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, Dr. J. P. Beaur, a Physician, on oath state that I attended on Mrs. Judie Sessums, wife of R. S. A. Sessums on the 11 day of Feb., 1903, 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 Wilson Wesley Sessums.

WITNESSES TO MARK:

Must be Two Witnesses.

Subscribed and sworn to before me this 27 day of April, 1903.

W. Hartley
NOTARY PUBLIC.

7-5111.

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

-----o-----

In the matter of the application for the enrollment of
Lela E. Sessums and Dora E. Sessums as citizens by blood of the
Choctaw Nation.

-----o-----

The applicants, Lela E. Sessums and Dora E. Sessums,
claim their right to enrollment as citizens by blood of the Choctaw
Nation through their father Reuben L. A. Sessums. The right
of the applicants' father, Reuben L. A. Sessums, to citizenship
in the Choctaw Nation having been adversely determined by a decree
of the Choctaw and Chickasaw Citizenship Court, March 9, 1904, in
case No. 36, upon the South McAlester docket of said court, it
is hereby ordered that the application of Lela E. Sessums and
Dora E. Sessums for enrollment as citizens by blood of the Choctaw
Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

ASIGNED)

Fame Dixey.

Chairman.

Muskogee, Indian Territory,

MAY 1904

C- 117
7- 4212
7-8082
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5115

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

In the matter of the application for the enrollment
of Mattie Stepp, et al., as citizens of the Choctaw Nation.

D E C I S I O N

It appears from the records herein and from the records in the possession of the Commissioner of the Five Civilized Tribes that application was made to the Commissioner of the Five Civilized Tribes at Ardmore, Indian Territory, September 22, 1898, by Mattie Stepp for the enrollment of herself as a citizen of the Choctaw Nation; that subsequent thereto written application was made for the enrollment of James R. Stepp and Dora Ora Stepp minor children of Mattie Stepp and John F. Stepp, as citizens of the Choctaw Nation; that application was made to the Commissioner of the Five Civilized Tribes at Ardmore, Indian Territory, September 22, 1898, by Reuben L. A. Sessums, for the enrollment of himself as a citizen of the Choctaw Nation; that on December 15, 1899, written application was filed for the enrollment of Lela E. Sessums, minor child of Reuben L. A. Sessums and Ludie Sessums, as a citizen of the Choctaw Nation; that on October 18, 1901, written application was filed for the enrollment of Dora E. Sessums, minor child of Reuben L. A. Sessums and Ludie Sessums, as a citizen of the Choctaw Nation; that on September 22, 1898, application was made to the Commissioner of the Five Civilized Tribes by W. R. Sessums for the enrollment of himself and his son, B. R. Sessums, as citizens of the Choctaw Nation; that on the same date application was made to the Commissioner to the Five Civilized Tribes by Henry D. Sessums for the enrollment of himself as a citizen of the Choctaw Nation; that on November 2, 1901, written application was filed for the enrollment of Pearly Eliza Ellen Sessums, minor daughter of Henry D. Sessums and Sarah J. Sessums, as a citizen of the Choctaw Nation; that on August 30, 1899, application was made to the Commissioner to the Five Civilized Tribes at Atoka, Indian Territory, for the enrollment of Sarah Swagger as a citizen of the Choctaw Nation.

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that the applicants, W. R. Sessums, B. R. Sessums, Reuben L. A. Sessums (as R. L. A. Sessums), Mattie Stepp (as Mattie Sessums), Henry D. Sessums (as H. D. Sessums) and Sarah Swagger (nee Sessums), were, among others, applicants to the Commissioner 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), and that on December 2, 1896, said Commissioner rendered a decision denying said application (1896 Choctaw Citizenship Case No. 452). From this decision of the Commissioner an appeal was taken to the United States Court for the Central District of Indian Territory. On January 20, 1898, said court rendered a judgment reversing the decision of the Commissioner as to the applicants herein and admitted said applicants to citizenship in the Choctaw Nation. Said judgment was

subsequently vacated, not made an issue or brought by a decree of the Choctaw and Chickasaw Citizenship Court of December 27, 1900, in the test case of the "Choctaw and Chickasaw Nations of Indian vs. J. T. Middle, et al".

Said cause was subsequently certified to the Choctaw and Chickasaw Citizenship Court, created under the provisions of the Act of Congress approved July 1, 1900, (34 Stat., 241), for a trial de novo, and on March 2, 1904, in the case entitled "W. R. Sessums, et al. vs. Choctaw and Chickasaw Nations", said court rendered a judgment therein, wherein it was "ordered, adjudged and decreed that the petitions of the plaintiffs, . . . W. R. Sessums, Sarah Swagger or Sarah Swager, H. R. Sessums, and J. A. Sessums, Mattie Sessums, H. R. Sessums, . . . 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".

On May 27, 1900, the Commission on the Five Civilized Tribes issued orders dismissing the applications for the enrollment of James A. Stepp, Nora Ann Stepp, John Fisher Stepp, Nora B. Sessums and Pearly Alice Allen Sessums as citizens of the Choctaw Nation, for the reason that the rights of the said individuals, who they claimed the right to enroll, had not been ascertained, determined by the Choctaw and Chickasaw Citizenship Court.

Under the regulations adopted by the Commission of the Five Civilized Tribes January 2, 1900, there was filed on January 27, 1900, by Tom C. McKown, attorney for petitioner, a petition praying for the enrollment of Wilson A. Sessums, Jr., as a citizen of the Choctaw Nation, said petition was denied by the Commission on May 9, 1900, and on the same date, etc. etc. etc. The Commission denying same, was forwarded to the Department.

Under said regulations there were filed on April 10, 1900, by Tom C. McKown, attorney for the petitioners, petitions, praying for the enrollment of Mattie Lou Fisher Stepp and her minor children James James Stepp, Nora Ann Stepp, John Fisher Stepp and Sarah Valera Stepp; Reuben Lee Ashby Sessums and his minor children, Della Almettie Sessums, Tilden Sessums, Robert and Roy Robert Sessums; Bunkey Riley Sessums and his minor child, Tilden Sessums; Tenny Sessums and his minor children, Pearly Alice Sessums and Sada Mae Sessums, and Sarah Swagger (now Sessums), as citizens of the Choctaw Nation.

The petitioners, Mattie Lou Fisher Stepp, James James Sessums, Nora Ann Sessums, Reuben Lee Ashby Sessums, Della Almettie Sessums, Henry Daniel Sessums, Pearly Alice Sessums, Bunkey Riley Sessums and Sarah Swagger, are identical with the persons for whose enrollment application was made to the Commission by the Five Civilized Tribes under the provisions of the Act of Congress approved June 20, 1900, (32 Stat., 241).

It is alleged in said petitions that the petitioners, Mattie Lou Fisher Stepp, Reuben Lee Ashby Sessums, Henry Daniel Sessums, Bunkey Riley Sessums and Sarah Swagger (now Sessums), are the children of W. R. Sessums; that the said W. R. Sessums is the son of Redding Sessums; that Redding Sessums is the son of Jacob and Jennie Sessums; that the said Jennie Sessums was a full blood Choctaw woman who was duly recognized by said tribe of Indians and came to the Indian Territory with the Choctaw tribe and died in the Indian Territory.

It further appears from the record herein that application was filed for the enrollment of the following persons as citizens of the Choctaw Nation under the provisions of the Act of Congress approved April 30, 1900, (32 Stat., 137), as follows; July 2, 1900, application for the enrollment of Tilden Sessums, born February 11, 1903, and Roy Robert Sessums, born February 2, 1900, minor children of the applicant, Reuben C. A. Sessums; and his

wife, Judie Sessums; July 14, 1906, application for the enrollment of John Rauben Stepp, born March 1, 1903, and Hannah Velma Stepp, born April 20, 1905, minor children of the applicant Mattie Stepp and her husband, John P. Stepp; July 21, 1906, application for the enrollment of Lily Elzadie Sessums, born February 4, 1905, minor daughter of the applicant, H. R. Sessums and his wife, Keatie Lee Sessums; and June 27, 1906, application for the enrollment of Sada Lee Sessums, born December 18, 1903, daughter of Henry D. Sessums and his wife, Sarah Jane Sessums.

It does not appear from the records in the possession of the Commissioner to the Five Civilized Tribes or from the petitions filed April 13, 1906, that any of the petitioners have ever been recognized or enrolled as citizens of the Choctaw Nation by the tribal authorities thereof. Their names do not appear upon any of the tribal rolls of the Choctaw Nation in the possession of this office.

I am of the opinion that inasmuch as the petition for the enrollment of W. R. Sessums or Wilson K. Sessums as a citizen of the Choctaw Nation has heretofore been denied by the Commissioner to the Five Civilized Tribes that the application for the enrollment of W. R. Sessums as a citizen of the Choctaw Nation, should be denied, under the provisions of the Act of Congress approved July 1, 1902, (32 Stats., 641), and it is so ordered.

I am further of the opinion that inasmuch as it does not appear from the records in the possession of the Commissioner to the Five Civilized Tribes and is not alleged in the petitions filed April 13, 1906, that the applicants have ever occupied such a status as would entitle them to enrollment as citizens of the Choctaw Nation, the decision of the Choctaw and Chickasaw Citizenship Court of March 9, 1904, denying the petitions for the admission to citizenship in the Choctaw Nation of Mattie Stepp, Nathan L. A. Sessums, Henry D. Sessums, J. L. Sessums and Sarah Swigger, is final, and that the application for the enrollment of said applicants and the petitions filed April 13, 1906, insofar as same apply to said applicants, should be denied, under the provisions of the Act of Congress approved July 1, 1902, (32 Stats., 641), and it is so ordered.

I am further of the opinion that the petitions filed April 13, 1906, insofar as they apply to the petitioners, Pearl Eliza Ellen Sessums, Lila E. Sessums, Jesse Murrell Stepp, and Cora Ann Stepp, should be denied, under the provisions of the Act of Congress approved July 1, 1902, (32 Stats., 641), and it is so ordered.

I am further of the opinion that the application filed June 27, 1906, for the enrollment of Sada Lee Sessums; July 2, 1906, for the enrollment of Wilson Wesley Sessums and Roy Robert Sessums; July 14, 1906, for the enrollment of John Rauben Stepp and Hannah Velma Stepp and July 21, 1906, for the enrollment of Lily Elzadie Sessums, as citizens of the Choctaw Nation and the petitions filed April 13, 1906, insofar as same apply to said applicants, should be denied under the provisions of the Act of Congress approved April 26, 1906, (34 Stats., 107), and it is so ordered.

Wm. T. Sessums

Commissioner.

Waukege, Indian Territory,

APR 28 1906

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

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,
of Wilson Wesley Sessums (Here insert name of child.) , born on the 11 day of Feb- , 1903
Name of Father: R. L. A. Sessums a citizen of the Choctaw Nation.
Name of Mother: Ludie Sessums a citizen of the Choctaw Nation, by marriage
Postoffice Maxwell, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Southern DISTRICT

I, Ludie Sessums , on oath state that I am 22 yr.
years of age and a citizen by marriage , of the Choctaw Nation;
that I am the lawful wife of R. L. A. Sessums , who is a citizen, by
blood of the Choctaw Nation; that a male child was
(Male or Female.)
born to me on 11 day of Feb , 1903; that said child has been named
Wilson Wesley Sessums , and is now living.

WITNESSES TO MARK: Ludie Sessums

(Must be Two Witnesses.)

Subscribed and sworn to before me this 27 day of April , 1903

(SEAL)

W. Hartley
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MID-WIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Southern DISTRICT

I, Dr. J. P. Beam , a Physician , on oath state that I
attended on Mrs. Ludie Sessums , wife of R. L. A. Sessums ,
on the 11 day of Feb. , 1903; 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 Wilson Wesley Sessums

WITNESSES TO MARK: Dr. J. P. Beam

(Must be Two Witnesses.)

Subscribed and sworn to before me this 27 day of April , 1903

(SEAL)

W. Hartley.
Notary Public.

COMMISSIONERS
HENRY I. DAWES
TAMM BIXBY
ARCHIBALD S. MCKENNON
THOMAS B. NEEDLES
ALLISON I. AYER-SMITH

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, December 16th, 1899.

DEAR Sir:--

No evidence of the marriage of **Ludie Sessums**
is found on file in this office. The only document
of **Lela E. Sessums** which we have is a license to marry
the license and the date of the same is as stated at
once, you may find the same at **Muskogee, Indian Territory**
on **any day**

Tamm Bixby
Acting Chairman

To **Reuben L. A. Sessums, Esq.,** R.
Mansville, Indian Territory.

Muskogee, Indian Territory, February 19, 1900.

Mr. Reuben J. Sessums,

Wynnewood, Indian Territory,

Dear Sir:

The Commission is in receipt of your letter of February 16, inclosing a certificate of marriage of yourself and Ludie Buck, required by the Commission in the application for enrollment of your infant daughter, Lela R. Sessums, and the same has been duly filed with the records of this Commission. It will be necessary for the Commission to retain this marriage license in the matter of the enrollment of your child, and the same cannot be returned to you at this time, unless a certified copy of the same from the records of the United States Court for the Northern District of the Indian Territory is filed in lieu thereof.

Yours truly,


Acting Chairman.

Choctaw 156.

Muskogee, Indian Territory, November 13, 1900.

Reuben L. A. Sessums,
Wynnewood, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 7th instant in which you desire to be informed if your daughter Lelia E. Sessums has been enrolled as a citizen of the Choctaw Nation.

You are informed that the records of this Commission show that Lelia E. Sessums, the daughter of Reuben L. A. and Ludie Sessums, was listed for enrollment by this Commission as a citizen of the Choctaw Nation, December 14th, 1899, and that on February 19th, 1900 the Commission was in receipt of the affidavit of Ludie Sessums and Doctor W. A. Butts as to the birth of this child.

You also desire to be informed if there is on file with the records of this Commission, the marriage license and certificate of yourself and Ludie Buck and if so that the same be returned to you.

The Commission has on file the marriage license and certificate of R. L. A. Sessums and Ludie Buck, who were married on the 5th day of December 1898, but cannot return the same to you for the reason that it is necessary that the same be retained by the Commission as evidence of your marriage to your wife in the matter of the enrollment of your child as a citizen of the Choctaw Nation. If you desire a certified copy of this marriage license and certificate for any purpose, the Commission will furnish you

Muskogee, Indian Territory, October 18, 1901.

Reuben L. Sessums,

Wynnewood, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Dor: W. Sessums, the infant daughter of Reuben L. A. and Ludie Sessums, born April 6, 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,

7-5111

Acting Chairman.

7-5111.

Waskoe, Indian Territory, May 6, 1907.

W. I. Searns,

Lawwell, Indian Territory.

Dear Sir:

Referring to the application for enrollment as a citizen of the Choctaw Nation of W. I. Searns, infant son of R. L. and Lottie Searns, born February 11, 1903, recently forwarded by you to this office, your attention is invited to section 28 of the act of Congress approved July 1, 1902, which was ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902, as follows:

"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."

It appears from our records that you were admitted to citizenship in the Choctaw Nation by a judgment of the United States Court for the Central District of Indian Territory, at South McAlester, Indian Territory, January 20, 1898.

R L S 2

You are advised that by a decree of the "Choctaw-Chickasaw Citizenship Court," created by the provisions of the act of Congress approved July 1, 1908 (35 Stat., 641), all judgments of the United States Courts in Indian Territory admitting to citizenship in the Choctaw and Chickasaw Nations under the provisions of the act of Congress approved June 10, 1896, were vacated and set aside.

Respectfully,

Chairman.

B.C.

7-8111

Muskogee, Indian Territory, July 9, 1906.

Ruben L. A. Sessums,
Alma, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of the affidavits of
Ludie Sessums and Eliza Ann Sessums to the births of Wilson
Wesley and Roy Robert Sessums, children of Ruben L. A. and
Ludie Sessums, February 11, 1903, and February 2, 1905, res-
pectively.

Respectfully,

Commissioner.

Choctaw 5111.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

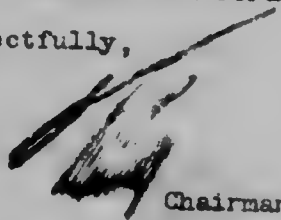
Muskogee, Indian Territory, June 7, 1904.

Reuben L.A. Sessums,
Wynnewood, 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 citizens by blood of the Choctaw Nation of Lela E. Sessums and Dora E. Sessums.

Respectfully,



Chairman.

Registered.

Incl. 7- 5111.

Choc 5112 Mary Bailey

n^o6 Dismissed May 27, 1904

See C27

Record in Choctaw #5081

5112

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

)))0)))

Record in the matter of the application for enrollment
as a citizen by blood of the Choctaw Nation of:

Homer Belton Bailey,

7-5112.

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Enc B I .20 HD INDEXED

IN RE

Application for Enrollment of

INFANT CHILD

Nomer Belton Bailey

as a citizen of the

Choctaw Nation.

Approved

NOV 21 1902

Commissioner

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

FILED

NOV 21 1902

ACTING CHAIRMAN.

#5112

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

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the *Cherokee* Nation,
of *Homey Sutton Bailey* born on the *21* day of *April*, 1902.
Name of Father: *Emmanuel Bailey* a citizen of the *Cherokee* Nation,
Name of Mother: *Oliver Bailey* a citizen of the *Cherokee* Nation,
Post-Office: *...*

AFFIDAVIT OF MOTHER

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

I, *Oliver Bailey*, a Native born citizen of the United States,
years of age and a citizen, by *Married* of the *Cherokee* Nation,
that I am the lawful wife of *Emmanuel Bailey* a citizen of the
Cherokee Nation of a full age and was
born to me on the *21* day of *April*, 1902, a child
named *Homey Sutton Bailey*, and is now living.

WITNESSES TO MARK

(Must be Two Witnesses) } *J. L. Stephens*
J. F. Green

Subscribed and sworn to before me this *...* day of *...* 1902.
J. L. Sharp
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE

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

I, *Catherine Wood*, a Native born citizen of the United States,
attended on Mrs. *Oliver Bailey*, wife of *Emmanuel Bailey*,
on the *21* day of *April*, 1902, that there was born to her on said
date a *Male* child, that said child is now living and is said to have been
named *Homey Sutton Bailey*.

WITNESSES TO MARK

(Must be Two Witnesses) } *J. L. Stephens*
J. F. Green

Subscribed and sworn to before me this *...* day of *...* 1902.
J. L. Sharp
Notary Public.

9 (W)
7-5112.

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

In the matter of the application for the enrollment of
Homer Belton Bailey as a citizen by blood of the Choctaw Nation.

The applicant, Homer Belton Bailey, claims his right to
enrollment as a citizen by blood of the Choctaw Nation through his
father Emanuel W. Baile. The right of the applicant's father,
Emanuel W. Bailey, to citizenship in the Choctaw Nation having
been adversely determined by a decree of the Choctaw and Chickasa
Citizenship Court, March 9, 1904, in case No. 36, upon the South
McAlester docket of said court, it is hereby ordered that the ap-
plication of Homer Belton Bailey for enrollment as a citizen by
blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



Chairman.

Muskogee, Indian Territory,

Choctaw 5112

COPY.

Muskogee, Indian Territory, June 7, 1904.

Emanuel W. Bailey,

Iona, 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 Homer Belton Bailey.

Respectfully,

(SIGNED)

Wm. Dixby.

Chairman.

Registered.

Incl. 7-5112.

Choctaw 5112

COPY.

Muskogee, Indian Territory, June 7, 1904.

Mansfield, McMurray & Cernish,
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 Homer Belton Bailey.

Respectfully,

(SIGNED)

James Dixby.

Chairman.

Registered.

Incl. 7-5112.

(See Choctaw 5334 for registry receipt for this letter.)

the tribal rolls of the Choctaw Nation in the possession of this office.

O R D E R

I am of the opinion that the petitions fail to allege facts sufficient to warrant a hearing relative to the petitioners' alleged rights to enrollment as citizens of the Choctaw Nation; that the principal petitioners having been denied citizenship by the Choctaw and Chickasaw Citizenship Court, and it not being alleged in the petitions or shown by the records of this office that any of the petitioners were recognized or enrolled citizens of the Choctaw Nation prior to January 20, 1898, the date on which they were admitted to citizenship in the Choctaw Nation by the United States Court, they do not come under the opinion of the Assistant Attorney General of December 8, 1905, in the Choctaw Enrollment Case of Loula West, et al., and that there is no authority of law for the enrollment of any of the petitioners as citizens of the Choctaw Nation; that the petition should be denied, and it is so ordered.

Tams Bixby,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, May 8, 1906.

7-5112.

Muskogee, Indian Territory, August 12, 1902.

Emanuel Bailey,

Iona, 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 Homer Belton Bailey, infant son of Emanuel and Ever Bailey, born April 21, 1902.

Receipt is also acknowledged of the marriage license and certificate between E.W. Bailey and Ever Wood.

Both documents are returned to you herewith for the reason that the notary public before whom the affidavit of the attending midwife was acknowledged neglected to affix his notarial seal thereto.

Upon receipt of the application with the seal of the notary public affixed to the affidavit of the attending midwife, and return of the marriage license and certificate, the matter will receive further consideration.

Yours truly,

Enc. B.I. 78.

Acting Chairman.

HENRY L. DENNIS
LAMB BIRD
THOMAS B. H. COLE
C. R. B. COLE

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

7-5112

Muskogee, Indian Territory, October 2, 1902.

Emanuel Bailey,

Iona, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Homer Belton Bailey, infant son of Emanuel and Ever Bailey, born April 21, 1902; also the marriage license and certificate between E.W. Bailey and Ever Wood, and the same are returned to you herewith, for the reason that the notary public before whom the affidavit of the attending midwife was acknowledged neglected to affix his notarial seal thereto.

Upon return of the application properly corrected, together with your marriage license and certificate, the matter will receive further consideration.

Respectfully,


Acting Chairman.

Enc B I 40.

Choctaw 5113

Muskogee, Indian Territory, November 24, 1902.

Emanuel Bailey,

Iona, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of application for enrollment as a citizen of the Choctaw Nation of Homer Belton Bailey, infant son of Emanuel and Ever Bailey, born April 10, 1902, and the same, being in proper form, has been 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 E. W. Bailey and Ever Wood, and the same has been filed with the record in the matter of the application for enrollment as a citizen of the Choctaw Nation of Homer Belton Bailey.

Respectfully,

Choctaw 8112

Muskogee, Indian Territory, November 29, 1902.

Emanuel Bailey,

Iowa, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 26th instant, in which you desire to be advised if your claim as an Indian is good.

In reply to your letter you are advised that it appears from our records that on September 22, 1898, Emanuel W. Bailey, 18 years of age, of Coalgate, Indian Territory, was listed for enrollment by this Commission as a citizen of the Choctaw Nation, having been admitted to such citizenship by a judgment of the United States Court for the Central District of the Indian Territory, rendered at South McAlester, Indian Territory, January 20, 1898, in Choctaw citizenship case No. 10.

You are further advised that on September 25, 1902, there was ratified by the citizens of the Choctaw and Chickasaw Nations, an agreement which now governs this Commission in the preparation of the rolls of the citizens of the Choctaw and Chickasaw Nations.

There was created by this agreement a court to be known as "The Choctaw and Chickasaw Citizenship Court" for the purpose

E B 2

of determining the rights of persons to participate in the distribution of the tribal property of the Choctaw and Chickasaw Nations, who were admitted to citizenship in these two tribes by the United States Courts in Indian Territory, under the provisions of the act of Congress of June 10, 1896.

This agreement 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."

The Commission cannot advise you relative to the probable action to be taken by the recently created Choctaw-Chickasaw Citizenship Court and until the final disposition of the question submitted to this court, this Commission cannot enroll you or your family as citizens of the Choctaw Nation or make any allotment of the tribal property of these two nations.

Respectfully,

Acting Chairman.

OK. 1-1904.

Washington, D. C., February 15, 1904.

Mr. J. B. Bailey,
Seminole, Indian Territory.

Sir:

Receipt is hereby acknowledged of your application, dated July 13th, 1903, and your certificate of citizenship, dated August 1st, 1903, which, on application of the said certificate, was granted to you by the Court of the Chickasaw and Choctaw Indian Territory, at Muskogee, Oklahoma, on the 13th day of July, 1903, and your application for allotment of land in the Indian Territory has been approved.

In reply to your letter, dated the 13th day of February, 1904, the Chickasaw and Choctaw Citizens' Court, at Muskogee, Oklahoma, on the 9th day of March, 1904, in case number 100, on the petition of Alister Bailey, denied your right to citizenship of yourself and your children, Samuel W., William A., Annie J., and Mary A. Bailey, and your right to citizenship having been denied by the said Court, the Commission dismissed the application for the enrollment of your son, Vernon Walton Bailey. Under existing legislation judgments of the Chickasaw and Choctaw Citizens' Court are final and the Commission is, therefore, without jurisdiction to enroll you and your children or receive applications for allotment in your behalf.

Respectfully,

Chairman.

Mary Bailey and others.

Mary Bailey says:

I have been living here until last winter when I went to the Choctaw nation. I came from Texas and have lived in the Chickasaw Nation 2 years.

Admore, Sept 22 1898.

Mary Bailey
Emanuel Bailey
William A. Bailey
Minnie B. Bailey
May Slice Bailey

enrolled.

Ms - 1044

• Certificate of Record of Marriage.

UNITED STATES OF AMERICA,)
INDIAN TERRITORY,)
SOUTHERN DISTRICT.)

I, **E. 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 *E. W. Perkins* and
M *Ever Wood*


were filed in my office in said Territory and
District the *9* day of *Oct.*
A. D. 1900, and duly recorded in Book *E.*

of Marriage Record Page *107*

WITNESS my hand and Seal of said Court

at Ardmore, this *17* day
of *Oct.* A. D. 1900

E. 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.

Return to Ardmore

MARRIAGE LICENSE

UNITED STATES OF AMERICA,)

INDIAN TERRITORY,)

Southern 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. E. D. Bailey of Iowa
in the Indian Territory, aged Twenty-one years, and
Miss Eva Wood of Ardmore
in the Indian Territory, aged Iowa 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 24th day
of September 1900

W. M. CAMPBELL,

Clerk of the United States Court

Certificate of Marriage

UNITED STATES OF AMERICA,)

INDIAN TERRITORY,)

SOUTHERN DISTRICT.)

do hereby certify, that on the 30 day of September A. D. 1900, 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 2 day of October A. D. 1900

My credentials are recorded in the office of the Clerk of the United States Court,
Indian Territory, Southern District, at Ardmore, Book 2, Page 248

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 creden-
tials have first been recorded in the Clerk's office.

Choc 5113 maud Hill

Nos 2-3 Dismissed OCT 31, 1902

5113

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

Record in the matter of the application for enrollment
as citizens by blood of the Choctaw Nation of:

Rosie L. G. Hill, et al.,

7-8113.

IN RE
Application for Enrollment of
INFANT CHILD.

Bois L. H. Hall

As a citizen of the

Christian

Nation.

DEC 19 1899

Approved

A. S. Meneman

Commissioner.

3407

East Ind. Co.

Dec 2, 1899

and J. H.

Application to the

District Commissioner for
the enrollment of his
minor child.

H. H.

December 1, 9.

It is
ordered that the
and application be

Robert Davis

Acting Secretary.

Let

0219

Department of the Interior.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the *Cherokee* Nation, of *Andrew R. ...*, born on the *20* day of *...*, 18... Name of father: *...*, a citizen of the ... Nation. Name of mother: *Mrs. M. H. Hill*, a citizen of the ... Nation. Post Office: *...*

AFFIDAVIT OF MOTHER.

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

I, *Mrs. M. H. Hill*, on oath, state that I am *...* years of age and a citizen, by *...* of the *Cherokee* Nation; that I am the lawful wife of *...* who is a citizen, by *...* of the *Cherokee* Nation; that a *...* child was born to me on the *...* day of *October*, 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, *...*, on oath, state that I attended on Mrs. *Mrs. M. H. Hill*, wife of *...* on the *...* day of *...*, 18...; 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 *...*, 18... Notary Public.

IN RE

Application for Enrollment of

INFANT CHILD

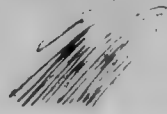
Joseph Francis Hill
as a citizen of

Choctaw

Nation.

Approved NOV - 190

190



Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

NOV 7 1901


ACTING CHAIRMAN

57113

57113

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

IN RE Application for Enrollment, as a citizen of the *Chocklaw* Nation,
of *Joseph Maurice Hill* born on the *7* day of *January*, 1901
(Here insert name of child.)
Name of Father: *Joseph William Hill* a citizen of the *Choctaw* Nation.
Name of Mother: *Minnie Maud Hill* a citizen of the *Choctaw* Nation.
Daughter of John F and Eliza Hill
both Deceased. Post-office *...*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, *Minnie Maud Hill*, on oath state that I am *Twenty one*
years of age and a citizen, by *...* of the *Choctaw* Nation;
that I am the lawful wife of *Joseph William Hill*, who is a citizen, by
... of the *Choctaw* Nation; that *Joseph Maurice Hill* child was
born to me on *7* day of *January*, 1901; that said child has been
named *Joseph Maurice Hill* and is now living.

WITNESSES TO MARK

(Must be Two Witnesses.)

Subscribed and sworn to before me this *5* day of *January*, 1901.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, *Abner N. Migher*, a *Physician*, on oath state that I
attended on Mrs. *Joseph William Hill*, wife of *Joseph William Hill*,
on the *7* day of *January*, 1901, that there was born to her on
said date a *Male* child; that said child is now living and is said to have been
named *Joseph Maurice Hill*.

WITNESSES TO MARK

(Must be Two Witnesses.)

Subscribed and sworn to before me this *5* day of *January*, 1901.

J. P. Taylor
NOTARY PUBLIC

9611
7-5113.

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

-----0-----

In the matter of the application for the enrollment of Rosie L. G. Hill and Joseph Frances Hill as citizens by blood of the Choctaw Nation.

---0---

The applicants, Rosie L. G. Hill and Joseph Frances Hill, claim their right to enrollment as citizens by blood of the Choctaw Nation through their mother Maud Hill. The right of the applicants' mother, Maud Hill, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, March 9, 1904, in case No. 36, upon the South McAlester docket of said court, it is hereby ordered that the application of Rosie L. G. Hill and Joseph Frances Hill for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



Chairman.

Muskogee, Indian Territory,

Choctaw 5113.

Muskogee, Indian Territory, June 7, 1904.

Maud Hill,

Earl, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated May 2, 1904, dismissing the application for enrollment as citizens by blood of the Choctaw Nation of Resie L. G. Hill and Joseph Frances Hill.

Respectfully,

(SIGNED)

Tame Birby.

Chairman.

Registered.

Incl. 7- 5113.

Choctaw 5113.

Muskogee, Indian Territory, June 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 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 Rosie L. G. Hill and Joseph Frances Hill.

Respectfully,

(SIGNED)

James Sixty.

Chairman.

Registered.

Incl. 7- 5113.

See Choctaw 5334 for registry receipt of this letter.

Muskogee, Indian Territory, September 21, 1901.

Mr. Joseph W. Hill,

Wynnewood, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Joseph Francis Hill, the infant son of Joseph William and Minnie Maud Hill, born January 28, 1901, and the same is returned to you herewith for the reason that the mother has not completed her signature to her affidavit.

Upon return of the application with the affidavit of the mother properly signed, the matter will receive further consideration.

Yours truly,

Acting Chairman.

7-6113

MoM
157

Muskogee, Indian Territory, October 11, 1901.

Joseph William Hill,

Wynnewood, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Joseph Frances Hill, the infant son of Joseph William and Minnie Maud Hill, born January 28, 1901, and the same is returned to you herewith.

You are requested to state the correct name of the mother, her name as given at the time application was made for her enrollment, and the names of her parents.

Upon receipt of the information requested and the return of the application the matter will be given proper consideration.

Yours truly,

Acting Chairman.

7-5113

Enc Y-10

Muskogee, Indian Territory, November 7, 1901.

Joseph William Hill,

Earl, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Joseph Frances Hill, the infant son of Joseph William and Minnie Haud Hill, born January 28, 1901, and the same being in proper form has been duly filed with the records of this office and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

7- 5113

Maud Hill

+
Choctaw

+
Leah McElister 10
Jan 20th 1898
+

Note: Married Wilhom Hill
Dec 16th 1894

Admitted as
"Maud Hill"
+

Maud Hill.

Maud Hill says:

I married William Hill December 16th 1897.

I was admitted as "Maud Sessums".

I have lived in the Chickasaw Nation about 3 years except
4 months I was in the Choctaw Nation.

Ardmore, Sept. 22 1898.

Maud Hill

enrolled.

5114

Missing

Choc 5115 Henry D. Sessumms

nº2 Dismissed OCT 31, 1902

Refused

See C-117

See 7-5082 for record

5115

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

-----0-----

Record in the matter of the application for enrollment
as a citizen by blood of the Choctaw Nation of:

Pearley Eliza Ellen Sessums, 7-5115.

-----0-----

DCL

7-5115

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

In the matter of the application for the enrollment of
Pearley Eliza Ellen Sessums as a citizen by blood of the Choctaw
Nation.

The applicant, Pearley Eliza Ellen Sessums, claims her
right to enrollment as a citizen by blood of the Choctaw Nation
through her father Henry D. Sessums. The right of the applicant's
father, Henry D. Sessums, to citizenship in the Choctaw Nation
having been adversely determined by a decree of the Choctaw and
Chickasaw Citizenship Court, March 9, 1904, in case No. 36, upon
the South McAlester docket of said court, it is hereby ordered
that the application of Pearley Eliza Ellen Sessums for enroll-
ment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

(Signed, Tans Bixby

Chairman.

Muskogee, Indian Territory,

May 27 1904.

Indexed

20

IN RE

Application for Enrollment of
INFANT CHILD

Pearley Eliza Ellen Seasums
as a citizen of

Choctaw

Nation

Approved **Nov 2, 1901** 190

(Signed) **Tams Bixby**
Commissioner

Department of the Interior,
Commission to the Five Civilized Tribes.
FILED Nov 2 1901
(Stamped) **Tams Bixby,**
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 **Pearley Eliza Ellen**, born on the **5** day of **July**, **1901**
(Here insert name of child.)
Name of Father: **H. D. Sessums** a citizen of the **Choctaw** Nation.
Name of Mother: **Sarrah J. Sessums** a citizen of the **United States** Nation.
Postoffice **Gornish, I.T.**

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Southern DISTRICT

I, **Sarrah J. Sessums**, on oath state that I am **18**
years of age and a citizen by of the **United States** Nation;
that I am the lawful wife of **H. D. Sessums**, who is a citizen, by
blood of the **Choctaw** Nation; that a **female** child was
Male or Female
born to me on **5** day of **July**, **1901**; that said child has been named
Pearley Eliza Ellen Sessums, and is now living.

(Seal)

(Signed) Sarah J. Sessums

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this **3rd** day of **Aug**, **1901**.My commission expires **(Signed) T. G. Caldwell**
Jan'y 8th 1904

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MID-WIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Southern DISTRICT

I, **A. S. Howard**, a **physician**, on oath state that I
attended on Mrs. **Sarrah J. Sessums**, wife of **H. D. Sessums**
on the **5** day of **July**, **1901**; that there was born to her on said date a **female**
(Male or Female.)
child; that said child is now living and is said to have been named **Pearley Eliza Ellen Sessums**

(Signed) Amos S. Howard, M.D.

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this **3rd** day of **August**, **1901**.(Seal)
My commission expires **(Signed) T. G. Caldwell**
Jan'y 8th, 1904

Notary Public.

Choctaw 5115

Muskogee, Indian Territory, June 7, 1904.

Henry D. Sessums,
Cornish, 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 the enrollment as a citizen by blood of the Choctaw Nation of Pearley Eliza Ellen Sessums.

Respectfully,

(SIGNED)

Wm. H. Jones

Chairman.

Registered.

Incl. 7- 5115.

Choctaw 5115.

Copy.

Muskogee, Indian Territory, June 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 the Commission to the Five Civilized Tribes, dated May 27, 1904, dismissing the application for the enrollment as a citizen by blood of the Choctaw Nation of Pearley Eliza Ellen Sessums.

Respectfully,

(SIGNED)

James D. Doby.

Chairman.

Registered.

Incl. 7- 5115.

See Choctaw 5334 for registry receipt of this letter.

C- 117
7- 4212
7-5082
5111
5114
5115

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

In the matter of the application for the enrollment
of Mattie Stepp, et al., as citizens of the Choctaw Nation.

STATEMENT OF FACTS.

It appears from the records 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 Ardmore, Indian Territory, September 22, 1898, by Mattie Stepp for the enrollment of herself as a citizen of the Choctaw Nation; that subsequent thereto written application was made for the enrollment of James R. Stepp and Vera Oma Stepp minor children of Mattie Stepp and John T. Stepp, as citizens of the Choctaw Nation; that application was made to the Commission to the Five Civilized Tribes at Ardmore, Indian Territory, September 22, 1898, by Reuben L. A. Sessums, for the enrollment of himself as a citizen of the Choctaw Nation; that on December 13, 1899, written application was filed for the enrollment of Lela K. Sessums, minor child of Reuben L. A. Sessums and Indie Sessums, as a citizen of the Choctaw Nation; that on October 18, 1901, written application was filed for the enrollment of Vera K. Sessums, minor child of Reuben L. A. Sessums and Indie Sessums, as a citizen of the Choctaw Nation; that on September 22, 1898, application was made to the Commission to the Five Civilized Tribes by W. R. Sessums for the enrollment of himself and his son, B. R. Sessums, as citizens of the Choctaw Nation; that on the same date application was made to the Commission to the Five Civilized Tribes by Henry D. Sessums for the enrollment of himself as a citizen of the Choctaw Nation; that on November 2, 1901, written application was filed for the enrollment of Pearly Alina Allen Sessums, minor daughter of Henry D. Sessums and Sarah J. Sessums, as a citizen of the Choctaw Nation; that on August 30, 1899, application was made to the Commission to the Five Civilized Tribes at Atoka, Indian Territory, for the enrollment of Sarah Swagger as a citizen of the Choctaw Nation.

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that the applicants, W. R. Sessums, B. R. Sessums, Reuben L. A. Sessums (as R. L. A. Sessums), Mattie Stepp (as Mattie Sessums), Henry D. Sessums (as H. D. Sessums) and Sarah Swagger (nee Sessums), were, among others, 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), and that on December 2, 1898, said Commission rendered a decision denying said application (1898 Choctaw Citizenship Case No. 452). From this decision of the Commission an appeal was taken to the United States Court for the Central District of Indian Territory. On January 20, 1898, said court rendered a judgment reversing the decision of the Commission as to the applicants herein and admitted said applicants to citizenship in the Choctaw Nation. Said judgment was

subsequently vacated, not made and was by decree of the Choctaw and Chickasaw Citizenship Court of December 17, 1904, in the test case of the "Choctaw and Chickasaw Nations or Tribes vs. J. T. Riddle, et al."

Said cause was subsequently certified to the Choctaw and Chickasaw Citizenship Court, created under the provisions of the Act of Congress approved July 1, 1902 (32 Stat., 641), for a trial de novo, and on March 5, 1904, in the case entitled "E. R. Sessions, et al. vs. Choctaw and Chickasaw Nations", said Citizenship Court rendered a judgment therein, wherein, it was "ordered, adjudged and decreed that the petitions of the plaintiffs,..... E. R. Sessions, Sarah Swager or Sarah Swager, E. T. Sessions, et al., A. Sessions, Mattie Sessions, E. R. Sessions,....., 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".

On May 27, 1904, the Commissioner of the Five Civilized Tribes issued orders dismissing the applications for the enrollment of James R. Stepp, Cora Ora Stepp, Lela A. Sessions, Dora E. Sessions and Pearly Eliza Allen Sessions as citizens of the Choctaw Nation, for the reason that the rights of the persons through whom they claimed the right to enrollment had been adversely determined by the Choctaw and Chickasaw Citizenship Court.

Under the regulations adopted by the Commissioner of the Five Civilized Tribes January 2, 1906, there was filed on January 27, 1906, by Tom W. McKown, attorney for petitioner, a petition praying for the enrollment of Wilson R. Sessions Sr., as a citizen of the Choctaw Nation, which petition was denied by the Commissioner on May 6, 1906, and on the same date, with the order of the Commissioner denying same, was forwarded to the Department.

Under said regulations there were filed on April 14, 1906, by Tom W. McKown, attorney for the petitioners, petitions praying for the enrollment of Mattie Lee Tishie Stepp and her minor children James Russell Stepp, Cora Ora Stepp, John Reuben Stepp and Walter Velva Stepp; Reuben Lee Ashby Sessions and his minor children, Lela Albertine Sessions, Wilson Wesley Sessions and Roy Robert Sessions; Bunkey Riley Sessions and his minor child, Lily E. Sessions; Henry Daniel Sessions and his minor children, Pearl Eliza Sessions and Sada Lee Sessions; and Sarah Swager (nee Sessions), as citizens of the Choctaw Nation.

The petitioners, Mattie Lee Tishie Stepp, James Russell Sessions, Cora Ora Sessions, Reuben Lee Ashby Sessions, Lela Albertine Sessions, Henry Daniel Sessions, Pearly Eliza Sessions, Sada Lee Sessions and Sarah Swager, are identical with the persons for whose enrollment application was made to the Commissioner to the Five Civilized Tribes under the provisions of the Act of Congress approved June 20, 1896, (30 Stat., 425).

It is alleged in said petition that the petitioners, Mattie Lee Tishie Stepp, Reuben Lee Ashby Sessions, Henry Daniel Sessions, Bunkey Riley Sessions and Sarah Swager (nee Sessions), are the children of W. R. Sessions; that the said W. R. Sessions is the son of Redding Sessions; that Redding Sessions is the son of Jacob and Pennie Sessions; that the said Pennie Sessions was a full blood Choctaw woman who was duly recognized by said tribe of Indians and came to the Indian Territory with the Choctaw tribe and died in the Indian Territory.

It further appears from the record herein that application was filed for the enrollment of the following persons as citizens of the Choctaw Nation under the provisions of the Act of Congress approved April 28, 1906, (34 Stat., 127) as follows; July 2, 1906, application for the enrollment of Wilson Wesley Sessions, born February 11, 1903, and Roy Robert Sessions, born February 2, 1905, minor children of the applicant, Reuben L. A. Sessions, and his

wife, Sadie Seaman; July 24, 1906, application for the enrollment of John Leuben Stepp, born March 2, 1861, and Sarah Jane Stepp, born April 20, 1905, minor children of the applicant Willie T. Stepp and her husband, John T. Stepp; July 21, 1906, application for the enrollment of Lily Lizzie Seaman, born February 10, 1905, minor daughter of the applicant, W. H. Seaman, and his wife, Pearl Ann Seaman; and June 7, 1906, application for the enrollment of Nada Lee Seaman, born December 12, 1903, daughter of Henry D. Seaman and his wife, Sarah Jane Seaman.

It does not appear from the records in the possession of the Commissioner to the Five Civilized Tribes or from the petitions filed April 13, 1906, that any of the petitioners have ever been recognized or enrolled as citizens of the Choctaw Nation by the tribal authorities thereof. The records in the possession of the tribal rolls of the Choctaw Nation in the possession of this office.

In view of the opinion that the application for the enrollment of W. H. Seaman and his wife, Pearl Ann Seaman, as citizens of the Choctaw Nation has heretofore been denied by the Commissioner to the Five Civilized Tribes and the applicant, W. H. Seaman, and of W. H. Seaman as a citizen of the Choctaw Nation, it should be denied, under the provisions of the Act of Congress approved July 2, 1902, (34 Stat., 221), and it is so ordered.

It is further of the opinion that the application for the enrollment of John Leuben Stepp and his wife, Sarah Jane Stepp, as citizens of the Five Civilized Tribes and the applicant, John Leuben Stepp, filed April 13, 1906, and the application for the enrollment of Lily Lizzie Seaman as well as the application for the enrollment of Nada Lee Seaman as citizens of the Choctaw Nation, the decision of the Choctaw Nation, heretofore, dated or March 2, 1904, in regard to the enrollment of Willie T. Stepp, Henry D. Seaman, and Sarah Jane Stepp, should be denied, under the provisions of the Act of Congress approved July 2, 1902, (34 Stat., 221), and it is so ordered.

It is further of the opinion that the application filed April 13, 1906, insofar as the application for the enrollment of Pearl Ann Stepp, John Leuben Stepp, and Sarah Jane Stepp, should be denied, under the provisions of the Act of Congress approved July 2, 1902, (34 Stat., 221), and it is so ordered.

It is further of the opinion that the application filed June 7, 1906, for the enrollment of Nada Lee Seaman; July 21, 1906, for the enrollment of John Leuben Stepp and Sarah Jane Stepp; and July 24, 1906, for the enrollment of Lily Lizzie Seaman, as citizens of the Choctaw Nation, the application filed April 13, 1906, insofar as the application for the enrollment of Pearl Ann Stepp, John Leuben Stepp, and Sarah Jane Stepp, should be denied, under the provisions of the Act of Congress approved July 2, 1902, (34 Stat., 221), and it is so ordered.

Muskegee, Indian Territory, August 8, 1901.

Mr. H. D. Seesums,
Cornish, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Pearley Eliza Ellen Seesums, the infant daughter of H. D. and Sarah J. Seesums, born July 5, 1901, and the same is returned to you herewith.

You are informed that it will be necessary that you supply this Commission with either your original marriage license and certificate or a certified copy thereof, as evidence of your marriage to the mother of the child named in the application.

Upon return of this application, together with 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,

9-5115

Commissioner in Charge.

McM
82

Muskogee, Indian Territory, November 2, 1901.

H. D. Sessums,

Cornish, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of a certified copy of the marriage license and certificate between H. D. Sessums and S. J. Skeen, and the same has been duly filed with the records of this office.

Receipt is also acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Fearley Eliza Ellen Sessums, the infant daughter of H. D. and Sarrah J. Sessums, born July 5, 1901, and the same being in proper form has been duly filed with the records of this office and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

7-5115

Muskogee, Indian Territory, January 18, 1902.

H. D. Sessums,
Maxwell, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of the eleventh instant, in which you state that you some time ago forwarded an application and a copy of your marriage license but have not heard from the same and are desirous of being informed as to what action was taken by the Commission.

It is presumed that you refer to an application submitted by you for the enrollment of your child, Pearley, Eliza Ellen Sessums as a citizen of the Choctaw Nation, which was received at this office November 1, 1901, together with a certified copy of the marriage license and certificate of H. D. Sessums and Sarah J. Skeen. On November 2, 1901, the Commission addressed to you at Gernish, Indian Territory, the post office address given by you in the application for the enrollment of your child, a communication acknowledging receipt of the marriage license and certificate between you and S. J. Skeen and also of the application for the enrollment of your child, Pearley Eliza Ellen Sessums, as a citizen of the Choctaw Nation and that said application, being in proper form, had been accepted and

H. D. Seesum, 2

filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

The change of your post office address has been made a matter of record.

Yours truly,

Commissioner in Charge.

7-5115

7-5115

Muskogee, Indian Territory, July 2, 1906.

Henry D. Sussums,

Alma, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the affidavits of Sarah Jane Sessums and Lue Stroud to the birth of Sada Lue Sessums, child of Henry D. and Sarah Jane Sessums, December 18, 1903.

Respectfully,

Commissioner.

7-5115

Muskogee, Indian Territory, July 5, 1906.

Henry D. Sessums,

Alma, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the affidavits of Sarah Jane Sessums and Lue Stroud to the birth of Sada Lue Sessums, child of Henry D. and Sarah Jane Sessums, December 18, 1903.

Respectfully,

Commissioner.

7-5115

Muskogee, Indian Territory, January 25, 1907.

Henry D. Sessums,

Cornish, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter without date asking that the letter which was addressed to you by this office be returned to you at Cornish, Indian Territory.

In compliance with our request the letter referred to is inclosed herewith.

Respectfully,

EB 5-24.

Commissioner.

REFER IN REPLY TO THE FOLLOWING:

7-5115

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

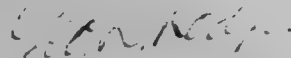
Muskogee, Indian Territory, May 18, 1907.

Henry D. Sessums,
Cornish, Indian Territory,

Dear Sir:

You are hereby advised that on February 21, 1907, the Secretary of the Interior affirmed the decision of this office of December 28, 1906, denying the application and petition for the enrollment of yourself and Pearly Eliza Ellen and Sada Lue Sessums, as citizens of the Choctaw Nation.

Respectfully,



Acting Commissioner.

Chectaw 5115

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, June 7, 1904.

Henry D. Sessums,
Cornish, 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 the enrollment as a citizen by blood of the Chectaw Nation of Pearley Eliza Ellen Sessums.

Respectfully,



Chairman.

Registered.

Incl. 7- 5115.

Choc 5116 Laura Williams
#3 Dismissed 1-24-05

5116

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:

VERA WILLIAMS

C-5119.

Laura Williams and others.

Laura Williams says:

Vera was born April 18th 1898.

I have lived in the Chickasaw Nation continuously 13 years.

Ardmore Sept 22 1898.

Laura Williams
Lavel Williams
vera Williams

enrolled.

7-5116.

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

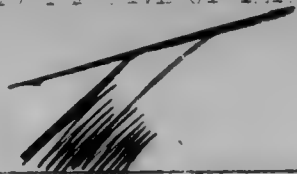
In the matter of the application for the enrollment
of Vera Williams as a citizen by blood of the Choctaw Nation.

-----000-----

The applicant, Vera Williams, claims the right to
enrollment as a citizen by blood of the Choctaw Nation
through her mother Laura Williams.

The right of the applicant's mother, Laura Williams,
to citizenship in the Choctaw Nation having been adversely
determined by a decree of the Choctaw and Chickasaw Citizen-
ship Court, of November 21, 1904, in case No. 64 upon the
Tishomingo docket of said court, it is hereby ordered that
the application of Vera Williams for enrollment as a citizen
by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



Chairman.

Muskogee, Indian Territory,

JAN 2 1905

Choctaw 5116

COPY.

Muskogee, Indian Territory, January 24, 1905.

Laura Williams,

Wilson, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated January 24, 1905, dismissing the application for the enrollment of your minor child, Vera Williams, as a citizen by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

James H. Hasty
Chairman.

Registeree.

Incl. 7-5116

Choctaw 5116

COPY.

Muskogee, Indian Territory, January 24, 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 24, 1905, dismissing the application for the enrollment of Vera Williams as a citizen by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

John S. [unclear]

Incl. 7-5116

Chairman.

Choc 5117 George Gamel

Nos 3-4-5 Dismissed 10-25-04

5117

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

Record in the matter of the application for enrollment as citizens by blood of the Choctaw Nation of:

GEORGE GAMEL, Jr., et al., 7-5117.

George Gamel and others.

George Gamel says:

Jr.
George was born April 13th 1898.

George Gamel was admitted as "George Gammele".

I have been living in the Chickasaw Nation continuously 5 years.

Andover Sept 22 1898.

George Gamel
Alice Gamel
George Gamel Jr.

Affidavits of Mrs. Alice Gamel and Mrs. Kate Gamel for the enrollment of Mrs. Alice Gamel's minor child, Henry Gamel, three months old.

=====

0

My name is Mrs. Alice Gamel. I am twenty three years old, and my residence and post office address is, Ardmore, I.T.

I am the wife of George Gamel, who is a Choctaw Indian by blood, and who is on the roll of Citizenship prepared by the Commission to the five Civilized Tribes for the Choctaw Nation. I am also on the roll for the Choctaw Nation prepared by the said Commission, being enrolled at Ardmore, I.T., last fall. I am a white woman, and am an intermarried citizen of said tribe.

On the fifth day of May, 1899, I had born to me as the fruits of my marriage with the said George Gamel, a boy child, whom we have named Henry Gamel. This child was born since the enrollment of my husband and myself, and consequently is not on the roll, but I ask that he be enrolled. My mother-in-law Mrs. Kate Gamel waited on me during my confinement, and delivered me of the said child. This August 25th, 1899.

Subscribed and sworn to before me this the 25th day of August, 1899.

Alice Gamel
[Signature]
NOTARY PUBLIC.

=====

My name is Mrs. Kate Gamel. I live at Ardmore, I.T. I am a citizen of the Choctaw Nation by blood, and was enrolled by the Commission to the five Civilized Tribes as a citizen of said Nation last fall at Ardmore, I.T.

I was present with my Daughter-in-law, Mrs. Alice Gamel, during her last confinement which was during last May, and on the fifth day of May, 1899, I delivered her of a child. It is a boy, and his father and mother have named him Henry Gamel. This boy is now living and is produced before the Notary who takes this affidavit. This August 25th, 1899.

Subscribed and sworn to before me on this the 25th day of August, 1899.

Kate Gamel
[Signature]
Notary Public.
[Signature]
Notary Public.

IN RE

Application for Enrollment of
Infant Child.

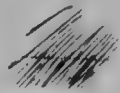
Opetta Gamel

is a citizen of the

Choctaw

Nation.

Approved, *11/11/02* 190



COMMISSIONER

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE CHOCTAW TRIBES

FILED

NOV 11 1902



COMMISSIONER

7-577

Department of the Interior.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation, of Dgetta Gamel, born on the 20th day of Nov. 1901. Name of Father: George Gamel, a citizen of the Choctaw Nation. Name of Mother: Alice Gamel, a citizen of the Choctaw Nation. Postoffice, Ardmore, D. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Southern District.

I, Alice Gamel, 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 George Gamel, who is a citizen, by blood, of the Choctaw Nation, that a female child was born to me on the 20th day of November 1901; that said child has been named Dgetta Gamel, and is now living.

WITNESSES TO MARK

(Must be Two Witnesses.) Minnie Williams, Lehman Peter

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

L. McEvedge

NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Southern District.

I, Kate Gamel, a midwife, on oath state that I attended on Mrs. Alice Gamel, wife of George Gamel, on the 20th day of November, 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 Dgetta Gamel.

WITNESSES TO MARK

(Must be Two Witnesses.) Minnie Williams, Lehman Peter

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

L. McEvedge

NOTARY PUBLIC.

JCH

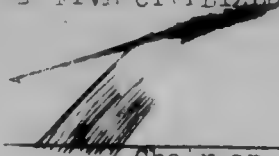
7-5117.

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

In the matter of the application for the enrollment of George Gamel, Jr., Henry Gamel and Izetta Gamel as citizens by blood of the Choctaw Nation.

The applicants, George Gamel, Jr., Henry Gamel and Izetta Gamel, claim their right to enrollment as citizens by blood of the Choctaw Nation through their parents George Gamel and Alice Gamel. The right of the applicants' parents, George Gamel and Alice Gamel, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, May 4, 1904, in case number 4 upon the Tishomingo docket of said court, it is hereby ordered that the applications of George Gamel, Jr., Henry Gamel and Izetta Gamel for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSIONER OF THE FIVE CIVILIZED TRIBES,



Chairman.

Muskogee, Indian Territory,

Choctaw 5117

Muskogee, Indian Territory, October 25, 1904.

George Gamel,

Armore, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated October 25, 1904, dismissing the application for the enrollment of George Gamel Jr., Henry Gamel and Izetta Gamel as citizens by blood of the Choctaw Nation.

Respectfully,

Registered.

Chairman.

Incl. 7-5117.

Choctaw 5117

Muskogee, Indian Territory, October 20, 1904.

Thomas Norman,

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 October 20, 1904, dismissing the application for the enrollment of George Gamel Jr., Henry Gamel and Izetta Gamel as citizens by blood of the Choctaw Nation.

Respectfully,

Registered.

Chairman.

Incl. 7-5117.

Chectaw 5117.

Muskogee, Indian Territory, October 25, 1904.

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

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated October 25, 1904, dismissing the application for the enrollment of George Gamel Jr., Henry Gamel and Izetta Gamel as citizens by blood of the Chectaw Nation.

Respectfully,

Incl. 7-5117.

Chairman.

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

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the *Cherokee* Nation,
of *Fred Samuel* (Here insert name of child.) born on the *5* day of *August*, 1903
Name of Father: *Geo. Samuel* a citizen of the *Cherokee* Nation.
Name of Mother: *Alie Samuel* a citizen of the *Cherokee* Nation.
Postoffice *Ar. Grove, Ga.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Southern DISTRICT.

I, *Alie Samuel* on oath state that I am *28*
years of age and a citizen by *intermarriage* of the *Cherokee* Nation;
that I am the lawful wife of *Geo. Samuel* who is a citizen, by
blood of the *Cherokee* Nation, that a *male* child was
born to me on *5* day of *August*, 1903 that said child has been named
Fred Samuel and was living March 4, 1905.

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this *10* day of *April*, 1905.
Roberta Wilcox
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Southern DISTRICT.

I, *Kate Samuel* a *midwife* on oath state that I
attended on Mrs. *Alie Samuel* wife of *Geo. Samuel*
on the *5* day of *Aug*, 1903; that there was born to her on said date a *male*
child; that said child was living March 4, 1905, and is said to have been named
Fred Samuel

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this *13* day of *April*, 1905.
Roberta Wilcox
Notary Public.

Affidavit of service.

I, Robt. E. Lee, a Notary Public in and for the southern district of the Indian Territory, post office address, Ardmore, I.T., do hereby certify that I have this day, Aug 24/97, read and inspected all the original papers in the case of "George Gamel (jr) vs Choctaw Nation", consisting of an application, a certified copy of the Masters Report in the case of Mrs. Kate Gamel et al vs Choctaw nation, the original marriage license of George Gamel (sr) and Alice Kottenbury, and an affidavit of George Gamel and Alice Gamel; that I have compared these original papers with copies of the same and found the copies to be true correct, accurate and complete copies of the originals herein; That I took the said copies and sent them by registered mail to Stuart, Gordon & Haley, Attys for the Choctaw Nation, addressed to them at South McAlester, I.T., and the registry receipt attached hereto No is a receipt for the same from the Post Master at this office.

Given under my hand and seal of office this the 24th day of Aug. 1897.
Robt. E. Lee
Notary Public,

No _____

Before the honorable Commission to the five civilized tribes sitting at Ft. Leflore, I.T., to pass upon applications for citizenship in any of said tribes.

George Gamel (jr), by and through
his father George Gamel (sr), Plaintiff. }
vs. } Application.
The Choctaw Nation, Defendant

Now comes the applicant herein, George Gamel (jr), and appears by and through his father George Gamel (sr), and respectfully states to this honorable commission that he is a resident of Ardmore, Indian Territory.

He further states that his father George Gamel (sr) and his mother Alice Gamel were legally and lawfully married on the 31 day of Jan. 1846, and that your applicant is the legitimate child of said parents, and was born on the 30th day of April 1847.

Your applicant further states that the said George Gamel (sr) and his wife Alice Gamel are citizens of the Choctaw Nation, and are now virtually upon the roll of citizenship of said nation; that on or about the 5th day of Sept. 1846 they filed an application with this commission for admission to citizenship in said nation, but this honorable commission denied the same and their prayer refused. That thereupon they duly appealed from the decision of this tribunal to the United States Court holden at Ardmore, I.T., and this court has duly required the same

to the Master in Chancery, Hon W. H. L. Campbell,
who has duly reported thereon that all the parties
in said application entitled "Kate Gamel et al vs
Choctaw Nation" in which the said George Gamel (or) and
his ^{wife} were applicants, were Choctaw Indians and the
lineal descendants of recognized Choctaw Ancestors,
and are entitled to citizenship and enrollment in said
tribe. This report of the Master has not been presen-
ted to the Court for confirmation yet owing to
the sickness and absence of the trial judge, The
Hon. C. B. Kilgore, and your applicants parents
are in no wise responsible for the delay and failure
of having the report confirmed. Your appli-
cant was born since the above mentioned
application of his parents was filed with this
Commission and his name does not therefore
appear on same application, and he respectfully
states that unless this Commission will now
enroll him he will be deprived of his inheritance
and be debarred from enjoying any benefit from
the tribal property - and all without his fault
or neglect, but wholly because of the sickness of
the trial judge aforesaid. And he therefore files
a copy of said Master report herewith and also
the affidavits of his parents, and shows by
them that he is entitled to enrollment by this
Commission as a citizen of the Choctaw Nation,
and he asks for the same, and for such other and
further relief as is proper and right.

Geo. Gamel

Subscribed and sworn to before me this the
23 day of August, 1847.

Thos. Norman,
Notary Public

Thos. Norman, Atty for Applicant,
Ardmore, I. T.

Certificate of Record of Marriage

UNITED STATES OF AMERICA
INDIAN TERRITORY
SECOND JUDICIAL DIVISION.

I, Joseph W. Phillips, Clerk of
the United States Court in the Territory and
Division of

Do hereby certify that the License for,
and Certificate of the Marriage of:

[Handwritten names] and
[Handwritten name]
were joined in my office in said Territory and Di-
vision the _____ day of _____
A. D. 1887, and duly recorded in Book _____
of Marriage Records in _____

Witness my hand and seal of said Court at
Ardmore, this _____ day of _____, A. D. 1887

By *[Signature]* J. W. PHILLIPS, Clerk
Deputy.

RECORDED
INDEXED
SEP 2 1887

NUMBER 278

MARRIAGE LICENSE

United States of America,
INDIAN TERRITORY,
SECOND JUDICIAL DIVISION

To Any Person Authorized by Law to
Solemnize Marriage - to wit:

[Faint, mostly illegible handwritten text, possibly names and dates]

DATE AND PLACE OF MARRIAGE

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
SECOND JUDICIAL DIVISION,
COUNTY OF

[Handwritten notes and dates in the right margin, including "July 1 1900" and "Feb 6 1900"]

Notary Public,
Indian Territory,
Second Judicial Division,
Harrison, Oklahoma

In the United States Court Southern District Indian Territory at-

A r d m o s e.

Mrs. Kate Gamel,

vs.

#109

--Master's Report.--

Choctaw Nation.

I find the following pertinent facts to this application, that Betsy Helm, was one half Choctaw Indian by blood, and for a number of years lived in the Choctaw Nation, near Atoka, where she died many years ago; Betsy Helm, married a white man who emigrated to this country from Georgia, by the name of Rutledge, commonly called Colonel John Rutledge, of this union there was born one child, the applicant Mrs. Kate Gamel, Colonel Rutledge and his wife separated in the Choctaw Nation, when Colonel Rutledge moved to the Chickasaw Nation, at this time the applicant Mrs. Gamel was about 8 years old, that shortly after the applicant located in the Chickasaw Nation, Col. Rutledge went on a business trip to Mobile Alabama where he died; that the applicant continued to reside in the Indian Territory in the Chickasaw Nation, the applicant then moved to her mother's in the Choctaw Nation, near Atoka, where she continued to reside until she was about the age of fourteen, at which time she married a white man named Tom Cruce, soon after this marriage they moved to the state of Texas, where Cruce died leaving surviving him by applicant one child, After the death of Cruce applicant married one George Gamel, a white man and a citizen of the United States. This marriage occurred in Texas, before 1876; that after this marriage a few years applicant and George Gamel, moved to the Indian Territory, and located near Cherokee town Indian Territory. After their removal here they were recognized by the Indian authorities as Choctaw Indians. George Gamel and Kate Gamel had the following children, to-wit: Sallie, Carrie, George, Henry, Minnie and Daisy; Sallie married L.P. Roseman in 1881, in the state of Texas and had born the following children; Kate, May, Frank, Kinney, and Ed, and reside near Paul's Valley, Indian Territory. George married Alice Rotenbury, a white man in 1896, the other children, Henry, Minnie and Daisy are unmarried. I recommend that all the applicants be admitted to enroll-

ment, except L.P. Roseman, who is a citizen of the United States and did not marry according to the Indian laws; I recommend that he be denied enrollment.

W.H.L. Campbell.

Master in Chancery.

This transcript is a true and correct copy of the
original Masters Report filed in
this cause, the 23rd day of Aug 1897
Joseph Phillip

No. _____
George Gamel (jr), Pltff.
vs.
Choctaw Nation, Deft. } Affidavit

Our names are George Gamel (sr) and Alice Gamel, and our residence and post office address is Ardmore, D. C.

We were legally and lawfully married on the 31st day of Jan. 1846, and have continued and are now living together as husband and wife. We have as an issue of this marriage one child, George Gamel (jr), the applicant in this application. He was born on the 30th day of April 1847. His name does not therefore appear in the application of "Kate Gamel et al vs Choctaw Nation".

We are the parties referred to in the accompanying certified copy of the Master's Report as George Gamel and Alice Gamel, and the ones named in the accompanying ^{original} certified copy of Marriage license under the same names. ~~George Gamel (sr) and Alice Gamel~~ ~~the~~ ~~original~~ ~~copy~~ ~~of~~ ~~the~~ ~~Marriage~~ ~~license~~ ~~under~~ ~~the~~ ~~same~~ ~~names.~~ ~~George~~ ~~Gamel~~ ~~(sr)~~ ~~and~~ ~~Alice~~ ~~Gamel~~. George Gamel (sr) is a Choctaw Indian by blood, and his wife is a white woman.

Our names are now virtually upon the roll of citizenship of said Choctaw Nation. It would have been there now if the trial judge had not become sick and unable to transact business. We are virtually citizens of the Choctaw Nation now, and we ask that our minor child be placed on the roll of said nation and admitted as a citizen thereof.

Geo Gamel

Alice Gamel

Subscribed and sworn to before me this 23rd Aug, 1897.

Thos. Norman.
Notary Public.

7-5117
7-5089

Muskogee, Indian Territory, April 11, 1902.

Thomas Norman,
Attorney at Law,
Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 9th instant enclosing the application for enrollment as a citizen of the Choctaw Nation of Isetta Gamel, infant daughter of George and Alice Gamel, born November 20, 1901; also the application for enrollment as a citizen of the Choctaw Nation of Ebb Williams, Jr., infant son of Ebb and Minnie Williams, and proper acknowledgment of receipt of the same has this day been forwarded to the parents of the children named in each application.

Yours truly,

Commissioner in Charge.

7-5117

Muskogee, Indian Territory, April 11, 1902.

George Gamel,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Isatta Gamel, infant daughter of George and Alice Gamel, born November 20, 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.

7-5117.

Muskogee, Indian Territory, May 2, 1905.

George Gamel,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the affidavits of Alice Gamel and Kate Gamel to the birth of Fred Gamel, son of George and Alice Gamel, August 7, 1903.

You are advised that it appears from our records that on May 4, 1904 the Choctaw and Chickasaw Citizenship Court denied the citizenship in the Choctaw Nation of yourself and your wife, Alice Gamel, and as the Commission is authorized by the act of Congress approved March 3, 1905, for a period of sixty days from that date, to receive applications for the enrollment of children born to citizens by blood of the Choctaw and Chickasaw Nations, whose enrollment had prior to that time been approved by the Secretary of the Interior, you will see that the Commission is without authority to enroll your child.

Respectfully,

Chairman.

Choc 5118 Daisy Reynolds

Nos 2-3-4 Dismissed sept 15, 1904

5118

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

Record in the matter of the application for enrollment as citizens by blood of the Choctaw Nation of:

JOHN M. REYNOLDS, ET AL.,

7-5118

Daisy Reynolds and others.

Daisy Reynolds says:

I am wife of Bert Reynolds. I was admitted
as "Daisy Gamel".

John M. was born July 29th 1898.

I have been living here 4 or 5 years, continuously.

Aldmore Sept. 22 1898.

Daisy Reynolds
John M. Reynolds

enrolled.

In the citizenship matter of Dollie Marion Reynolds, an infant, recently born to Daisy Reynolds (nee Samel) and G. E. Reynolds, her husband.

Dollie Marion Reynolds, (plaintiff.)

vs.

) Application and affidavit for
) enrollment.

Choctaw Nation, defendant.

My name is Daisy Reynolds, I am 19 years old, and my present Post Office Address is Thecler, I.T.

My Maiden name was Daisy Samel. I was admitted to citizenship in the Choctaw Nation by the United States Court at Ardmore, and was enrolled by this Commission when it held its session at Ardmore some two years ago. I married my present husband, G. E. Reynolds, on the 9th day of Oct. 1891, and we are still living together as husband and wife. On the 1st day of May, 1900, we had born to us a boy child, whom we have named Dollie Marion Reynolds. Dr. Walter Hardy, of Ardmore, I.T., was our physician at the time, and he waited on me during my confinement. This child is now living, and we ask that it be duly enrolled on the citizenship roll made and prepared for the Choctaw Nation.

Daisy Reynolds
Subscribed and sworn to before me this the 14 day of Dec., 1900.

W. F. McKnight
Notary Public.

Hollo Marion Reynolds, plaintiff.)

vs.

Affidavit of Dr. Walter Hardy.

Choctaw Nation, defendant.

My name is Dr. Walter Hardy. I am an intermarried citizen of the Leakawee Nation. My Post Office address is Ardmore, I.T.

I am a practicing physician, and am a graduate of Mo. Med. College College, and am duly authorized to practice medicine in the Indian Territory.

On the first day of May, 1900, I was called in to wait upon Mrs. Daisy Reynolds, the wife of C. E. Reynolds, during confinement, and on that day I delivered her of a boy child. This child was born alive, and was living and doing well the last time I heard from it. I understand that the parents of the child named it Hollie Marion Reynolds. The parents claim to be Choctaw Indians, that is the wife claims to be a Choctaw by blood, but the husband is a white man.

Subscribed and sworn to before me this Nov. 30th 1900.

Thos. Norman,
Notary Public.

CHOCTAW.

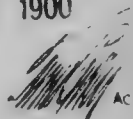
In re
Application for Enrollment
of
Rollo Marion Reynolds
infant child as a
Choctaw citizen.

APPROVED DEC -7 1900



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

FILED
DEC 7 1900



ACTING CHAIRMAN.

CHOCTAW.

5118

CHOCTAW

INDEXED

20

IN RE

Application for Enrollment of

INFANT CHILD

Ella Francis Reynolds

as a citizen of

Choctaw

Nation.

Approved

FEB 3 1902

190

[Signature]
Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 3 1902

[Signature]
ACTING CHAIRMAN.

CHOCTAW

5118

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

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Ella Francis Reynolds born on the 8 day of January, 1902
(Here insert name of child.)
Name of Father: George B. Reynolds a citizen of the United States of America Nation.
Name of Mother: Daisy Lu Reynolds a citizen of the Choctaw Nation.
Post-office Wheeler O.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, Daisy Lu Reynolds, on oath state that I am Twenty one
years of age and a citizen, by birth of the Choctaw Nation;
that I am the lawful wife of George B. Reynolds, who is a citizen, by
birth of the United States; that a female child was
born to me on 8th day of January, 1902; that said child has been
named Ella Francis Reynolds, and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this _____ day of _____ 1902

AFFIDAVIT OF ATTENDING ~~PHYSICIAN~~, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, Mate Gambel, a midwife, on oath state that I
attended on Mrs. Daisy Lu Reynolds, wife of George B. Reynolds
on the 8th 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
named Ella Francis Reynolds.

WITNESSES TO MARK:

(Must be Two Witnesses)

Mate Gambel
Carl Reynolds

Subscribed and sworn to before me this _____ day of _____ 1902

NOTARY PUBLIC

[Signature]
Southern District

7-5118.

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

- - -0----

In the matter of the application for the enrollment of John M. Reynolds, et al., as citizens by blood of the Choctaw Nation.

----0----

The applicants, John M. Reynolds, Rollo Marion Reynolds and Ella Francis Reynolds, claim their right to enrollment as citizens by blood of the Choctaw Nation through their mother Daisy Reynolds. The right of the applicants' mother, Daisy Reynolds, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, May 4, 1904, in case number 4, upon the Tishomingo docket of said court, it is hereby ordered that the applications of John M. Reynolds, Rollo Marion Reynolds and Ella Francis Reynolds for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



Chairman.

Muskogee, Indian Territory,

SEP 15 1904

Choctaw 5118

COPY.

Muskogee, Indian Territory, September 15, 1904.

Daisy Reynolds,

Wheeler, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 15, 1904, dismissing the application for the enrollment of John H. Reynolds, Rollo Marion Reynolds and Ella Francis Reynolds as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

James Dixby.

Chairman.

Registered.

Inâ. 7-5118.

COPY.

Choctaw 5118

Muskegee, Indian Territory, September 15, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated September 15, 1904, dismissing the application for the enrollment of John M. Reynolds, Rollo Marion Reynolds and Ella Francis Reynolds as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

James Bixby.

Chairman.

Incl. 7-5118.

Muskogee, Indian Territory, February 3, 1902.

George B. Reynolds,
Wheeler, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Ella Francis Reynolds, the infant daughter of George B. and Daisy Lee Reynolds, born January 8, 1902, and the same being in proper form has been duly filed with the records of this office as evidence of the birth of this child and will receive the consideration of the Commission in the determination of the rights of the mother of this child to enrollment as a citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

7-5118

Choc 5119 Tommie Graham

Record in Choctaw #5091

C-53

Refused 11-22-06

5119

Muskogee, Indian Territory, November 11, 1901.

Hon. J. George Wright,
United States Indian Inspector,
Muskogee, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 6th instant in which you desire a report from this Commission as to whether or not T. Graham of Muskogee, Indian Territory, is a recognized citizen of the Choctaw or Chickasaw Nations or whether he is an applicant for citizenship before this Commission and in which attention is invited to the following extract from Departmental letter of October 29, 1901, addressed to you:

"In case you shall find that said Graham is a citizen of the Choctaw Nation or that his case is pending before the Dawes Commission you will direct the Indian Agent to suspend action in regard to the removal of said Graham and you will also request the Commission to the Five Civilized Tribes to adjudicate Mr. Graham's right to citizenship as speedily as possible."

In concluding your letter you request that in case the rights of this applicant to citizenship are now pending before this Commission, that in order that his status may be determined, that such rights be adjudicated as soon as possible.

Replying to your letter you are informed that it appears from our records that on September 22, 1898, Thomas M. Graham, 44

J G W 2

years of age, of Bailey, Indian Territory, was listed for enrollment by this Commission as a citizen of the Chickasaw Nation, having been so admitted to citizenship by a judgment of the United States Court for the Southern District of the Indian Territory, rendered at Ardmore, Indian Territory, December 22, 1897, in Chickasaw citizenship case No. 67.

It also appears from our records that on September 29, 1898, Tommie Graham, 31 years of age, of Arthur, Indian Territory, with his wife, Zula Graham and his minor child Freda Graham, were listed for enrollment by this Commission as citizens of the Choctaw Nation in pursuance with a judgment of the United States Court for the Southern District of the Indian Territory, rendered at Ardmore, Indian Territory, December 21, 1897, in Choctaw citizenship case No. 122.

As the post-offices of these two applicants are in the near neighborhood of Cemanche, it is believed that one or the other of these applicants is the person referred to in your communication. It is impossible however, to so definitely state unless the Commission is furnished with more definite information as to the age, parentage, and members of the family of the T. Graham concerning whom you desire this statement.

Yours truly,

9-0106

7-5119

Acting Chairman.

Muskogee, Indian Territory, November 14, 1901.

Hansfield, McMurray & Corrie,

Attorneys at Law,

South McAlester, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 11th instant in which you desire to be advised if one, Thomas Graham, whose post-office is Velma, Indian Territory, has applied to this Commission for citizenship in either the Choctaw or Chickasaw Nations.

Replying to your inquiry, you are informed that it appears from our records that on September 22, 1898, Tommie Graham, 31 years of age, of Arthur, Indian Territory, together with his wife, Zula Graham and his daughter, Freda Graham, 4 years of age, were listed for enrollment as citizens of the Choctaw Nation in pursuance of a judgment of the United States Court for the Southern District of the Indian Territory, rendered at Ardmore, Indian Territory, December 21, 1897, in Choctaw citizenship case No. 122. The names of these applicants do not appear upon any of the tribal rolls of the Choctaw Nation in the possession of the Commission.

You are further informed that it appears from our records that at Ardmore, Indian Territory, on September 22, 1898, Thomas M. Graham, 44 years of age, together with his infant son, Tip Graham,

M Mel' & C 2

one year old, were listed for enrollment as citizens of the Chickasaw Nation in pursuance of a judgment of the United States Court for the Southern District of the Indian Territory, rendered at Ardmore, Indian Territory, December 22, 1897, in Chickasaw citizenship case No. 67. The postoffice address of these parties as given at the time they were so listed for enrollment was Bailey, Indian Territory.

The postoffice addresses of these two parties being in the proximity of Velma, it is presumed by the Commission that one or the other of these parties is the person referred to in your letter of the 7th instant.

If you are desirous of further information relative to this matter, it will be necessary that the Commission be supplied with a further statement.

Yours truly,

Acting Chairman.

7-5199

9-C105

C 55
7 5091
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WCF

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

In the matter of the application for the enrollment of
Thedia D. Blake et al. as citizens of the Choctaw Nation.

It appears from the records 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 Ardmore, Indian Territory, September 22, 1898, by L. L. Blake for enrollment, among others, of his wife, Thedia D. Blake and his children, Julia C. Blake, Nellie Blake, Lafayette Blake, Virginia Blake and Ruth Blake as citizens of the Choctaw Nation; that application was made to the Commission to the Five Civilized Tribes at Ardmore, Indian Territory, September 22, 1898, by T. N. Coleman, for the enrollment of himself as a citizen by intermarriage of the Choctaw Nation, and for the enrollment of his wife, Tommie Coleman, and his minor daughter, Geraldine Coleman, as citizens of the Choctaw Nation; that subsequent thereto written application was made for the enrollment of Nelse Coleman, minor son of T. N. Coleman and Tommie Coleman, as a citizen of the Choctaw Nation; that on the same date application was made by Tommie Graham for the enrollment of himself as an intermarried citizen of the Choctaw Nation, and for the enrollment of his wife, Zula Graham, and his minor daughter, Freda Graham, 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, Thedia Blake, Julia C. Blake (as Julia Blake), Nellie Blake, Lafayette Blake, Virginia Blake, Ruth Blake, Zula Graham (as Mrs. Zula Graham), Tommie Graham, T. N. Coleman, Freda Graham, Mrs. Tommie E. Coleman and Geraldine Coleman 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; that they were denied said admission by a decision of the Commission to the Five Civilized Tribes on December 4, 1896, in 1896 Choctaw Citizenship Case No. 902.

From this decision an appeal was taken to the United States Court for the Southern District of Indian Territory, which Court on December 21, 1897, in the case entitled "L. L. Blake et al. vs. Choctaw Nation", Case No. 122, rendered a judgment reversing the judgment of the Commission and admitted said applicants to citizenship in the Choctaw Nation.

Said judgment was subsequently vacated, set aside and held for naught by a decree of the Choctaw and Chickasaw Citizenship Court of December 17, 1902, in the case of the "Choctaw and Chickasaw Nations, or Tribes, vs. E. T. Riddle et al."

Said cause was subsequently certified to the Choctaw and Chickasaw Citizenship Court, created under the Act of Congress approved July 1, 1902 (32 Stats., 641), for a trial de novo, and on November 30, 1904, in the case entitled "L. L. Blake et al. vs. Choctaw and Chickasaw Nations" (Choctaw-Chickasaw Citizenship Court Case No. 98, Tishomingo Docket) said Citizenship Court rendered a decision herein, wherein it was "Ordered, adjudged and decreed that the petition of the plaintiffs, Thedia Blake

or Theida Blake Julia Blake, Nellie Blake, Lafayette L. Blake or Lafayette Blake, Virginia Blake, Ruth Blake, Zula Graham, Tom Graham or Tommie Graham, Freda Graham, Tommie E. Coleman or Tomye E. Coleman, T. N. Coleman and Geraldine Coleman 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".

On January 19, 1905, the Commission to the Five Civilized Tribes issued an order dismissing the application for the enrollment of Nelse Coleman, for the reason that the right of his father, T. N. Coleman, to citizenship in the Choctaw Nation had been adversely determined by the Choctaw and Chickasaw Citizenship Court.

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there were filed on February 6, 1906, by Cruce, Cruce & Bleakmore, attorneys for the petitioners, petitions praying for the enrollment of Thedia Blake, Julia Blake, Nellie Blake, Lafayette Blake, Virginia Blake, Ruth Blake, T. N. Coleman, Tommie E. Coleman, Geraldine Coleman, Neltz Coleman, Thomas Graham, Zula Graham, Freda Graham and Charles G. Graham as citizens of the Choctaw Nation.

On July 24, 1906, written application was received for the enrollment of Charles Granville Graham, born April 10, 1903, minor son of Tommie Graham and Zula Blake Graham, as a citizen of the Choctaw Nation.

It is alleged in the petitions filed February 6, 1906, that the petitioner, Thedia Blake, was lawfully married in the year 1869 to L. L. Blake, a member of the Choctaw Tribe of Indians; that the petitioners, Julia Blake, Nellie Blake, Lafayette Blake, Virginia Blake and Ruth Blake are the children of said Thedia Blake and L. L. Blake; that the petitioners, Tommie E. Coleman and Zula Graham are the children of L. L. Blake; that the petitioner, T. N. Coleman, is the husband of Tommie E. Coleman; that the petitioners, Geraldine Coleman and Neltz Coleman, are the children of said T. N. Coleman and Tommie E. Coleman; that the petitioner, Thomas Graham, is the husband of the petitioner, Zula Graham; that the petitioners, Freda Graham and Charles G. Graham, are the children of said Zula Graham and Thomas Graham.

The records in the possession of the Commissioner to the Five Civilized Tribes show that L. L. Blake, the husband of the Petitioner, Thedia Blake, has been enrolled as a citizen by intermarriage of the Choctaw Nation by reason of his marriage to Virginia Wall prior to his marriage to his present wife, Thedia Blake, and his name appears upon the roll of citizens by intermarriage of the Choctaw Nation, opposite No. 957.

I am of the opinion that following the ruling of the Department of February 3, 1905 (I T D 11482-1904) in the case of Emma McMenamin, the application for the enrollment of Thedia Blake as a citizen of the Choctaw Nation and the petition filed February 6, 1906, in so far as it applies to said Thedia Blake, should be denied, under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), and it is so ordered.

I am further of the opinion that following the ruling of the Department of April 24, 1906 (I T D 4048-1906) in the case of Mary Elizabeth Martin, the application for the enrollment of Julia C. Blake, Nellie Blake, Lafayette Blake, Virginia Blake, Ruth Blake, Tommie Coleman, Geraldine Coleman, Zula Graham and Freda Graham, and the petitions filed February 6, 1906, in so far as they apply to said applicants, should be denied, under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641) and it is so ordered.

3

I am further of the opinion that the application for the enrollment of T. N. Coleman and Fannie Graham as intermarried citizens of the Choctaw Nation and the petitions filed February 6, 1906, in so far as they apply to said applicants, should be denied under the provisions of the Act of Congress approved July 1, 1902 (32 Stats. 641), and it is so ordered.

I am further of the opinion that the petition filed February 6, 1906, in so far as it applies to the petitioner, Nelse Coleman, should be dismissed, and it is so ordered.

I am further of the opinion that the application for the enrollment of Charles Granville Graham should be denied, under the provisions of the Act of Congress approved April 26, 1906 (Public No. 129) as amended by the Act of Congress approved June 21, 1906 (Public No. 258), and it is so ordered.

(Signed) Tams Bixby

COMMISSIONER TO THE FIVE CIVILIZED
TRIBES

Muskogee, Indian Territory,

Nov. 22 1906.

7-5091

Muskogee, Indian Territory, November 26, 1906.

Theida Blake,

Ardmore, Indian Territory

Dear Madam:

Incl see crevit you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered November 22, 1906, denying the applications and petitions for the enrollment of Theida Blake, Julia C. Blake, Nellie Blake, Lafayette Blake, Virginia Blake, Ruth Blake, Tommye Coleman, Geraldine Coleman, Zula Graham and Freda Graham, all citizens of the Choctaw Nation, the application and petitions for the enrollment of T. W. Coleman and Fomie Graham, all citizens by intermarriage of said nation, dismissing the petition for the enrollment of Nelse Coleman, as a citizen of the Choctaw Nation, and denying the application for the enrollment of Charles Granville Graham as a citizen of the said nation, under 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,

Registered.
Incl. 7-5091--C-55.

Commissioner.

7-5091

C- 55

Wuskoree, Indian Territory, November 21, 1906.

Cruce, Cruce & Bleakmore,

Attorneys at Law,

Ada, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered November 21, 1906, denying the applications and petitions for the enrollment of Thedia Blake, Julia D. Blake, Nellie Blake, Lafayette Blake, Virginia Blake, Ruth Blake, Tommie Coleman, Geraldine Coleman, Zula Graham and Freda Graham, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of T. W. Coleman and Tommie Graham, as citizens by intermarriage of said nation, dismissing the petition for the enrollment of Nelse Coleman, as a citizen of the Choctaw Nation, and denying the application for the enrollment of Charles Granville Graham as a citizen of the said nation, under the Act of Congress approved April 16, 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 the office is informed of the same.

Respectfully,

Registered.
Incl. 7-5091--C-55

Commissioner.

7-091
C- 86

Muskogee, Indian Territory, March 21, 1906

Manfield, Rogers & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
Muskogee, Indian Territory.

Gentlemen:

I have to advise you that the Department of the Interior of the United States has decided in favor of the application of the Choctaw and Chickasaw Nations for the citizenship of the following persons: Freda Blake, Virginia Blake, Ruth Blake, Louise Coleman, Geraldine Coleman, Zula Graham and Freda Blake, all children of the said nation, the application and petition of Charles Granville Graham, a citizen of the Choctaw Nation, and denying the application for the citizenship of Charles Granville Graham as a citizen of the said nation, under the Act of Congress approved April 14, 1904.

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,

7-091
C- 86

Commissioner.

Muskogee, Indian Territory, November 11, 1906.

To: Honorable,

Secretary of the Interior.

Sir:

There is transmitted herewith a report of the proceedings in the matter of the application for the enrollment of the following persons, including the decision of the Commissioner of Indian Affairs, Civilized Tribes, dated November 11, 1906, and the names of the persons and petitions for the enrollment of the following persons, to-wit: Willie Blake, Lafayette Blake, William Blake, George Blake, George Coleman, Geraldine Coleman, Ed Graham, and Frank Graham, citizens of the United States, the enrollment of the following persons, to-wit: the enrollment of F. J. Coleman and Tommie Graham, citizens of the United States, the marriage of said nation, district of the United States, the enrollment of Helene Coleman a citizen of the United States, and the enrollment of the application for the enrollment of Willie Braxley, citizen as a citizen of said nation, under the act of Congress approved April 26, 1906.

Respectfully,

Incl. 7-5091
C- 55

Commissioner.

Through the
Commissioner of Indian Affairs.

Y.P.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

O.K.

LRS
D.C. 12051-1907.

I. T. D.
4594, 4604, 4606, 4608, - 1907.
4642, 4650, 4668, 4702, "
4716, 4722, 4724, 4726, "

February 27, 1907.

DIRECT.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

Your decisions in the following Cheek 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.
Tom Isaac, (Miss. Choc.)	December 15, 1906.
Winey King et al., (Freedmen),	October 19, 1906.
Frank Going,	October 19, 1906.
James Morris,	October 19, 1906.
Floy E. Davis et al.,	January 17, 1907.
Sousan Jackson et al.,	January 29, 1907.
Lillie Henderson	January 16, 1907.
Claudia A. Plate et al.,	December 24, 1906.
Beatrice Bottoms	January 9, 1907.
William E. Mitchell et al.,	January 9, 1907.
Thodia D. Blake et al.,	November 22, 1906.
Cora A. Pyle	January 9, 1907.

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.

12 inc. and 24
inc. for Ind. Of.

AVH
2-28-07.

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257

(COPY)

Refer in reply to the following:

Land.
103436-1906.

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

February 21, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

Referring to Department letters of January 28, 1905, (I.T.D. 11582-1904), and July 10, 1906 (I.T.D. 2548), there is enclosed a report from the Commissioner to the Five Civilized Tribes, dated November 20, 1906, transmitting the record relative to the application of Thedia D. Blake et al. for enrollment as citizens of the Choctaw Nation.

On September 20, 1898, application was made to the Commission to the Five Civilized Tribes for the enrollment of Thedia D. Blake as a citizen by intermarriage, and for the enrollment of her children, Julia C., Nellie, Lafayette, Virginia and Ruth Blake, as citizens by blood.

On the same date, application was made for the enrollment of T. M. Coleman as a citizen by intermarriage, and for the enrollment of his wife, Terrye Coleman, and his children, Geraldine and Nelse (or Weltz) Coleman as citizens by blood.

Application was also made for the enrollment of Tommie Graham as a citizen by intermarriage, and for the enrollment of Zula Graham, his wife, and his minor child, Wreda Graham, as citizens by blood.

On July 24, 1906, application was made for the enrollment of Charles G. Graham as a citizen by blood.

On November 22, 1906, the Commissioner held that the applicants were not entitled to enrollment.

The record shows that Thedia D. Blake claims the right to be enrolled as a citizen by intermarriage of the Choctaw Nation by reason of her marriage to L. L. Blake, identified at No. 957 on the roll of citizens by intermarriage of the Choctaw Nation, and that Julia C., Nellie, Lafayette, Virginia and Ruth Blake, Tommie Coleman and Zula Graham are the children of L. L. and Thedia D. Blake. It is further shown that Geraldine and Nelse (or Neltz) Coleman are the children of T. N. and Tommie Coleman, and that Freda and Charles G. Graham are the children of Tommie and Zula Graham.

Under the provisions of Section 34 of the Act of July 1, 1902 (32 Stat. L., 641), and of the opinion of the Assistant Attorney General for the Department of January 28, 1905 (I.T.D. 11582-1904), in the case of Emma McMenamin, the decision of the Commissioner adverse to Thedia D. Blake, T. N. Coleman and Tommie Graham, applicants for enrollment as citizens by intermarriage of the Choctaw Nation is recommended for approval.

By reason of the Act of June 21, 1906 (34 Stat.L., 325), and the Departmental decision of July 10, 1906 (I.T.D. 2348), in the case of William Jesse Bacon, the decision of the Commissioner adverse to the other applicants is recommended for approval.

Very respectfully,

C. F. Larrabee
Acting Commissioner

HRB-Y.

Choc 5120 Annie Hiegel

5120

THOS. NORMAN,
ATTORNEY AT LAW.
NOTARY IN OFFICE.

LEDGETT & BLEDSOE BUILDING,
MAIN STREET

Ardmore, I. T.,

Edgar Sundlin Deputy

Edgar Sundlin

No. _____

Before the honorable commission to the five civilized tribes sitting at Ft. Gibson, I.T., to pass upon applications for citizenship in any of said tribes.

Annice Hiegel, by and through }
her father Lee Hiegel, Plaintiff } } Application
vs }
Choctaw Nation, Defendant }

Now comes the applicant herein Hiegel, and appears by and through her father (i.e.) Lee Hiegel, and respectfully states to this honorable commission that she is a resident of Ardmore, Indian Territory, and that her best known address is Pauls Valley, I.T.

She further states that her father, Lee (i.e.) Hiegel, and her mother Annice Hiegel were legally and lawfully married on the 10 day of March, 1890, and that your applicant is a legitimate child of said parents and was born on the 10 day of June, 1891.

Your applicant further states that her father and mother aforesaid are citizens of the Choctaw Nation, and are now virtually upon the roll of citizenship of said nation; that they filed an application with this Commission for admission to citizenship in said nation on or about Sept 5/96, and the same being refused, they appealed to the Court at Ardmore, I.T., where the whole matter was referred to a Master in Chancery, Hon. W.H.D. Campbell. This Master has duly reported thereon that the mother of your applicant Mrs. Annice Hiegel, is a Choctaw Indian by blood, and he recommends that she be admitted and enrolled as a citizen. This report has not as yet been

Condemned by the trial Judge but the only cause and reason therefor was the sickness and absence of the said Judge, and the applicants are in no wise responsible for the delay, but on the other hand have done ever thing they could to get the matter up.

For this reason your applicant can go no further than producing said Master's Report.

Your applicant was born since the filing of ~~the~~ ~~applicant's~~ Parents application with this tribunal, and its name does not therefore appear therein as one of said applicants, and unless this commission admits ~~it~~, Your applicant will be cut out and deprived of her rights.

Your Applicant attaches certified copy of said Master's Report hereto, and also the affidavits of her father and mother, and shows by them that she is entitled to enrollment in said Choctaw Tribe, and she therefore asks to be enrolled in said tribe, admitted as a citizen thereof, and for such other and further relief as may be proper, suitable, and right

I, Lee Hiegel do solemnly swear that I am the father of applicant above, that I appear for her in this action, and that all the facts and statements above are true and correct.

L. Hiegel

Subscribed and sworn to before me
this the 11 day of August, 1897.

Notary Public.

Thos. Norman, Atty.
Ardenwood, S. T.

Lee Hiegel,)
 vs)
 Choctaw Nation.)

THE APPLICANT HEREIN , Mrs. Kate

Gemel, was first married in the State of Texas to a man named Tom Cruise, and by the said Tom Cruise had one child, Sallie Cruise who married John Belt when she was fourteen years old of age; that John and Sallie Belt had one child, Annie Belt, who married Lee Hiegel, and has had by him one son, Lee Hiegel, all of whom are applicants herein. After the death of her husband, John Belt, Sallie Belt married Lewis Bowman who is also an applicant herein.

The rights of all the applicants herein, except Lee Hiegel Annie Hiegel and Lee Hiegel were ~~annulment~~ passed upon by me in my report filed herein on the 23rd. day of June, 1897.

I find that Annie Hiegel is a Grand-daughter of Mrs. Kate Gemel and is a Choctaw Indian by blood, and recommend that the said Annie Hiegel and her son , Lee Hiegel, be enrolled as members of the Choctaw tribe of Indian by blood/ and the application of Lee Hiegel be denied for the reason he was not married in accordance with the laws of the Choctaw Nation.

This transcript is a true and correct copy of the original Masters Report in this cause, this 27

James Phillip

L.
 V.H. Campbell,
 Master in Chancery.

Affidavit.

Pauline Hiegel, Plaintiff

vs.

Choctaw Nation, Defendant

Now comes Lee Hiegel and his wife Annie Hiegel and state that they have read the foregoing application and that its facts and statements therein are true. They swear further as follows:-

We were married on the 3 day of March 1890 and have lived together continuously since then as husband and wife. The applicant herein, Pauline Hiegel is a legitimate child of ours. She was born on the 10 day of July, 1897. We are Choctaw Indians and are now virtually on the roll of citizenship.

The said child of ours above is also a Choctaw Indian by blood and entitled to enrollment and citizenship.

We are the parties referred to in the accompanying certified copy of the Masters Report.

L. L. Hiegel

Annie Hiegel

Subscribed and sworn to before me this the 25th day of Aug. 1897.

W. H. Harrison
Notary Public

Annie Heigel and others.

Annie Heigel says:

I was admitted as "Onnie" Heigel.

I have lived in the Chickasaw Nation 5 years continuously.

Admitted Sept 22 1898.

Annie Heigel
Leo Heigel
Dora Heigel

enrolled.

In the Matter of the Application §
of Frank Heigel for enrollment §
as a Choctaw Indian by blood. §

I, T.C.Brannan, do solemnly swear that I am a practicing physician at Pauls Valley, Chickasaw Nation, Indian Territory; that I am personally well acquainted with Lee Hiegel and Onnie, or Annie, Hiegel, who reside at Pauls Valley; that I have attended the family since they have been living at Pauls Valley, which is about two years; that I attended the said Onnie, or Annie, Hiegel in confinement on the 10th. day of March, 1899, when she gave birth to a male child, which they tell me they have named Frank; that I visited the Hiegel residence this morning for the purpose of making this affidavit and found said infant, Frank Hiegel, living and in a healthy condition.

T. C. Brannan

Subscribed and sworn to before me this 21st. day of March, A.D. 1899.

(L.S.)

Frank H. Brannan
Notary Public, Southern
District of the Indian
Territory.

Choc 5121 T. N. Coleman

#4 Dismissed 1-19-05

Record in Choctaw # 5091 C-55

5121

7-5121.

A P T
D C L

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Nelse Coleman for enrollment as a citizen of the Choctaw Nation.

...

The applicant, Nelse Coleman, claims the right to enrollment as a citizen of the Choctaw Nation through his mother Tommye Coleman.

The right of the applicant's mother, Tommye Coleman (as Tommie E. Coleman or Tomye E. Coleman), to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court of November 30, 1904, in case Number 98 upon the Tishomingo docket of said Court, it is hereby ordered that the application of Nelse Coleman for enrollment as a citizen of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

(Signed) TAMS BIXBY

Chairman.

Muskogee, Indian Territory,
Jan. 19, 1905.

COPY

Choctaw 5121

Muskogee, Indian Territory, January 19, 1905.

Tommye Coleman,

Ardmore, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the order of this Commission dated January 19, 1905, dismissing the application for the enrollment of your minor child, Nelse Coleman as a citizen of the Choctaw Nation.

Respectfully,

(Signed) Tams Bixby

Chairman.

Registered.

Incl. 7-5121

Choctaw 5121

COPY

Muskogee, Indian Territory, January 19, 1905.

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

Gentlemen:

Enclosed herewith you will find a copy of the order of this Commission, dated January 19, 1905, dismissing the application for the enrollment of Nelse Coleman as a citizen of the Choctaw Nation.

Respectfully,

(Signed) Tams Bixby.

Chairman.

Incl. 7-5121.

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

In the matter of the application for the enrollment of
Theodore L. Blake et al. as citizens of the Choctaw Nation.

It appears from the records herein and from the report of
the possession of the Commissioner to the Five Civilized Tribes
that application was made to the Commission to the Five Civilized
Tribes at Ardmore, Indian Territory, September 22, 1898, by L. L.
Blake for enrollment, among others, of his wife, Theodora Blake
and his children, Julia C. Blake, Nellie Blake, Lafayette
Blake, Virginia Blake and Edna Blake as citizens of the Choctaw
Nation; that application was made to the Commission to the Five
Civilized Tribes at Ardmore, Indian Territory, September 1,
1898, by T. M. Coleman, for the enrollment of himself as
citizen by intermarriage of the Choctaw Nation, and for the en-
rollment of his wife, Fannie Coleman, and his minor daughter,
Geraldine Coleman, as citizens of the Choctaw Nation; and
subsequent thereto a written application was made for the en-
rollment of Nelse Coleman, minor son of T. M. Coleman and Fannie
Coleman, as a citizen of the Choctaw Nation; that the said
date application was made by Tommie Graham for the enrollment of
himself as an intermarriage citizen of the Choctaw Nation,
and for the enrollment of his wife, Edna Graham, and his minor
daughter, Freda Graham, as citizens of the Choctaw Nation.

It further appears from the records in the possession of
the Commission to the Five Civilized Tribes at Ardmore, Indian
Territory, that L. L. Blake, Julia C. Blake (as Julia Blake), Nellie Blake,
Lafayette Blake, Virginia Blake, Edna Blake, Zula Blake (as
Mrs. Zula Graham), Tommie Graham, T. M. Coleman, Freda Graham,
Mrs. Fannie E. Coleman and Geraldine Coleman were admitted 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, 1902; that the said decisions
said admission to a decision of the Commission to the Five Civil-
ized Tribes on December 4, 1901, in 189 Choctaw Citizenship Case
No. 202.

From this decision an appeal was taken to the United States
Court for the Southern District of Indian Territory, which Court
on December 21, 1907, in the case entitled "L. L. Blake et al.
vs. Choctaw Nation", Case No. 124, rendered a judgment reversing
the judgment of the Commission and admitting said applicants to
citizenship in the Choctaw Nation.

Said judgment was subsequently vacated, set aside and held
for naught by a decree of the Choctaw and Chickasaw Citizenship
Court of December 17, 1901, in the case of the "Choctaw and
Chickasaw Nations, or Tribes, vs. E. T. Riddle et al."

Said cause was subsequently certified to the Choctaw and
Chickasaw Citizenship Court, created under the Act of Congress
approved July 1, 1902 (31 Stats., 641), for a trial de novo, and
on November 30, 1904, in the case entitled "L. L. Blake et al. vs/
Choctaw and Chickasaw Nations" (Choctaw-Chickasaw Citizenship
Court Case No. 93, Tishomingo Docket) said Citizenship Court
rendered a decision herein, wherein it was "Ordered, adjudged
and decreed that the petition of the plaintiffs, Theodora Blake

or Theida Blake Julia Blake, Nellie Blake, Lafayette L. Blake or Lafayette Blake, Virginia Blake, Ruth Blake, Zula Graham, Tom Graham or Tommie Graham, Freda Graham, Tommie E. Coleman or Tommie E. Coleman, T. N. Coleman and Geraldine Coleman 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".

On January 19, 1905, the Commission to the Five Civilized Tribes issued an order dismissing the application for the enrollment of Nelse Coleman, for the reason that the right of his father, T. N. Coleman, to citizenship in the Choctaw Nation had been adversely determined by the Choctaw and Chickasaw Citizenship Court.

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there were filed on February 6, 1906, by Cruce, Cruce & Bleakmore, attorneys for the petitioners, petitions praying for the enrollment of Thedia Blake, Julia Blake, Nellie Blake, Lafayette Blake, Virginia Blake, Ruth Blake, T. N. Coleman, Tommie E. Coleman, Geraldine Coleman, Neltz Coleman, Thomas Graham, Zula Graham, Freda Graham and Charles G. Graham as citizens of the Choctaw Nation.

On July 14, 1906, written application was received for the enrollment of Charles Granville Graham, born April 10, 1903, minor son of Tommie Graham and Zula Blake Graham, as a citizen of the Choctaw Nation.

It is alleged in the petitions filed February 6, 1906, that the petitioner, Thedia Blake, was lawfully married in the year 1869 to L. L. Blake, a member of the Choctaw Tribe of Indians; that the petitioners, Julia Blake, Nellie Blake, Lafayette Blake, Virginia Blake and Ruth Blake are the children of said Thedia Blake and L. L. Blake; that the petitioners, Tommie E. Coleman and Zula Graham are the children of L. L. Blake; that the petitioner, T. N. Coleman, is the husband of Tommie E. Coleman; that the petitioners, Geraldine Coleman and Neltz Coleman, are the children of said T. N. Coleman and Tommie E. Coleman; that the petitioner, Thomas Graham, is the husband of the petitioner, Zula Graham; that the petitioners, Freda Graham and Charles G. Graham, are the children of said Zula Graham and Thomas Graham.

The records in the possession of the Commissioner to the Five Civilized Tribes show that L. L. Blake, the husband of the petitioner, Thedia Blake, has been enrolled as a citizen by intermarriage of the Choctaw Nation by reason of his marriage to Virginia Wall prior to his marriage to his present wife, Thedia Blake, and his name appears upon the roll of citizens by intermarriage of the Choctaw Nation, opposite No. 957.

In accordance with the opinion that following the ruling of the Department of February 3, 1905 (I T D 1182-1904) in the case of Emma McMenamin, the application for the enrollment of Thedia Blake as a citizen of the Choctaw Nation and the petition filed February 6, 1906, in so far as it applies to said Thedia Blake, should be denied, under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), and it is so ordered.

I am further of the opinion that following the ruling of the Department of April 24, 1906 (I T D 4048-1906) in the case of Mary Elizabeth Martin, the application for the enrollment of Julia C. Blake, Nellie Blake, Lafayette Blake, Virginia Blake, Ruth Blake, Tommie Coleman, Geraldine Coleman, Zula Graham and Freda Graham, and the petitions filed February 6, 1906, in so far as they apply to said applicants, should be denied, under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641) and it is so ordered.

3

I am further of the opinion that the application for the enrollment of T. N. Coleman and Tommie Graham as intermarried citizens of the Choctaw Nation and the petitions filed February 6, 1906, in so far as they apply to said applicants, should be denied under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), and it is so ordered.

I am further of the opinion that the petition filed February 6, 1906, in so far as it applies to the petitioner, Nelse Coleman, should be dismissed, and it is so ordered.

I am further of the opinion that the application for the enrollment of Charles Granville Graham should be denied, under the provisions of the Act of Congress approved April 26, 1906 (Public No. 129) as amended by the Act of Congress approved June 21, 1906 (Public No. 258), and it is so ordered.

(Signed) Tams Sixby

COMMISSIONER TO THE FIVE CIVILIZED
TRIBES

Muskogee, Indian Territory,

Nov. 22 1906.

7-5091

Muskogee, Indian Territory, May 29, 1906.

Thomas Blake,

Archer, Indian Territory

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Insular Affairs Office, rendered November 28, 1905, regarding the applications and petitions for the enrollment of Thomas Blake, John C. Blake, Willie Blake, Lafayette Blake, Virginia Blake, Ruth Blake, George Coleman, Charles Coleman, Zula Graham and Wada Graham, as citizens of the United States, the application and petition for the enrollment of T. W. Coleman and Louis Graham, as citizens of the United States of said nation, dismissing the petition for the enrollment of Helen Coleman, as a citizen of the United States, regarding the application for the enrollment of Charles Maxwell Graham as a citizen of the said nation, under the Act of Congress approved March 3, 1905.

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,

Registered.
Incl. 7-5091--C-5b.

Commissioner.

7-5091

C- 55

Muskogee, Indian Territory, November 21, 1900.

Cruce, Cruce & Blackmore,

Attorneys at Law,

Arkmore, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission of the Five Civilized Tribes, rendered November 21, 1900, denying the applications and petitions for the enrollment of Thedia Blake, Julia C. Blake, Nellie Blake, Lafayette Blake, Virginia Blake, Ruth Blake, Tommy Coleman, Gertrude Coleman, Zel Graham and Freda Graham, as citizens of the Choctaw Nation, the applications and petitions for the enrollment of T. C. Coleman and Tommie Graham, as citizens by intermarriage of said nation, dismissing the petition for the enrollment of Valse Coleman, as a citizen of the Choctaw Nation, and denying the application for the enrollment of Charles Granville Graham as a citizen of the said nation, under the Act of Congress approved April 26, 1900.

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 given to you as soon as that office is informed of the same.

Respectfully,

Registered.
Incl. 7-5091--C-55

Commissioner.

7-5091
C- 56

Muskogee, Indian Territory, November 21, 1906

Manfield, Murray & 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 of the Five Civilized Tribes, rendered November 21, 1906, denying the applications for enrollment of Thedia Blake, Julia T. Blake, Nellie Blake, Infante Blake, Virginia Blake, Ruth Blake, Tommie Coleman, Geraldine Coleman, Zula Graham and Freda Graham, as citizens of the Choctaw Nation, the application and petitions for the enrollment of J. J. Coleman and Tommie Graham, as citizens by intermarriage to said nation, dismissing the petition for the enrollment of Charles Coleman, as a citizen of the Choctaw Nation, and denying the application for the enrollment of Charles Granville Graham as a citizen of the said nation, under the Act of Congress approved April 10, 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,

7-5091
C- 55

Commissioner.

Muskogee, Indian Territory, November 10, 1906.

Dear Sir:

I enclose the 1st page.

Sir:

There is transmitted herewith report of proceedings in the matter of the application for the enrollment of Thomas Blake, et al., including the decision of the Commissioner of Indian Affairs, dated November 22, 1906, and the application as a petition for the enrollment of Thomas Blake, John C. Blake, Willie Blake, Lafayette Blake, Martin Blake, W. J. Blake, George Coleman, Geraldine Coleman, Julia Graham and Fred Graham, citizens of the Cherokee Nation, the enrollment of said persons, the enrollment of S. C. Coleman and Tommie Graham, citizens of the Cherokee Nation, and the enrollment of Helise Coleman as a citizen of the Cherokee Nation, and the application for the enrollment of Charles Granville Graham as a citizen of said nation, under the Act of Congress approved April 26, 1906.

Respectfully,

Incl. 7-5091
C- 55

Commissioner.

Through the
Commissioner of Indian Affairs.

Y.P.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

O.K.

LRS
D.C. 12032-1907.

I. T. D.
4594, 4604, 4608, 4608, - 1907.
4642, 4680, 4680, 4702, "
4716, 4722, 4724, 4728, "

February 27, 1907.

DIRECT

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

Sir:

Your decisions in the following Choctaw citizenship
and adverse to the applicants are hereby affirmed. Copies
of Indian Office letters submitting your reports and recom-
mending that the decisions be affirmed are inclosed:

Title of Case.	Date of Your Letter of Transmittal.
Tom Isaac, (Miss. Choct.)	December 15, 1906.
Vincy King et al., (Freedmen),	October 19, 1906.
Frank Going,	October 19, 1906.
James Morris,	October 19, 1906.
Floy E. Davis et al.,	January 16, 1907.
Sousan Jackson et al.,	January 29, 1907.
Lillie Henderson	January 14, 1907.
Claudia A. Plate et al.,	December 24, 1906.
Beatrice Bottoms	January 9, 1907.
William H. Mitchell et al.,	January 9, 1907.
Thebia D. Blake et al.,	November 27, 1906.
Cora A. Pyle	January 9, 1907.

A copy hereof and all the papers in the above mentioned
cases have been sent to the Indian Office.

Respectfully,

Jesse H. Wilson

Assistant Secretary.

12 inc. and 24
inc. for Ind. Of.

APKs
2-28-07.

444/159
(COPY)

Refer in reply to the following:

Land.
103436-1906.

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

February 21, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

Referring to Department letters of January 28, 1905, (I.T.D. 11582-1904), and July 10, 1906 (I.T.D. 2548), there is enclosed a report from the Commissioner to the Five Civilized Tribes, dated November 20, 1906, transmitting the record relative to the application of Thedia D. Blake et al. for enrollment as citizens of the Choctaw Nation.

On September 20, 1898, application was made to the Commission to the Five Civilized Tribes for the enrollment of Thedia D. Blake as a citizen by intermarriage, and for the enrollment of her children, Julia C., Nellie, Lafayette, Virginia and Ruth Blake, as citizens by blood.

On the same date, application was made for the enrollment of T. M. Coleman as a citizen by intermarriage, and for the enrollment of his wife, Tanye Coleman, and his children, Geraldine and Nelse (or Neltz) Coleman as citizens by blood.

Application was also made for the enrollment of Terris Graham as a citizen by intermarriage, and for the enrollment of Zula Graham, his wife, and his minor child, Freda Graham, as citizens by blood.

On July 24, 1906, application was made for the enrollment of Charles G. Graham as a citizen by blood.

On November 27, 1906, the Commissioner held that the applicants were not entitled to enrollment.

The record shows that Thedia D. Blake claims the right to be enrolled as a citizen by intermarriage of the Choctaw Nation by reason of her marriage to L. L. Blake, identified at No. 957 on the roll of citizens by intermarriage of the Choctaw Nation, and that Julia C., Nellie, Lafayette, Virginia and Ruth Blake, Tommie Coleman and Zula Graham are the children of L. L. and Thedia D. Blake. It is further shown that Geraldine and Nelse (or Neltz) Coleman are the children of T. N. and Tommie Coleman, and that Freda and Charles S. Graham are the children of Tommie and Zula Graham.

Under the provisions of Section 34 of the Act of July 1, 1902 (32 Stat. L., 641), and of the opinion of the Assistant Attorney General for the Department of January 28, 1905 (I.T.D. 11533-1304), in the case of Erna Schenswein, the decision of the Commissioner adverse to Thedia D. Blake, T. N. Coleman and Tommie Graham, applicants for enrollment as citizens by intermarriage of the Choctaw Nation is recommended for approval.

By reason of the Act of June 21, 1906 (34 Stat.L., 323), and the Departmental decision of July 10, 1906 (I.T.D. 2548), in the case of William Jesse Bacon, the decision of the Commissioner adverse to the other applicants is recommended for approval.

Very respectfully,

C. F. Larrabee
Acting Commissioner

HRD-Y.

Choc 5122 Mary C. Brewer

#4 Dismissed Nov 12, 1904

Notices and decisions in 7-5200

See PET #C-105

5122

Mrs. W. H. ...

MISSOURI
SAY L. LARKIN,
JAMES BERRY,
LEWIS S. McKESSON,
THOMAS E. NREHERS,
WILLIAM J. WYLSBORGH, Sec'y

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

JAN 2 1900

Muskogee, I.T., December 30, 1899.

Mrs. Mary Catherine Brewer,
Powell, Indian Territory.

Dear madam:

The inclosed affidavits in the matter of the application for enrollment as a citizen of the Choctaw Nation of your child, Mary Bell, is returned, because nowhere in the instrument does the name of the child's father appear, and for the further reason that the affidavits of yourself and attending physician do not bear the impress of the seal of the notary public before whom said affidavits were taken.

There is inclosed herewith a blank birth certificate, such as is used by this Commission in applications for enrollment of infant children, and it will be well for you to have same properly filled and returned to this office in lieu of the irregular affidavits returned herewith. You will observe that two affidavits are to be executed, one by the mother, and the other, by the attending physician, or midwife. Both affidavits must bear the impress of the seal of the notary public before whom they are subscribed. Revenue stamps need not be affixed. Kindly give this matter prompt attention.

Yours truly,

Acting Chairman.

Inclosure #55.

COMMISSIONERS.

HENRY L. DAWES.

TAMM BERRY.

ALEXANDER S. MCKENNON.

THOMAS B. NEEDLES.

ALFRED I. AYERBORTH, Secretary.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES

(Copy.)

January the 8th 1900.

Mr. Henry L. Dawes,
Muskogee, I.T.

Kind Sir:

I received your blank affidavit which I filled out promptly and I hope you will find all right if it is not right kindly notify me at once.

Yours truly,

Geo. F. Brewer

Dowell, I.T.

COMMISSIONERS

HENRY L. DAVIS,
TANS RIBBY,
ALEXANDER S. McKENNON,
THOMAS D. NEEDLES

ALLISON I. AYLESWORTH, Secretary

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, January 12, 1900.

Mr. George P. Brewer,
Powell, Indian Territory,

Dear Sir:

The Commission is in receipt of your letter of January 8th. inclosing birth certificate for use in the matter of the application for the enrollment of your infant child Mary Belle Brewer, and the same is herewith returned to you for the reason that there are no witnesses to the mark of the mother of the child, Mary Katherine Brewer. You will please have this signature by mark witnessed by two persons, and have them sign to the left of Mrs. Brewer's name, and return the instrument to this office at once, when same will be properly filed.

Yours truly,

Acting Chairman.

Inclosure-11.

REFER IN REPLY TO THE FOLLOWING:

7-5122

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

Muskogee, Indian Territory, April 22, 1907.

Mary C. Brewer,
Powell, Indian Territory.

Dear Madam:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of October 23, 1906, dismissing the applications and petition for the enrollment of Mary C. Brewer, Emma Brewer, Elmer Brewer and Mary B. Brewer, as citizens by blood of the Choctaw Nation.

Respectfully,


Commissioner.

NEW YORK

199

IN RE

Application for Enrollment of

MINOR CHILD

Act of Congress Approved
April 26, 1906.

Mary Bell Brewer

as a citizen of

CHOCTAW

Nation.

Approved..... 190...

Commissioner.

Bow Jan. 4 1899
ACT OF CONGRESS APPROVED APRIL 26 1906.

DEPARTMENT OF THE INTERIOR
COMMISSIONER OF THE BUREAU OF LANDS

AUG 11 1906

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Not on 51226*

CHOCTAW

7-222

JUL 19 1906

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 Mary Bell Brewer, born on the 4 day of January 1899.
Name of Father: E. F. Brewer a citizen of the Choctaw Nation.
Name of Mother: Mary Catharine Brewer a citizen of the Choctaw Nation.
Tribal enrollment of father: Choctaw Tribal enrollment of mother: Choctaw
Postoffice: Powell Ind. Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory,

Southern District.

I, Mary Catharine Brewer, 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 E. F. Brewer, who is a citizen, by
rite married, of the Choctaw Nation, that a Male or Female child was
born to me on 4 day of January 1899; that said child has been named
Mary Bell Brewer and was living March 4, 1906

Mary Catharine Brewer

WITNESSES TO MARK:

[Must be Two Witnesses]

W. A. Seaton
Nellie Seaton

Subscribed and sworn to before me this 2 day of July 1906.

J. M. Seaton
Notary Public

My Commission expires Nov 15 1909

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory,

Southern District.

I, P. F. Robinson Physician, on oath state that I
attended on Mrs Mary Catharine Brewer wife of E. F. Brewer
on the 4 day of January 1899; that there was born to her on said date a Male or Female
child; that said child was living March 4, 1906, and is said to have been named Mary Bell Brewer

P. F. Robinson M.D.

WITNESSES TO MARK:

[Must be Two Witnesses]

Subscribed and sworn to before me this 2 day of July 1906.

J. M. Seaton
Notary Public

My Commission expires Nov 15 1909

copy
John

7-5122.

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

-0000

In the matter of the application for the enrollment of
Mary B. Brewer (Mary Bell Brewer) as a citizen of the Choctaw Nation.

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COPY.

The applicant, Mary B. Brewer (Mary Bell Brewer), claims her right to enrollment as a citizen of the Choctaw Nation through her mother, Mary C. Brewer (or Mary Catherine Brewer or May Catherine Brewer).

The right of the applicant's mother, Mary C. Brewer (or Mary Catherine Brewer or May Catherine Brewer), to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court on September 19, 1904, in case No. 1 upon the Tishomingo Docket of said court, it is hereby ordered that the application of Mary B. Brewer (Mary Bell Brewer) for enrollment as a citizen of the Choctaw Nation, be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

(SIGNED)

Jams Dixby

Chairman.

Muskogee, Indian Territory.

Chectaw 5122

Muskogee, Indian Territory, November 12, 1904.

Mary Catherine (or May Catherine) Brewer,
Powell, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of
the Commission to the Five Civilized Tribes, dated November 12,
1904, dismissing the application for the enrollment of your child,
Mary B. Brewer (Mary Bell Brewer) as a citizen of the Chectaw
Nation.

Respectfully,

Registered.

Chairman.

Incl. 7-5122.

Choctaw 5122

Muskogee, Indian Territory, November 12, 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 November 12, 1904, dismissing the application for the enrollment of Mary B. Brewer (Mary Bell Brewer) as a citizen of the Choctaw Nation.

Respectfully,

Incl. 7-5122.

Chairman.

rendered a judgment therein, wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, Hewt Askew, Nancy Malinda Askew, William Howard Askew, Dallas Alexander Askew, Henry Edward Askew, Roxie Cordelia Carter (nee Askew), or Roxie Cordelia Askew, Jennie Askew, or John Askew, Mary Catherine Brewer, or May Catherine Brewer, Emma Brewer, Elmer Brewer, Mary Ellen Jackson, Taylor Franklin Jackson, Alma Jackson, Charlie Jackson, Roscoe Jackson, Elizabeth Viola Hefner (nee Askew), or Elizabeth Viola Askew, and Rebecca Askew 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."

On November 14, 1904, the Commission to the Five Civilized Tribes issued orders dismissing the applications for the enrollment of Alpha Marie Hefner, Nancy Ann Hefner, Julius Edward Askew, Mary B. Brewer, Lena Askew, Frankie Beatrice Askew, Leo Askew, Alice Askew, Ethel Askew, Robert Askew, Robert Floy Shiman, and Ethel Jackson, for the reason that the persons through whom they claimed the right to enroll had been denied citizenship by the Choctaw and Chickasaw Citizenship Court.

On December 3, 1904, the Commission to the Five Civilized Tribes issued an order dismissing the application for the enrollment of Martha E. Turner as a citizen by blood of the Choctaw Nation in accordance with the opinion of the Attorney General dated May 9, 1904 (I.T.D. 3814-1904), and the opinion of the Assistant Attorney General for the Department of the Interior dated July 30, 1904 (I.T.D. 5246-1904).

Under the regulations adopted by the Commission to the Five Civilized Tribes January 2, 1906, there was filed on March 14, 1906, by Thomas Norman, attorney for the petitioners, a petition praying for the enrollment of the following persons as citizens of the Choctaw Nation: Hewt Askew, Nancy Malinda Askew, John Askew, Dallas Alexander Askew, Carrie Margaret Askew, Roxie Cordelia Carter (nee Askew), Marshall Turner, Mary Ellen Jackson, Tom Jackson Taylor Jackson, Alma Jackson, Charlie Jackson, Roscoe Jackson, Ethel Jackson, Viola Elizabeth Hefner, Joe Hefner, Alpha Marie Hefner, Nancy Ann Hefner, Mary Catherine Brewer, George Brewer, Emma Narcissus Brewer, Elmer Washington Brewer, Mary Ella Brewer, William Howard Askew, Tavi Askew, Julius Edward Askew, Henry Edward Askew, Rebecca Askew, William Quint Askew, Martha Askew, Mattie Askew, Ellen Askew, Tom Askew, Willie Thomas Askew, Bettie Askew, Perry Askew, Tom Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Askew, Thane Shiman, Floy Shiman, George Washington Askew, Dora Anderson Askew, Sophia Askew, Alice Askew, Sam Askew, Yen Askew and Leo Askew.

It is alleged in the petition that the petitioners are Choctaw descendants of Choctaw ancestry; that they took up a residence in the Indian Territory between the years 1880 and 1890, and have continued to reside in either the Choctaw or Chickasaw Nation since that time; that they claimed before and after their removal to said nations to be citizens of the Choctaw Nation by virtue of their Choctaw blood and Choctaw descent; that all their

kindred on Choctaw Indian side of the family, or a great many of the , are on the roll as citizens of the Choctaw Nation, that they have taken their allotment of lands and drawn their share of moneys thereof, and that their enrollment has long since been approved by the Secretary of the Interior.

The petitioner further states that among other children, an old, half-blood Choctaw Indian, named Aaron Asa, had three children, two boys named Furrill and Tom, and one girl named Elizabeth, or Betty, who married a man named Douglas; that the United States Indian Agent rendered a decision in 1890, which was approved by the Choctaw Council, in which he adjudged the children of Furrill Asa to be citizens of the Choctaw Nation, all of which are now on the approved rolls of Choctaw; that in 1898 the Commission of the Five Civilized Tribes rendered a decision that the children of Elizabeth Douglas were entitled to be enrolled as Choctaw, and from this decision no appeal was taken; that the children herein are on the approved rolls; that the children herein are the legitimate descendants of the children of Aaron Asa, and that they as well as the descendants of the children of Furrill Asa and Elizabeth Douglas (née Asa) are entitled to enrollment.

On July 19, 1906, the Commission of the Five Civilized Tribes rendered the following list of the following persons as citizens of the Choctaw Nation, under the provisions of the Act of Congress passed April 16, 1906 (34 Stats., 147): Carl Weimer, born February 10, 1906, minor child of Joe H. Weimer and Edith Weimer; Perry L. Asa, born June 4, 1903, minor child of Aaron Asa and Rebecca Asa; Oscar L. Asa, born December 12, 1901, and Vernie Asa, born July 11, 1903, minor children of Furrill A. Asa and Annie Asa; Victor Asa, born September 25, 1904, minor child of Willie W. Asa and Octavi W. Asa; Arthur H. Carter, born January 12, 1904, minor son of Charles Carter and Poxie Carter; and Roy Sherman, born August 12, 1901, minor child of Tom Sherman and Thana Sherman. April 16, 1906, written decision was made for the enrollment of Vera Sherman, born September 9, 1903, minor child of Phanis Sherman and Tom Sherman, as a citizen of the Choctaw Nation.

It does not appear from the record in the possession of the Commission of the Five Civilized Tribes that any of the applicants has ever been recognized or enrolled as a citizen of the Choctaw Nation by any duly constituted authority.

The name of none of said applicants appears on any of the tribal rolls of the Choctaw Nation in the possession of the Commission of the Five Civilized Tribes.

I am of the opinion that inasmuch as it does not appear from the record herein or from the record in the possession of this office that any of the applicants who applied to the Commission to the Five Civilized Tribes in 1896 possessed any tribal status as citizens of the Choctaw Nation, the Commission has jurisdiction to pass upon their rights as citizens of said nation, and I am without authority to take any action looking to their enrollment as citizens of said nation; and that the petition in so far as it relates to said applicants should be dismissed, and it is so ordered.

I am further of the opinion that as to those persons whose applications were dismissed for the reason that they failed to apply to the Choctaw or Chickasaw Citizenship Court, or for the reason that their applications were denied by the decision of said court, said dismissals should be affirmed, and the petition in so far as it relates to said applicants should be dismissed, and it is so ordered.

I am further of the opinion that the applications for the enrollment of Carl Hefner, Perry Q. Askew, Oscar G. Askew, Vernie Askew, Violet Askew, Arthur W. Carter, Roy Shipman, and Vera Shipman as citizens by blood of the Choctaw Nation should be denied, under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137), and it is so ordered.

Tams Birby
Commissioner.

Muskogee, Indian Territory.

Oct. 23, 1906.

7-5122

Muskogee, Indian Territory, October 23, 1906

Mary C. Brewer,

Powell, Indian Territory.

Dear Madam:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on October 23, 1906, rendered his decision, dismissing the applications and petition for the enrollment of Mary C. Brewer, Emma Brewer, Elmer Brewer and Mary B. Brewer, as citizens by blood of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

John
Commissioner.

Registered.

T. H. - - #2.

Q. Askew, Oscar C. Askew, Vernie Askew, Violet Askew, Arthur W. Carter, Roy Shipman, and Vera Shipman as citizens by blood 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.

Respect ally,

Signed. Tom Mixby

Commissioner.

Registered.

Incl. C-105--3-5200 et al.

C-105
7-5200 et al.

OOPII

Muskogee, Indian Territory, October 23, 1906

Crane, Tracy and Eckman,
Attorneys at Law,
Ada, Okla., Indian Territory.

Gentlemen:

Inclosed are 107 copies of the final report of the decision of the Commission on the application of the above named persons, received September 25, 1906, dismissing the application and denying the enrollment of Felt Askew, Nancy W. Askew, Henry T. Askew, William T. Askew, Elizabeth W. Askew, Dallas A. Askew, Lucy C. Askew, Alpha Marie Wefner, Julia Edward Askew, Nancy Ann Wefner, William C. Askew, Mattie Askew, Ellen Askew, Tom Askew, Rebecca Askew, William T. Askew, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Troy Whigham, Robert Askew, Mary T. Jackson, Taylor W. Jackson, Alma Jackson, Charley Jackson, Roscoe Jackson, Ethel Jackson, Mary T. Freese, Emma Freese, Elmer Freese, Mary B. Freese, George W. Askew, Stella Askew, Alice Askew, Martha E. Turner, Sam Askew, Frankie Beatrice Askew, Leo Askew, and John Askew, as citizens by blood of the Choctaw Nation, and the applications and petition for the enrollment of Martha Askew, Bettie Askew, Lena Askew, and Dora Askew, as citizens by intermarriage of said nation, and denying the application for the enrollment of Carl

C. C. & B. - - #2.

Hefner, Perry Q. Askew, Oscar G. Askew, Vernie Askew, Violet Askew, Arthur W. Carter, Ray Shipman and Vera Shipman as citizens by blood of the Choctaw Nation, under the provisions of the Act of Congress approved April 20, 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 the Secretary is informed of the same.

Respectfully,

Commissioner.

Registered.

Incl. C-105-- 7-5200 et al.

C-108

7-5200 et al

Washington, Indian Territory, October 17, 1906.

Chester C. C.

Washington Loan and Trust Building,

Washington, D. C.

Dear Sir:

Inclosed are the original and a copy of the decision of the Commission on the Indian Tribes, rendered October 25, 1906, admitting the applications and petition for the enrollment of Hewt Askew, Nancy T. Askew, Henry T. Askew, Willie T. Askew, Elizabeth V. Askew, Dallas A. Askew, Rosa C. Askew, Alpha Anna Hefner, Julius Edward Askew, Nancy Anna Hefner, William A. Askew, Matilda Askew, Ellen Askew, Ed. Askew, Rebecca Askew, William T. Askew, Thane Askew, Perry Askew, Tommy Askew, Lillian Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Floy Shipman, Robert Askew, Mary E. Jackson, Taylor F. Jackson, Alma Jackson, Charley Jackson, Roscoe Jackson, Ethel Jackson, Mary C. Brewer, Emma Brewer, Elmer Brewer, Mary B. Brewer, George W. Askew, Sophia Askew, Alice Askew, Martha E. Turner, Sam Askew, Frankie Beatrice Askew, Leo Askew and John Askew, as citizens by blood of the Choctaw Nation, and the applications and petition for the enrollment of Martha Askew, Bettie Askew, Lena Askew and Dora Askew as citizens by intermarriage of said nation, and denying the application for the enrollment of Carl Hefner, Perry

C. H. - - #2.

C. Askew, Oscar W. Askew, Vernie Askew, Violet Askew, Arthur W. Car-
son, Roy Shuman and Vera Shuman, as citizens by blood 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 his office is advised of the same.

Respectfully,

W. H. H. H.
Commissioner.

Registered.

Incl. C-128--7-1200 et 1.

C-108

7-5200 et al

Wheeler, Indian Territory, October 23, 1906.

Wheeler, Murray J. Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South West Star, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 23, 1906, deciding the applications and petition for the enrollment of Bert Askew, Nancy M. Askew, Henry E. Askew, William T. Askew, Elizabeth V. Askew, Dallas A. Askew, Mary C. Askew, Alpha Marie AHefner, Julius Edward Askew, Nancy Ann Wefner, William T. Askew, Mattie Askew, Ellen Askew, Tom Askew, Rebecca Askew, William T. Askew, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Floy Shipman, Robert Askew, Mary E. Jackson, Taylor W. Jackson, Alma Jackson, Charley Jackson, Roscoe Jackson, Ethel Jackson, Mary C. Brewer, Emma Brewer, Elmer Brewer, Mary B. Brewer, George W. Askew, Sophia Askew, Alice Askew, Martha E. Turner, Sam Askew, Frankie Beatrice Askew, Leo Askew, and John Askew, as citizens by blood of the Choctaw Nation, and the application and petition for the enrollment of Martha Askew, Bettie Askew, Lena Askew and Dora Askew as citizens by intermarriage of said nation, and denying the application for the enrollment of Carl Wefner, Perry

M. N. & C. - - #2.

Q. Askew, Jacob C. Askew, Vernie Askew, Violet Askew, Arthur W. Carter, Roy Shipman, and Vera Shipman as citizens by blood 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 and reported as soon as this office is informed of the same.

Respectfully,

Commissioner.

Registered.

Incl. C-102--7-5200 et al.

COPY.

Muskogee, Indian Territory, October 24, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith the record before the Commission to the Five Civilized Tribes and its successor in the matter of the application for the enrollment of West Askew, et al., as citizens of the Choctaw Nation, with my decision of October 23, 1906, denying a petition filed with this office by Thomas Norman, attorney at law, Ardmore, Indian Territory, on March 14, 1906, praying for the enrollment of West Askew, et al., as citizens of the Choctaw Nation.

This petition was filed under the opinion of the Assistant Attorney General for the Department of the Interior of December 2, 1905, (I.T.D. 3693-1905), in the Louie Test case.

The majority of the persons named in the petition submitted by Mr. Norman were denied citizenship in the Choctaw Nation by decrees of the Choctaw and Chickasaw Citizenship Court.

While it is not claimed that the petitioners in question were ever recognized and enrolled by the tribal authorities as citizens of the Choctaw Nation, it is insisted that they are entitled to enrollment by reason of the fact that certain of their co-relatives

(2)

have been duly enrolled as citizens of the Choctaw Nation.

I also enclose for the consideration of the Department in connection with the contention of the petitioners, a brief filed with this office on October 1, 1906, Thomas Norman, Cruce, Cruce & Bleakmore, and Chester Howe, attorneys for the petitioners.

This case was the subject of my report of January 15, 1906, to the Department and of Departmental letter of March 12, 1906 (I.T. D. 4058-1906).

There is also enclosed herewith the original petition directed to the President of the United States and the Secretary of the Interior, which was originally filed with the Department June 20, 1905. The case was also the subject of the Department letter of October 15, 1906, (I.T.D. 12775-1906), enclosing for report a letter of Chester Howe, attorney at law, Washington, D. C., dated October 10, 1906, and addressed to the Department, requesting that the Commissioner to the Five Civilized Tribes be directed to pass upon the case at the earliest practicable date, to the end that a final decision may be secured upon the questions raised.

I have the honor to further report that the principal petitioners have been advised of the action taken by me on October 23, 1906, and that their attorneys and the attorneys for the Choctaw and Chickasaw Nations have been furnished with a copy of my decision of that date.

Respectfully,

Signed Toms Bixby

Commissioner.

Through the Commissioner
of Indian Affairs.
OP 24-5

Choc 5123 Martha E. Turner

Dismissed Dec 1904

NOTICES and decisions in 7-5200

See PET #C-105

5123

Lebanon, Ind. Ter. Jan. 18, 1905.

Com. to the Five Civilized Tribes,

Muskogee, Ind. Ter.

gentlemen:

There is no such person as Martha E. Turner that receives mail at this office. There was a person by the name of Martha Etta Turner received mail here but she died Aug. 1900. She was the wife of Marshall Turner who receives his mail at this office.

Resp. L. W. Howe, P. M.

7-5123

Luskogee, Indian Territory, January 21, 1908.

L. W. Hoss, Postmaster,

Lebanon, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 18, 1905, with which you return registered letter addressed to Martha E. Turner and state that there is no such person who receives mail at your post-office. That there was a person named Martha Etta Turner who did receive mail there but she died in August 1900.

You have the thanks of the Commission for this information.

Respectfully,

Chairman.

WJF
Adm
7-5123.

DEPARTMENT OF THE INTERIOR
COMMISSION ON THE FIVE CIVILIZED TRIBES

In the matter of the application for the enrollment
of Martha E. Turner as a citizen by blood of the Choctaw Na-
tion.

It appears from the records of the Commission that on September 7, 1896 in the case entitled "Marshall W. Askey, et al., vs. Choctaw Nation" (1896 Choctaw Citizenship Packet, case number 2) original application was made to the Commission under the provisions of the act of Congress approved June 10, 1896 (29 Stat., 581), for the admission of the applicant Martha E. Turner as a citizen by blood of the Choctaw Nation and on December 1, 1896 the said Martha E. Turner was by this Commission denied admission as a citizen by blood of the Choctaw Nation. From this decision of the Commission an appeal was taken to the United States Court for the Southern District of Indian Territory which court in the case entitled "Marshall Washington Askey, et al., vs. Choctaw Nation" (Citizenship Case, number 2) reversed the decision of the Commission denying said Martha E. Turner admission to citizenship in the Choctaw Nation and admitted said Martha E. Turner (as Mrs. Martha Etta Turner) as a citizen 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 Southern 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. 3124-1904) and the opinion of the Assistant Attorney General for the Department of the Interior dated July 30, 1904 (I.T.D. 5446-1904) the Commission to the Five Civilized Tribes is without authority to take any action of any character looking to the enrollment

2.

of Martha E. Turner as a citizen by blood of the Choctaw Nation and it is, therefore, hereby ordered that the application for the enrollment of Martha E. Turner as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

SIGNED

Tamc E. ...

Chairman.

Muskegee, Indian Territory,

DEC 3 1904

Choctaw 5123

COPY.

Muskogee, Indian Territory, December 3, 1904.

Martha E. Turner,
Lebanon, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 3, 1904, dismissing the application for your enrollment as a citizen by blood of the Choctaw Nation.

Respectfully,

3321

Registered.

Chairman.

Incl. 7-5123.

Choctaw 5123

Muskogee, Indian Territory, December 3, 1904.

Manfield, 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 December 3, 1904, dismissing the application for the enrollment of Martha E. Turner as a citizen by blood of the Choctaw Nation.

Respectfully,

SIGNED

Incl. 7-5123.

Chairman.

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 ONLY TO THE FOLLOWING:

Choctaw 5123

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, December 3, 1904.

Martha E. Turner,
Lebanon, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of
the Commission to the Five Civilized Tribes, dated December 3,
1904, dismissing the application for your enrollment as a citizen
by blood of the Choctaw Nation.

Respectfully,

Chairman.

Registered.

Incl. 7-5123.

C -105
7-5073
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DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of
Newt Askew, 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 at Ardmore, Indian Territory, September 23, 1898, by Newt Askew, for the enrollment of himself, his wife, Nancy M. Askew, William H. Askew, Henry E. Askew, Elizabeth M. Askew, Dallas A. Askew and Poxey C. Askew, children of said Newt Askew and Nancy Askew, as citizens by blood of the Choctaw Nation; that on April 10, 1900, written application was made for the enrollment of Alpha Marie Hefner as a citizen by blood of the Choctaw Nation; that on April 11, 1902, written application was made for the enrollment of Julius Edward Askew as a citizen by blood of the Choctaw Nation; that on April 25, 1902, written application was made for the enrollment of Nancy Ann Hefner as a citizen by blood of the Choctaw Nation; that application was made by William Q. Askew at Ardmore, Indian Territory, September 2, 1898, for the enrollment of himself and minor children, Lattie Askew, Ellen Askew, and Tom Askew as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Martha Askew, as a citizen by intermarriage of said nation; that application was made by Rebecca Askew at Ardmore, Indian Territory, September 23, 1898, for the enrollment of herself as a citizen by blood of the Choctaw Nation; that application was made by William T. Askew at Ardmore, Indian Territory, September 22, 1898, for the enrollment of himself and minor children, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew and Lizzie Askew as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Bettie Askew, as a citizen by intermarriage of said nation; that on October 13, 1900, written application was made for the enrollment of Ethel Askew, minor daughter of said William T. Askew, and Bettie Askew, as a citizen by blood of the Choctaw Nation; that on August 16, 1902, written application was made for the enrollment of Robert Askew, minor son of the said William T. Askew and Bettie Askew, as a citizen by blood of the Choctaw Nation; that on November 30, 1901, written application was made for the enrollment as a citizen by blood of the Choctaw Nation of Robert Floy Shipman, minor child of Thane Shipman (nee Askew), by her husband, T. Shipman; that application was made by Mary E. Jackson at Ardmore, Indian Territory, September 23, 1898, for the enrollment of herself and her

minor children, Taylor W. Jackson, Alma Jackson, Charley Jackson, Roscoe Jackson, and Ethel Jackson, as citizens by blood of the Choctaw Nation; that application was made by Mary C. Brewer at Ardmore, Indian Territory, September 23, 1898, for the enrollment of herself and minor children, Emma Brewer and Elmer Brewer, as citizens by blood of the Choctaw Nation; that on December 18, 1899, written application was made for the enrollment of the applicant, Mary B. Brewer, minor daughter of said Mary C. Brewer and U. F. Brewer, as a citizen by blood of the Choctaw Nation; that application was made by George W. Askew at Ardmore, Indian Territory, September 22, 1898, for the enrollment of himself and minor children, Sophia Askew and Alice Askew, as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Tora Askew, as a citizen by intermarriage of said nation; that application was made by Martha E. Turner at Ardmore, Indian Territory, September 23, 1898, for the enrollment of herself as a citizen by blood of the Choctaw Nation; that application was made by Sam Aske at Ardmore, Indian Territory, September 23, 1898, for the enrollment of himself as a citizen by blood of the Choctaw Nation, and for the enrollment of his wife, Lena Askew, as a citizen by intermarriage of said nation; that on March 24, 1900, written application was made for the enrollment of Frankie Beatrice Askew, minor daughter of Sam Askew and Lena Askew, as a citizen by blood of the Choctaw Nation; that on April 2, 1901, written application was made for the enrollment of Leo Askew, minor son of Sam Askew and Lena Askew, as a citizen by blood of the Choctaw Nation; that application was made by John Askew at Ardmore, Indian Territory, September 23, 1898, for the enrollment of himself as a citizen by blood of the Choctaw Nation.

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that the applicants, William Q. Askew, William T. Askew, George W. Askew, Sam Askew, Martha Askew, Mattie Askew, Ellen Askew, Tom Askew, Bettie Askew, Thane Askew, Perry Askew, Tommy Askew, Willie Askew, Gilbert Askew, Lizzie Askew, Dora Askew, and Sophia Askew 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), that they were denied such admission by a decision of the Commission of December 1, 1896, (1896 Choctaw Citizenship Case No. 1); that from this decision an appeal was taken to the United States Court for the Southern District of Indian Territory, which Court on December 21, 1897, in the case entitled "William Q. Askew, et al., vs. Choctaw Nation", rendered a judgment reversing the decision of the Commission to the Five Civilized Tribes as to the applicants, and admitted all of said applicants to citizenship in the Choctaw Nation, except Martha Askew, Bettie Askew and Dora Askew. On March 12, 1900, said Court rendered a supplemental decision in said case, admitting said Martha Askew, Bettie Askew and Dora Askew to citizenship in the Choctaw Nation.

These judgments were subsequently vacated, set aside, and held for naught by a decree of the Choctaw and Chickasaw Citizenship Court on December 17, 1900, 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 and Chickasaw Citizenship Court, created by the Act of Congress ap-

proved July 1, 1902 (32 Stats., 641), for a trial de novo, and on September 19, 1904, said Citizenship Court in the case entitled "William Quint Askew, et al., vs. Choctaw and Chickasaw Nations" (Choctaw-Chickasaw Citizenship Court Case No. 2, Tishomingo Docket), rendered a judgment therein, wherein it was "ordered Adjudged and decreed that the petition of the plaintiffs, William Quint Askew, Martha Askew, Mattie Askew, Ellen Askew, Tom Askew, William Thomas Askew, Bettie Askew, Perry Askew, Fannie Askew, or Tommy Askew, Lily Askew or Lillie Askew, Gilbert Askew, Lizzie Askew, Thane Shipman, or Thane Askew, George Washington Askew, Dora Askey, Sophia Askew and Sam Askew 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".

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that under the provisions of the Act of Congress approved June 10, 1896, (29 Stats., 221), application was made to the Commissioner to the Five Civilized Tribes for admission to citizenship in the Choctaw Nation of the following named persons: Rebecca Askew, Johnnie Askew, Newton Askew, Nancy Maliney Askew, William Howard Askew, Henry Edward Askew, Elizabeth Viola Askew, Dallas Alexander Askew, Foxie Cordelia Askew, Mrs. Mary Catherine Brewer, George Brewer, Alma Brewer, Emma Brewer, Mrs. Mary Ellen Jackson, Tom Jackson, Taylor Franklin Jackson, Almer Jackson, Charlie Jackson, Roscoe Jackson, Mrs. Martha Etta Turner, and Marshall A. Turner. All of said applicants were denied admission to citizenship in the Choctaw Nation by a judgment of the Commission on December 1, 1897 (1896 Choctaw Citizenship Case No. 2).

Said cause was subsequently appealed to the United States Court for the Southern District of Indian Territory, said Court on December 21, 1897, reversed the decision of the Commission to the Five Civilized Tribes as to certain of the applicants, and admitted the following as citizens of the Choctaw Nation: John Askew, Newt Askew, William Howard Askew, Henry Edward Askew, Elizabeth Viola Askew, Dallas Alexander Askew, Foxie Cordelia Askew, Mrs. Rebecca Askew, Mrs. Nancy Melinda Askew, Mrs. Mary Catherine Brewer, Emma Brewer, Almer Brewer, Mary Ellen Jackson, Taylor Franklin Jackson, Alma Jackson, Charlie Jackson, Roscoe Jackson and Mrs. Martha Etta Turner. In addition thereto the judgment of the Court recited "It further appears that exceptions have been filed to that part of the Master's Report relating to George Brewer, Marshall Turner and Tom Jackson, and it is hereby ordered that this cause stand open as to these three parties, so that said exceptions may be considered hereafter".

Said judgment was subsequently vacated, set aside and held for naught by a decree of the Choctaw and Chickasaw Citizenship Court of December 17, 1902, in the test case of "Choctaw and Chickasaw Nations, or Tribes vs. J. T. Riddle, et al."

Said cause as to certain of the applicants was subsequently certified to the Choctaw and Chickasaw Citizenship Court, created under the Act of Congress approved July 1, 1902 (32 Stats., 641), for a trial de novo, and on September 19, 1904, in the case entitled "Newt Askew, et al., vs. Choctaw and Chickasaw Nations" (Choctaw-Chickasaw Citizenship Court Case No. 1, Tishomingo Docket),

rendered a judgment, therein, wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, Newt Askew, Nancy Malinda Askew, William Howard Askew, Dallas Alexander Askew, Henry Edward Askew, Dixie Cordelia Carter (nee Askew), or Roxie Cordelia Askew, Jonnie Askew, or John Askew, Mary Catherine Brewer, or Mary Catherine Brewer, Emma Brewer, Elmer Brewer, Mary Ellen Jackson, Taylor Franklin Jackson, Alma Jackson, Charlie Jackson, Foscoe Jackson, Elizabeth Viola Hefner (nee Askew), or Elizabeth Viola Askew, and Rebecca Askew 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".

On November 12, 1904, the Commission to the Five Civilized Tribes issued orders dismissing the applications for the enrollment of Alpha Marie Hefner, Nancy Ann Hefner, Julius Edward Askew, Mary B. Brewer, Lena Askew, Frankie Beatrice Askew, Leo Askew, Alice Askew, Ethel Askew, Robert Askew, Robert Floy Shipman, and Ethel Jackson, for the reason that the persons through whom they claimed the right to enrollment had been denied citizenship by the Choctaw and Chickasaw Citizenship Court.

On December 3, 1904, the Commission to the Five Civilized Tribes issued an order dismissing the application for the enrollment of Martha M. Turner as a citizen of blood of the Choctaw Nation 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).

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there was filed on March 14, 1906, by Thomas Norman, attorney for the petitioners, a petition praying for the enrollment of the following persons as citizens of the Choctaw Nation: Newt Askew, Nancy Malinda Askew, John Askew, Dallas Alexander Askew, Annie Margarette Askew, Dixie Cordelia Carter (nee Askew), Marshall Turner, Mary Ellen Jackson, Tom Jackson, Taylor Jackson, Alma Jackson, Charles Jackson, Foscoe Jackson, Ethel Jackson, Viola Elizabeth Hefner, Joe Hefner, Alpha Marie Hefner, Nancy Ann Hefner, Mary Catherine Brewer, George Brewer, Emma Narcissus Brewer, Elmer Washington Brewer, Mary Belle Brewer, William Howard Askew, Tavia Askew, Julius Edward Askew, Henry Edward Askew, Rebecca Askew, William Quint Askew, Martha Askew, Mattie Askew, Ellen Askew, Tom Askew, William Thomas Askew, Bettie Askew, Perry Askew, Tom Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Askew, Thaney Shipman, Floy Shipman, George Washington Askew, Dora Anderson Askew, Sophia Askew, Alice Askew, Sam Askew, Lena Askew and Leo Askew.

It is alleged in the petition that the petitioners are Choctaw descendants of Choctaw ancestry; that they took up a residence in the Indian Territory between the years 1880 and 1890 and have continued to reside in either the Choctaw or Chickasaw Nation since that time; that they claimed before and after their removal to said nations to be citizens of the Choctaw Nation by virtue of their Choctaw blood and Choctaw descent; that all their kinsfolk on Choctaw Indian side of the family, or a great many of them, are on the roll as citizens of the Choctaw Nation, that they have taken their allotment of lands and drawn their share of moneys thereof, and that their enrollment has long since been ap-

proved by the Secretary of the Interior.

The petitioners further state that among other children, an old half-blood Choctaw Indian, named Aaron Askew, had three children, two boys named Murrill and Tom, and one girl named Elizabeth, or Betty, who married a man named Douglas; that the United States Indian Agent rendered a decision about 1890, which was approved by the Choctaw Council, in which he adjudged the children of Murrill Askew to be citizens of the Choctaw Nation, all of whom are now on the approved roll of Choctaws; that in 1896 the Commission to the Five Civilized Tribes rendered a decision that the children of Elizabeth Douglas were citizens of the Choctaw Nation, and from this decision no appeal was taken; that all of said children are on the approved Choctaw rolls; that the petitioners herein are the legitimate descendants of the other brother named Tom Askew, and that they as well as the descendants of the said Murrill Askew and Elizabeth Douglas (nee Askew), are citizens of said nation.

On July 19, 1906, written applications were made to the Commissioner to the Five Civilized Tribes for the enrollment of the following persons as citizens by blood of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 130): Carl Hefner, born February 23, 1906, minor child of Joe H. Hefner and Viola Hefner; Perry C. Askew, born June 4, 1903, minor child of George W. Askew and Dora A. Askew; Oscar G. Askew, born December 22, 1902, and Vernie Askew, born July 11, 1905, minor children of Dallas A. Askew and Carrie M. Askew; Violet Askew, born September 25, 1904, minor child of William H. Askew and Octavia W. Askew; Arthur W. Carter, born January 16, 1904, minor son of Charles Carter and Poxey C. Carter; and Tom Shipman, born August 15, 1905, minor child of Tom Shipman and Thanie Shipman. April 26, 1906, application was made for the enrollment of Vera Shipman, born September 29, 1907, minor child of Thanie Shipman and T. D. Shipman, as a citizen by blood of the Choctaw Nation.

It does not appear from the records in the possession of the Commissioner to the Five Civilized Tribes that any of the applicants has ever been recognized or enrolled as a citizen of the Choctaw Nation by any duly constituted authority.

The names of none of said applicants appear upon any of the tribal rolls of the Choctaw Nation in the possession of the Commissioner to the Five Civilized Tribes.

I am of the opinion that inasmuch as it does not appear from the record herein or from the records in the possession of this office that any of the applicants who applied to the Commission to the Five Civilized Tribes in 1896 possessed any tribal status as citizens of the Choctaw Nation, said Commission had jurisdiction to pass upon their rights as citizens of said nation, and I am without authority to take any action looking to their enrollment as citizens of said nation, and that the petition in so far as it relates to said applicants should be dismissed, and it is so ordered.

I am further of the opinion that as to those persons whose applications were dismissed for the reason that they failed to appeal to the Choctaw and Chickasaw Citizenship Court, or for the reason that their parents had been denied by a decree of said court, said dismissals should be affirmed, and the petition in so far as it relates to said applicants should be dismissed, and it is so ordered.

I am further of the opinion that the applications for the enrollment of Carl Hefner, Perry Q. Askew, Oscar G. Askew, Vernic Askew, Violet Askew, Arthur W. Carter, Roy Shipman, and Vera Shipman as citizens by blood of the Choctaw Nation should be denied, under the provisions of the Act of Congress approved April 22, 1906 (34 Stats., 137), and it is so ordered.

Tams Bixby,

Commissioner.

Muskogee, Indian Territory,
Oct. 23, 1906.

7-5123

Muskogee, Indian Territory, October 23, 1906.

Martha E. Turner,

Lebanon, Indian Territory.

Dear Madam:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on October 23, 1906, renders his decision, dismissing the application in petition for your enrollment as a citizen by blood of the Cherokee Nation.

The decision, with the records 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.

C-106
7-5270 et al.

COPY.

Muskogee, Indian Territory, October 23, 1906

Thomas Turner,
Attorney at Law,
Arkmore, Indian Territory.

Dear Sir:

Inclosed to you are a copy of the application of said citizens by blood of the Choctaw Nation, dated October 20, 1906, denying the application and petition for the enrollment of Neat Askew, Nancy W. Askew, Henry H. Askew, William H. Askew, Elizabeth V. Askew, Willie A. Askew, Hoxey C. Askew, Alpha Marie Hefner, Julius Edward Askew, Henry Ann Hefner, William C. Askew, Mattie Askew, Ellen Askew, Tom Askew, Rebecca Askew, William G. Askew, Thane Askew, Perry Askew, Tommy Askew, Willie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Floy Shipman, Robert Askew, Mary E. Jackson, Taylor E. Jackson, Alma Jackson, Charley Jackson, Roscoe Jackson, Ethel Jackson, Mary C. Brewer, Emma Brewer, Elmer Brewer, Mary B. Brewer, George W. Askew, Sophia Askew, Alice Askew, Martha E. Turner, Sam Askew, Frankie Beatrice Askew, Leo Askew, and John Askew, all citizens by blood of the Choctaw Nation, and the applications and petition for the enrollment of Martha Askew, Pettie Askew, Lena Askew, and Vera Askew as citizens by intermarriage of said nation and denying the application for the enrollment of Carl Hefner, Perry

T. N. - - #2.

Q. Askew, Oscar C. Askew, Vernie Askew, Violet Askew, Arthur W. Carter, Roy Shipman, and Vera Shipman as citizens by board of the District of Columbia, 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 and reported as soon as the office is informed of the same.

Respectfully,

Signed: Tom Sixby

Commissioner.

REGISTERED.

Inst. 1-1906-9-1-1-1.

C-105
7-5200 et al.

COPY.

Muskogee, Indian Territory, October 23, 1906

Crace, Crace and Blankens,
Attorneys at Law,
Ardmore, Indian Territory.

Gentlemen:

Each of you will find appended the decision of the Commission on the Enrollment of Citizens, rendered October 23, 1906, dividing the application and petition for the enrollment of Hewt Askew, Nancy W. Askew, Henry J. Askew, William T. Askew, Elizabeth A. Askew, Dallas A. Askew, Foxy C. Askew, Alpha Marie Wefner, Julius Edward Askew, Nancy Ann Wefner, William C. Askew, Mattie Askew, Ellen Askew, Joe Askew, Rebecca Askew, William T. Askew, Thane Askew, Perry Askew, Tommy Askew, Willie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Floyd Askew, Robert Askew, Mary E. Jackson, Taylor E. Jackson, Alva Jackson, Charley Jackson, Roscoe Jackson, Athel Jackson, Mary C. Brewer, Ezra Brewer, Elmer Brewer, Mary E. Brewer, George W. Askew, Sophia Askew, Alice Askew, Martha E. Turner, Sam Askew, Frankie Beatrice Askew, Leo Askew, and John Askew, as citizens by blood of the Choctaw Nation, and the applications and petition for the enrollment of Martha Askew, Bettie Askew, Lena Askew, and Dora Askew, as citizens by intermarriage of said nation, and denying the application for the enrollment of Carl

C. C. & B. - - #2.

Hefner, Perry Q. Askew, Oscar C. Askew, Vernie Askew, Violet Askew, Arthur F. Carter, Roy Shipman and Vera Shipman as citizens by blood 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,

James D. Smith
Commissioner.

Registered

Incl. C-10b--7-5200 et al.

C-108

7-5200 et al.

007M

Muskogee, Indian Territory, October 23, 190.

Chester Howe,

Washington Loan and Trust Building,

Washington, D. C.

Dear Sir:

Inclosed are the original and a copy of the order of the Court in re to the Cherokee Indians, dated October 23, 1905, dismissing the application and petition for the enrollment of Next heirs, Nancy V. Askew, Henry J. Askew, William C. Askew, Elizabeth C. Askew, Dallas A. Askew, Lucy C. Askew, Alice Marie Wefner, Julius Edward Askew, Emma Lee Wefner, William C. Askew, Mattie Askew, Ellen Askew, Tom Askew, Edward Askew, William T. Askew, Thana Askew, Perry Askew, Tony Askew, Willie Askew, Gilbert Askew, E. Jackson, Taylor F. Jackson, Alma Jackson, Charley Jackson, Roscoe Lizzar Askew, Ethel Askew, Robert E. Jackson, Ethel Jackson, Mary C. Brewer, Emma Brewer, Elmer Brewer, Mary B. Brewer, George W. Askew, Sophia Askew, Alice Askew, Martha E. Turner, Sam Askew, Frankie Beatrice Askew, Leo Askew, and John Askew, as citizens by blood of the Cherokee Nation, and the applications and petition for the enrollment of Martha Askew, Bettie Askew, Lena Askew, and Dora Askew as citizens by intermarriage of said nation, and denying the application for the enrollment of Carl Wefner, Perry

C. H. --#2.

Q. Askew, Oscar C. Askew, Vernie Askew, Violet Askew, Arthur E. Carter, Ho Shipman and Vera Shipman, a citizens by blood 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 as soon as possible and will be notified of the same.

Respectfully,

Wm. J. Sixby
Commissioner.

Registered.

Incl. C-108--7-200 et al.

C-105

7-8200 et al.

COPY.

Wasko ee, Indian Territory, October 23, 1906

Wansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

General:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 23, 1906, dismissing the applications and petition for the enrollment of Newt Askew, Nancy M. Askew, Henry E. Askew, William N. Askew, Elizabeth V. Askew, Dallas A. Askew, Roxy C. Askew, Alpha Marie Hefner, Julius Edward Askew, Nancy Ann Hefner, William G. Askew, Mattie Askew, Ellen Askew, Tom Askew, Rebecca Askew, William T. Askew, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Athel Askew, Robert Floy Shipman, Robert Askew, Mary E. Jackson, Taylor F. Jackson, Alma Jackson, Charley Jackson, Roscoe Jackson, Athel Jackson, Mary C. Brewer, Emma Brewer, Elmer Brewer, Mary B. Brewer, George W. Askew, Sophia Askew, Alice Askew, Martha E. Turner, Sam Askew, Frankie Beatrice Askew, Lee Askew and John Askew, as citizens by blood of the Choctaw Nation, and the applications and petition for the enrollment of Martha Askew, Bettie Askew, Lena Askew and Dora Askew as citizens by intermarriage of said nation, and denying the application for the enrollment of Carl Hefner,

M. M. & C. - - #2.

Perry G. Askew, Oscar G. Askew, Vernie Askew, Violet Askew, Arthur W. Carter, Rex Shipman, and Vera Shipman as citizens by blood of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1908.

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,

IGNACE TAMM
Commissioner.

Registered.

Incl. C-108--9-5100 et al.

COPY.

Muskogee, Indian Territory, October 24, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith the record before the Commission to the Five Civilized Tribes and its successor in the matter of the application for the enrollment of Newt Askew, et al., as citizens of the Choctaw Nation, with my decision of October 23, 1906, denying a petition filed with this office by Thomas Norman, attorney at law, Ardmore, Indian Territory, on March 14, 1906, praying for the enrollment of Newt Askew, et al., as citizens of the Choctaw Nation.

This petition was filed under the opinion of the Assistant Attorney General for the Department of the Interior of December 2, 1905, (I.T.D. 3693-1905), in the Loula West case.

The majority of the persons named in the petition submitted by Mr. Norman were denied citizenship in the Choctaw Nation by decrees of the Choctaw and Chickasaw Citizenship Court.

While it is not claimed that the petitioners in question were ever recognized and enrolled by the tribal authorities as citizens of the Choctaw Nation, it is insisted that they are entitled to enrollment by reason of the fact that certain of their co-relatives

(2)

have been duly enrolled as citizens of the Choctaw Nation.

I also enclose for the consideration of the Department in connection with the contention of the petitioners, a brief filed with this office on October 1, 1906, Thomas Norman, Cruce, Cruce & Bleakmore, and Chester Howe, attorneys for the petitioners.

This case was the subject of my report of January 15, 1906, to the Department and of Departmental letter of March 12, 1906 (I.T.D. 4058-1906).

There is also enclosed herewith the original petition directed to the President of the United States and the Secretary of the Interior, which was originally filed with the Department June 20, 1905. The case was also the subject of the Department letter of October 15, 1906, (I.T.D. 12775-1906), enclosing for report a letter of Chester Howe, attorney at law, Washington, D. C., dated October 10, 1906, and addressed to the Department, requesting that the Commissioner to the Five Civilized Tribes be directed to pass upon the case at the earliest practicable date, to the end that a final decision may be secured upon the questions raised.

I have the honor to further report that the principal petitioners have been advised of the action taken by me on October 25, 1906, and that their attorneys and the attorneys for the Choctaw and Chickasaw Nations have been furnished with a copy of my decision of that date.

Respectfully,

Signed Elias Fixby

Commissioner.

Through the Commissioner
of Indian Affairs.
OP 24-5

Choc 5124 Emily J. Zumwalt

5124

Form No. 260.

THE WESTERN UNION TELEGRAPH COMPANY.

INCORPORATED
21,000 OFFICES IN AMERICA. CABLE SERVICE TO ALL THE WORLD.

THOS. T. ECKERT, President and General Manager.

Receiver's No.

Time Filled

Government Collect

SEND the following message subject to the terms on back hereof, which are hereby agreed to.

Armore, Indian Territory, February 11, 1903.

Silas Ashby,

Armore, Indian Territory,

Repl. in your telegram even date T. J. Stewart is not enrolled either by tribal authority or this Commission as Choctaw citizen. Was admitted Choctaw citizenship by judgment United States Court in Eighteen ninety seven. Judgment vacated and set aside by recent decision of Choctaw-Chickasaw Citizenship Court.
Sixby, Acting Chairman.

O.B.C.R.

READ THE NOTICE AND AGREEMENT ON BACK. 

Emily J. Zumwalt.

of

Emily J. Zumwalt says:

I have been living in the Territory about 25 years. I last came back about 8 years ago and have lived here continuously ever since.

Attest: Sept 28 1898.

Emily J. Zumwalt,

enrolled.

Choc 5125 James H. Whitney

5125

Muskogee, Indian Territory, May 5, 1900.

Dora Whitney;

Center, Indian Territory,

Dear Madam:

The Commission is in receipt of your letter of April 28th, in regard to your right to enrollment as a citizen of the Choctaw Nation, and the Commission must again inform you that it has no authority to enroll you as a citizen of the Choctaw Nation. Your father, James H. Whitney, was 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, August 25, 1897, in Court case Number 233. Your name, however, not having been in the original application made to this Commission for citizenship, under the act of June 10, 1896, and not having been in the judgment admitting your father to citizenship in the Choctaw Nation, this Commission is without authority to enroll you.

Yours truly,

Acting Chairman.

In replying to this letter,
please refer to Choctaw C 170.

Muskogee, Indian Territory, October 19, 1901.

Mr. J. Folsom,

In care of I. G. Barlowe,
Center, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 10th instant, requesting to be advised if one James Whitney has been listed for enrollment as a citizen by blood of the Choctaw Nation, and if so, when he made application. You also desire to be advised as to his age, and state that he claims to be a Choctaw by blood.

You are informed that the records of this office show that James H. Whitney, forty-nine years of age, of center, Indian Territory, was listed for enrollment as a citizen by blood of the Choctaw Nation September 23, 1898, having been admitted to citizenship by the United States Court for the Central District of the Indian Territory, at South McAlester, I. T., August 25, 1897.

Yours truly,

7-5125

Acting Chairman.

Choctaw 5125

Muskogee, Indian Territory, October 1, 1902.

P. C. Krieger,

Pauls Valley, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of September 27, asking if Jim Whitney is a court citizen.

In reply to your letter you are advised that it appears from our records that James W. Whitney, forty nine years old, of Center, Indian Territory, was listed for enrollment, September 23, 1898, as a citizen of the Choctaw Nation, pursuant to a judgment of the United States Court for the Central District of the Indian Territory, rendered August 25, 1897, in Court Case, Citizenship Docket, Number 233.

Respectfully,

Acting Chairman.

The State of Texas, D. County, Clerk.

To all who shall see this certificate, I beg to
know you that my power legally
authorized to certify to this marriage is
made known to you by my husband
and wife, E. W. White and Mrs. Christina
Robert and as such is true to his self-
appointed authority.

In testimony whereof, I have hereunto set
my hand and official seal of
the County of D. Texas, this 3rd day of May A.D. 1872.
W. T. White, Clerk

Texas, County of D., Clerk
I do hereby certify that the marriage
of Mrs. Christina Robert and E. W. White
was solemnized on the 30th day of May A.D. 1872.
W. T. White, Clerk

Return to me the original of this
certificate on the 30th day of May A.D. 1872.
W. T. White, Clerk

C183 - CERTIFICATE OF TRUE COPY OF PAPERS RECORDED.

DORSEY PRINTING COMPANY, STATIONERS, DALLAS - 18551 - Class C

THE STATE OF TEXAS,
County of D. Clerk
of the County Court of D. County, Texas, do hereby certify that the
foregoing is a true and correct copy of the original
as the same appears of record in my office
in book A page 20 of the Marriage records of D. County,
GIVEN UNDER MY HAND AND OFFICIAL SEAL, At my office in Cope Texas,
this 30 day of May A.D. 1872
[U.S.] Clerk W. T. White Court D. Co., Texas
By W. T. White Deputy

170

James H. Whitney.

James H. Whitney says:

I have been living in the Territory
11 years. I was in Oklahoma 1 1/2 months last fall. My post office
is center.

Adm. n. Sent 23 1898.

James H. Whitney

enrolled.

Choc 5126 James T. Hunter

5126

James G. ...

...

Note

to 171

James T. Hunter and others.

James T. Hunter says:

I came here from Texas in August 1898.

James T. Hunter
R.M. Hunter

Admitted Sept 23 1898.

enrolled.

Choc 5127 Mary May

Nos 3-4 Dismissed Sep 15, 1904

5127

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

Record in the matter of the application for enrollment
as citizens by blood of the Choctaw Nation of:

ORA AMANDA MAY, ET AL.,

7-5127.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

-----:o:-----

Ardmore, Indian Territory, November 23rd, A. D., 1898.

-----:o:-----

John T. Hunter, et al,

Vs.

Court case No. 73

Choctaw Nation.

-----:o:-----

LUTHER MAY, being duly sworn by Commissioner A. S. McKennon,
on his oath, says:

I am the husband of Mary May, admitted to Choctaw citizenship
in the case of John T. Hunter, et al, vs. Choctaw Nation in the
United States Court for the Central District, at Ardmore, on the
17th day of January, 1898, Court case # 73, and that on the 19th
day of October, 1898, we had born to us a female child whom we have
named Ora Amanda and who is now living.

IN RE

Application for Enrollment of
INFANT CHILD

Emma Lora May
as a citizen of

The Choctaw Nation

APR 26 1902 1902

[Signature]
Commissioner

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

FILED

APR 26 1902

[Signature]
ACTING CHAIRMAN

5127

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

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,
of *Emma Lora May*, born on the *31st* day of *October*, 1901
(Here insert name of child)
Name of Father: *Luther May*, a citizen of the *United States* Nation.
Name of Mother: *Mary May*, a citizen of the *Choctaw* Nation.
Post-office, *Purcell, I.T.*

AFFIDAVIT OF MOTHER.

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

I, *Mary May*, on oath state that I am *thirty*
years of age and a citizen, by *Court decree at Ardmore, I.T.* of the *Choctaw* Nation;
that I am the lawful wife of *Luther May*, who is a citizen, by
of the *United States* Nation, that a *female* child was
born to me on the *31st* day of *October*, 1901; that said child has been
named *Emma Lora May*, and is now living.

WITNESSES TO MARK
(Must be Two Witnesses) } *Luther May*
Brown Miller

Mary May

Subscribed and sworn to before me this *22nd* day of *April*, 1902.
Brown Miller
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, *G. M. Tralle*, a *physician*, on oath state that I
attended on Mrs. *Mary May*, wife of *Luther May*,
on the *31st* day of *October*, 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 *Emma Lora May*.

WITNESSES TO MARK
(Must be Two Witnesses) } *Brown Miller*
G. M. Tralle

G. M. Tralle

Subscribed and sworn to before me this *22nd* day of *April*, 1902.
Brown Miller
NOTARY PUBLIC

362

7-5127.

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

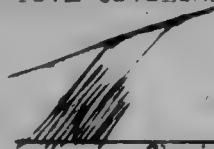
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In the matter of the application for the enrollment of Ora Amanda May and Emma Lora May as citizens by blood of the Choctaw Nation.

-----0-----

The applicants, Ora Amanda May and Emma Lora May, claim their right to enrollment as citizens by blood of the Choctaw Nation through their mother Mary May. The right of the applicants' mother Mary May to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case No. 49 upon the Tishomingo docket of said court it is hereby ordered that the application of Ora Amanda May and Emma Lora May for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



Chairman.

Muskogee, Indian Territory,

SEP 15 1904

Choctaw-5127

COPIES:

Muskogee, Indian Territory, September 15, 1904.

Mary May,

Purcell, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 15, 1904, dismissing the application for the enrollment of Ora Amanda May and Emma Lora May as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

Tame Bixby.

Chairman.

Incl. 7-5127.

Choctaw-5127

OPY

Muskegee, Indian Territory, September 15, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated September 15, 1904, dismissing the application for the enrollment of Ora Amanda May and Emma Lora May as citizens by blood of the Choctaw Nation.

respectfully,
(SIGNED)

James Dixby.

Chairman.

Incl. 7-5127.

7
Al

10172

7th

Choctaw

Orn Amanda May
Born Oct 14-90
to Miss Mary Ann Adams
at Ardmore, Okla. 1890
Court case 73.

Father: Luther H. Adams

Place on land in 70 6 17 2.

~~1112~~
7-5127

Muskogee, I.T., February 20, 1901.

Luther May,

Purcell, Ind.Ter.

Dear Sir:-

In the judgment of the United States Court at Ardmore, admitting your wife, Mary May, to citizenship in the Choctaw Nation, there are admitted with her, as her children, May May and Elvin May. The original application made to the Commission to the Five Civilized Tribes in 1896, however, gives the names of your wife, Mary May, and her children, Turner, Ella and Elvin May. The application made in 1899 for the enrollment of your wife and children, gives the names of your children as Annie E. (Elvin), and Ora Aranda, an infant. Will you kindly advise the Commission if you have a child named May May; also, Turner and Ella May. Our records do not show that any application has been made for May May, Turner May or Ella May. Please give us full information, that will enable the Commission to straighten out the names of your children. There is enclosed you herewith an envelope for your reply; the envelope will not require a stamp.

Yours truly,

Acting Chairman.

Env.
Choc. Ct. Case
So. Dist. #73

Muskogee, Ind. Ter., March 4, 1901.

Mr. Luther May,

Purcell, Ind. Ter.

Dear Sir:-

The Commission in its report of January 27, 1901, in reply to its letter of February 22, 1900, advised the names of your children.

In the application which you made in Purcell, Ind. in September, 1898, for the enrollment of your wife and children, you only gave the name of your wife, Mary May, and one child, Annie E. May, and stated that Annie E. was admitted as "Elvin." As the original application made to the Commission in 1898 for citizenship in the Choctaw nation mentions your second child as Ella, and your third youngest child as Elvin, it would seem to the Commission that the judgment of the United States Court admitting one "Elvin" May to citizenship intended to admit your son Eldon C. The Court judgment only admitted two of your children, "May and "Elvin." Your oldest child, Turner B. May, was included in the original application made to the Commission in 1898, under the name of Turner May. This application was denied by the Commission, and when appeal was taken to the U. S. Court, the name of Turner May was not mentioned in the appeal papers; so no appeal was ever taken from the decision of the Commission denying the application made for this child.

Your youngest child, Ora Amanda, was born subsequent to the Court judgment, and she was duly listed for enrollment upon the pre-

sentation of proper affidavits of birth.

In view of the confusion that exists in regard to the names of your children, the Commission would suggest that at some time in the near future you appear before it at its general office in Muskogee, Indian Territory, in order that such additional testimony may be taken as will enable the Commission to straighten out the tangle of names, and properly list for enrollment such of your children as may be identified as having been admitted by the judgment of the Court in question.

Yours very truly,

Acting Chairman.

Choc. Ct. case
So. Dist #73

7-5127

Muskogee, Indian Territory, April 26, 1902.

Luther May,

Purcell, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Emma Lora May, infant daughter of Luther and Mary May, born October 21, 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.

Mary May and others.

or

Luther May says:

Annie Elva was admitted as "Elvin".

I live in Arkansas 5 years ago, and went to Oklahoma. I came to the Territory in August 1898 .

Ardmore Sept. 23 1898.

Mary May

Annie E. May

enrolled.

Choc 5128 John T. Hunter

Nos 7-8 Dismissed Sep 15, 1904

5128

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:

ISAAC R. HUNTER, ET AL., 7-5128.

John T. Hunter and others.

John T. Hunter says:

Isaac R. was born December 16th 1897 .

I have been living in the Chickasaw Nation 11 years continuously.

John T. Hunter
Kate Hunter
Mary M. Hunter
Mattie C. Hunter
George W. Hunter
Jesse J. Hunter
Isaac R. Hunter

Ardmore, Sept. 23 1898.

enrolled.

IN RE

Application for Enrollment of

INFANT CHILD

Ernest Allen Hunter
as a citizen of

Choctaw

Nation.

MAY 21 1901

Approved,

190

Commissioner.

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

FILED

MAY 21 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 *Ernest Cecil Hunter*, born on the *24* day of *Apr*, 1901
(Here insert name of child)
Name of Father: *John T. Hunter*, a citizen of the *Choctaw* Nation.
Name of Mother: *Katie Hunter*, a citizen of the *Choctaw* Nation.
Post-office, *Lougherty, D. T.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, *Katie Hunter*, on oath state that I am *thirty five* years of age and a citizen, by *marriage* of the *Choctaw* Nation; that I am the lawful wife of *John T. Hunter*, who is a citizen, by *blood* of the *Choctaw* Nation, that a *male* child was born to me on the *24th* day of *Apr*, 1901; that said child has been named *Ernest Cecil Hunter*, and is now living.

WITNESSES TO MARK

(Must be Two Witnesses)

William Williams
Francis J. Williams

Katie Hunter

Subscribed and sworn to before me this *18* day of *May*, 1901.

John Whitwood
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, *Dr. Thomas Cape*, a *physician*, on oath state that I attended on Mrs. *Katie Hunter*, wife of *John T. Hunter*, on the *24th* day of *Apr*, 1901; that there was born to her on said date a *male* child; that said child is now living and is said to have been named *Ernest Cecil Hunter*.

WITNESSES TO MARK

(Must be Two Witnesses)

William Williams
Francis J. Williams

Dr. Thomas Cape

Subscribed and sworn to before me this *18* day of *May*, 1901.

John Whitwood
NOTARY PUBLIC

7-5128

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

In the matter of the application for the enrollment of Isaac R. Hunter and Ernest Cecil Hunter as citizens by blood of the Choctaw Nation.

The applicants, Isaac R. Hunter and Ernest Cecil Hunter, claim their right to enrollment as citizens by blood of the Choctaw Nation through their father John T. Hunter. The right of the applicants' father, John T. Hunter, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case No. 49 upon the Tishomingo docket of said court, it is hereby ordered that the application of Isaac R. Hunter and Ernest Cecil Hunter for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,


Chairman.

Muskogee, Indian Territory,

SEP 13 1904

Choctaw-5128

COPY!

Muskogee, Indian Territory, September 15, 1904.

John T. Hunter,

Dougherty, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 15, 1904, dismissing the application for the enrollment of Isaac R. Hunter and Ernest Cecil Hunter as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Wams - Erby.

Chairman.

Registered.

Incl. 7-5128.

Choctaw-5129

COPY.

Muskogee, Indian Territory, September 15, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated September 15, 1904, dismissing the application for the enrollment of Isaac R. Hunter and Ernest Cecil Hunter as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Dixby.

Chairman.

Incl. 7-5-28.

193

Muskogee, Indian Territory, May 21, 1901.

Mr. John T. Hunter,

Dougherty, Indian Territory.

Dear Sir:

The Commission is in receipt of an application for enrollment as a citizen of the Choctaw Nation of Ernest Cecil Hunter, the infant son of John T. and Katie Hunter, born April 24, 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.

7-5188.

Choc 5129 Clinton A. Hunter

7, 8, 9 Dismissed 9-15-1904

5129

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:

ALECK E. HUNTER, ET AL.,

7-5129.

Clinton A. Hunter and others.

Clinton A. Hunter says:

Aleck E. was born July 6th 1897.

I have been living in the Chickasaw Nation for 13 years continuously.

Witness, Sept. 23 1898.

Clinton A. Hunter
Mary Hunter
Moses S. Hunter
Lillie M. Hunter
Charles R. Hunter
Lottie L. Hunter
Aleck E. Hunter

enrolled.

Department of the Interior.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,
of *Indian Tex*, born on the *8* day of *March*, 1899.

Name of father: *Clinton A Hunter*, a citizen of the *Choctaw* Nation.

Name of mother: *Mary Hunter*, a citizen of the *Choctaw* Nation.

Post Office: *Mill Creek*
Ind. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.

Southern District.

I, *Mary Hunter*, on oath, state that I am *35* years of age and a citizen, by *adoption*, of the *Choctaw* Nation; that I am the lawful wife of *Clinton A Hunter* who is a citizen, by *blood*, of the *Choctaw* Nation; that a child was born to me on the *8* day of *March*, 1899; that said child has been named *Newey Hunter* and is now living.

Subscribed and sworn to before me this *28* day of *April*, 1899.

Mary Hunter
W. J. Forester

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.

Southern District.

I, *H. S. Hannon*, a *Physician* on oath, state that I attended on Mrs. *Mary Hunter*, wife of *Clinton A Hunter* on the *8* 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 *Newey Hunter*.

Subscribed and sworn to before me this *28* day of *April*, 1899.

H. S. Hannon
W. J. Forester

Notary Public.

Department of the Interior.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the *Chocktaw* Nation,
of *Millcreek Ind. T.*, born on the *8* day of *March*, 1899.

Name of father: *Clinton A. Hunter*, a citizen of the *Chocktaw* Nation.

Name of mother: *Mary Hunter*, a citizen of the *Chocktaw* Nation.

Post Office: *Millcreek Ind T*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I *Mary Hunter*, on oath, state that I am *34* years of age and a citizen, by *adoption* of the *Chocktaw* Nation; that I am the lawful wife of *Clinton A Hunter* who is a citizen, by *blood* of the *Chocktaw* Nation; that a child was born to me on the *8* day of *March*, 1899; that said child has been named *Dewey Hunter* and is now living.

Subscribed and sworn to before me this *18* day of *March*, 1899.

M. J. Forrester

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, *H. S. Holloway*, a physician, on oath, state that I attended on Mrs. *Mary Hunter*, wife of *Clinton A Hunter* on the *8* day of *March*, 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 *Dewey Hunter*.

Subscribed and sworn to before me this *18* day of *March*, 1899.

M. J. Forrester

Notary Public.

CHOCTAW.

20

IN RE

Application for Enrollment of

INFANT CHILD

Gene Hunter

as a citizen of the

CHOCTAW

Nation

Approved. DEC 3 1900 190

[Signature]
Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

DEC 3 1900

[Signature]
ACTING CHAIRMAN.

CHOCTAW.

5129

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

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,
of *Lonie Hunter*, born on the *2* day of *October*, 1900
(Here insert name of child.)
Name of Father: *C.A. Hunter*, a citizen of the *Choctaw* Nation.
Name of Mother: *Mollie*, a citizen of the *Choctaw* Nation.
Post-office, *Mill Creek*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA.

INDIAN TERRITORY
Southern District.

I, *Mollie Hunter*, on oath state that I am *36*
years of age and a citizen, by *marriage* of the *Choctaw* Nation;
that I am the lawful wife of *C.A. Hunter*, who is a citizen, by
Blood of the *Choctaw* Nation; that a *Male* child was
born to me on the *2* day of *October*, 1900; that said child has been
named *Lonie Hunter*, and is now living.

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this *26* day of *November* 1900.

S.W. Frost
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA.

INDIAN TERRITORY
District.

I, *D. R. Doney*, a *Physician*, on oath state that I
attended on Mrs. *Mollie Hunter*, wife of *C.A. Hunter*,
on the *2nd* day of *October*, 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 *Lonie Hunter*.

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this *27* day of *October*, 1900.

D. R. Doney, M.D.
NOTARY PUBLIC

2610

7-5129.

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


-----o-----

In the matter of the application for the enrollment of Aleck E. Hunter, et al., as citizens by blood of the Choctaw Nation.

-----o-----

The applicants, Aleck E. Hunter, Dewey Hunter and Lonie Hunter, claim their right to enrollment as citizens by blood of the Choctaw Nation through their father Clinton A. Hunter. The right of the applicants' father, Clinton A. Hunter, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case No. 49 upon the Tishomingo docket of said court, it is hereby ordered that the application of Aleck E. Hunter, Dewey Hunter and Lonie Hunter for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



Chairman.

Muskogee, Indian Territory,

SEP 15 1904

Choctaw-6129

COPY!

Muskogee, Indian Territory, September 15, 1904.

Clinton A. Hunter,

Mill Creek, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 15, 1904, dismissing the application for the enrollment of Aleck E. Hunter, Dewey Hunter and Lonie Hunter as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

James Dixby.

Chairman.

Incl. 7-5129.

Choctaw-5129

COPY.

Muskogee, Indian Territory, September 15, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated September 15, 1904, dismissing the application for the enrollment of Aleck E. Hunter Dewey Hunter and Lonie Hunter, as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Dixby.

Chairman.

Incl. 7-5129.

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Muskogee, Indian Territory, December 3, 1900.

Mr. Clinton A. Hunter,
Mill Creek, Indian Territory,

Dear Sir:

The Commission is in receipt of the application for enrollment as a citizen by blood of the Choctaw Nation of Lonie Hunter, the infant son of Mellie and C. A. Hunter, and the same, being in proper form, has been duly filed with the records of the Commission, and the child will be listed for enrollment as a citizen by blood of the Choctaw Nation.

Yours truly,

Acting Chairman.

Choctaw 5129

Muskogee, Indian Territory, August 1, 1902.

Newt G. Wilson,

Tishomingo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of July 29, 1902, in which you desire to be advised if Clint . Hunter and his wife appear upon our records as citizens of either the Choctaw or Chickasaw Nations.

In reply to your letter you are advised that it does not appear from our records that any person by the name of Clint H. Hunter has ever made application to this Commission for enrollment as a citizen of either the Choctaw or Chickasaw Nations.

It does appear, however, that on September 23, 1898, Clinton A. Hunter, 36 years of age, of full blood, Indian Territory, his wife, Mary Hunter and their seven minor children were listed for enrollment by this Commission as citizens of the Choctaw Nation, having been admitted to such citizenship by a judgment of the United States Court for the Southern District of the Indian Territory, rendered at Ardmore, Indian Territory, on January 17, 1898, in Choctaw citizenship case No. 73.

Yours truly,

Acting Chairman.

7-C-174.

Muskogee, Indian Territory, August 21, 1902.

Newt G. Wilson,
Tishomingo, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 14th instant, requesting information relative to the status of the application for the enrollment of Clinton A. Hunter as a citizen of the Choctaw Nation.

In reply you are advised that on September 23, 1898, application was made to this Commission for the enrollment of Clinton A. Hunter, his wife, Mary Hunter, and their five minor children, Moses S., Lillie M., Charles R., Lettie L. and Aleck E. Hunter as citizens of the Choctaw Nation, the six first named having been admitted to such citizenship by the United States Court for the Southern District of Indian Territory, under the act of Congress of June 10, 1896, on January 17, 1897, Court case No. 73, and the minor child Aleck E. Hunter having been born subsequent to the admission of his parents.

Application was afterwards made to the Commission for the enrollment of the minor children, Dewey and Louie Hunter, who were born to Clinton A. and Mary Hunter after the filing of the original application in this case.

H. C. W., 2.

No final action has been taken by the Commission in the matter of the application for the enrollment of these parties as citizens of the Cheetaw Nation, but it is probable that the same will be taken up for consideration at an early date, at which time the parties interested will be advised of the decision of the Commission, and of the forwarding of the record to the Secretary of the Interior for review.

Yours truly,

Acting Chairman.

Muskogee, Indian Territory, January 23, 1903.

Newt G. Wilson,
Tishomingo, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of January 4, asking relative to the rights of Clinton A. Hunter and other court claimants.

In reply to your letter you are advised that it appears from our records that Clinton A. Hunter, his wife, and their minor children, were admitted to citizenship in the Choctaw Nation under a judgment of the United States Court for the Southern District of the Indian Territory, at Ardmore, rendered January 17, 1898, in citizenship case Number 73. 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 Courts in Indian Territory, admitting persons to citizenship in the Choctaw and Chickasaw Nations.

It may be added that lands upon which the so-called court claimants have improvements, not in excess of lawful allotments,

H C V S

will not be allotted to any citizen until the rights of the said court claimants are finally determined.

Respectfully,

Acting Chairman.

Choc 5130 James T. Hunter
#3-4-5 Dismissed 9-15-04

5130

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

)))0(((

Record in the matter of the application for enrollment as citizens by blood of the Choctaw Nation of:

ROY L. HUNTER, ET AL.,

7-5130.

James J. Hunter and others.

James J. Hunter says:

Roy L. was born June 10th 1897.

I have been living in the Nation 11 years continuously.

Andmore, Sept. 23 1898.

James J. Hunter
Lula Hunter
Roy L. Hunter

enrolled.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,
 of *Marta Hunter*, born on the *15* day of *August*, 18*77*.
 Name of father *James J Hunter*, a citizen of the *Choctaw* Nation.
 Name of mother: *Lulie Hunter*, a citizen of the *Choctaw* Nation.
 Post Office: *Dorchester*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Southern District.

I, *Lulie Hunter*, 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 *James J Hunter* who is a citizen, by *Birth*, of the *Choctaw* Nation; that a *Boy* child was born to me on the *5* day of *August*, 18*77*; that said child has been named *Marta Hunter* and is now living.

Subscribed and sworn to before me this *23* day of *December*, 18*77*.
[Signature]
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Southern District.

I, *W J Reeves*, a *Physician*, on oath, state that I attended on Mrs. *Lula Hunter*, wife of *James J Hunter* on the *15* day of *Aug*, 18*77*; 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 *Marta Hunter*.

Subscribed and sworn to before me this *23* day of *December*, 18*77*.
[Signature]
 Notary Public.

IN RE

Application for Enrollment of

INFANT CHILD

Paulah Hunter

as a citizen of

Choctaw Nation.

DEC 23 1901

Approved

190

C. R. Beecham
Commissioner.

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

FILED

DEC 23 1901

[Signature]

ACTING CHAIRMAN

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

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
 of Beulah Hunter, born on the 12 day of September, 1901
Here insert name of child
 Name of Father: J. J. Hunter, a citizen of the Choctaw Nation.
 Name of Mother: Lula Hunter, a citizen of the Choctaw Nation.
 Post-office,

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, Lula May Hunter, 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 J. J. Hunter, 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 September, 1901; that said child has been
 named Beulah, and is now living.

WITNESSES TO MARK

(Must be Two Witnesses) | R. B. Jarrow
 | Alpha Russell.

Lula May Hunter

Subscribed and sworn to before me this 20 day of Dec, 1901.

R. B. Jarrow
 NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, N. B. Beckenridge, a Physician, on oath state that I
 attended on Mrs. J. J. Hunter, wife of J. J. Hunter,
 on the 12th 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 Beulah.

WITNESSES TO MARK:

(Must be Two Witnesses) | R. B. Jarrow
 | Alpha Russell.

N. B. Beckenridge M.D.

Subscribed and sworn to before me this 20 day of Dec, 1901.

R. B. Jarrow
 NOTARY PUBLIC

066

7-5130.

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

----0----

In the matter of the application for the enrollment of Roy L. Hunter, Manta Irvin Hunter and Beulah Hunter as citizens by blood of the Choctaw Nation.

----0----

The applicants, Roy L. Hunter, Manta Irvin Hunter and Beulah Hunter, claim their right to enrollment as citizens by blood of the Choctaw Nation through their father James J. Hunter. The right of the applicants' father, James J. Hunter, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case No. 49 upon the Tishomingo docket of said court, it is hereby ordered that the application of Roy L. Hunter, Manta Irvin Hunter and Beulah Hunter for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,


Chairman.

Muskogee, Indian Territory,

SEP 15 1904

COPY!

Choctaw-5130

Muskogee, Indian Territory, September 15, 1904.

James J. Hunter,

Dougherty, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 15, 1904, dismissing the application for the enrollment of Roy L. Hunter, Manta Irvin Hunter and Beulah Hunter as citizens by blood of the Choctaw Nation.

Respectfully,

Yours truly,

James Sibly.
Chairman.

Incl. 7-5130.

Choctaw-5130

COPY:

Muskogee, Indian Territory, September 15, 1904.

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

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated September 15, 1904, dismissing the application for the enrollment of Roy L. Hunter, Manta Irwin Hunter and Beulah Hunter as citizens by blood of the Choctaw Nation.

Respectfully,

IGNELP

Wm. D. Doby
Chairman.

Incl. 7-5130.

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Muskogee, Indian Territory, December 23, 1901.

J. J. Hunter,

Dougherty, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Beulah Hunter, the infant daughter of J. J. and Lula Hunter, born September 12, 1901, and the same being in proper form has been duly filed with the records of this office and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Commissioner in Charge.

9-5130

choc 5131 Jas H. Cunningham

5131

Handwritten text, possibly a signature or name, located on the left side of the page.

Handwritten text, possibly a signature or name, located in the center of the page.

Handwritten text, possibly a signature or name, located in the lower-left area of the page.

James H. Cunningham and others.

W. Cunningham says:

James H. was admitted as "James".

William A. was admitted as "Arthur".

Mabel F. was admitted as "Frances".

Joseph E. was admitted as "Joseph".

I have been living in the Territory for 12 years, continuously.

James H. Cunningham
William A. Cunningham
Gertrude Cunningham
Georgia Cunningham
Mabel F. Cunningham
Joseph E. Cunningham

Sent 1898.

enrolled.

Choc 5132 James Isgrigg

5132

Q 177

James Isgrigg .

Q

James Isgrigg says:

I have been living in the Chickasaw Nation
continuously since 1886.

At Morea, Sept. 23 1898.

James Isgrigg

enrolled.

Choc 5133 Effie M. Gilliland

#2-3 Dismissed Sep 15, 1904

5133

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:

JOHN E. GILLILAND, ET AL.,

7-5133.

E ffie M. Gilliland and others.

J.D.Gilliland says:

Effie M. Gilliland was admitted as "Effie M. Hunter".

John E. was born Aug.24th 1898 .

I have been living in Texas until about the middle of last August .I then moved here with my wife.

Sec.

E ffie M. Gilliland
John E. Gilliland

enrolled.

IN RE

Application for Enrollment of
INFANT CHILD.

Stan Alondrr Gilliland

As a citizen of the

Choctaw Nation.

Approved

MAY 24 1900 1

[Signature]
Commissioner.

FILED
MAY 24 1900
COMMISSIONER

(61)

Department of the Interior.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation.
 of *Dean Olander Gilliland*, born on the *3rd* day of *December*, 1899
 Name of father: *James D. Gilliland*, a citizen of the *United States*.
 Name of mother: *Effie M. Gilliland*, a citizen of the *Choctaw* Nation.
 by blood, duly enrolled Post Office: *Deer Creek*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Southwest District.

I, *Effie D. Gilliland*, on oath, state that I am *20* years of age and a citizen, by *blood*, of the *Choctaw* Nation; that I am the lawful wife of *James D. Gilliland* who is a citizen, of the *United States* Nation; that a *male* child was born to me on the *3rd* day of *December*, 1899; that said child has been named *Dean Olander Gilliland* and is now living.

Subscribed and sworn to before me this *20th* day of *January*, 1900.
Jeff Sharp Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

~~UNITED STATES OF AMERICA.~~
~~INDIAN TERRITORY.~~
State of Texas
County of Cook SS

I, *J. R. Harper*, a practicing physician, on oath, state that I attended on Mrs. *Effie M. Gilliland*, wife of *James D. Gilliland* on the *3rd* 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 named *Dean Olander Gilliland*.

Subscribed and sworn to before me this *20th* day of *JANUARY*, 1900.
W. J. Williams, J.P. and Co. office Notary Public.
W. J. Williams

(164)


7-5132.

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

In the matter of the application for the enrollment of John E. Gilliland and Dean Olander Gilliland as citizens by blood of the Choctaw Nation.

The applicants, John E. Gilliland and Dean Olander Gilliland, claim their right of enrollment as citizens by blood of the Choctaw Nation through their mother Effie M. Gilliland. The right of the applicants' mother, Effie M. Gilliland, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case No. 48 upon the Tishomingo docket of said court, it is hereby ordered that the application of John E. Gilliland and Dean Olander Gilliland for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,


Chairman.

Muskogee, Indian Territory,

SEP 15 1904

Choctaw-5133

COPY!

Muskogee, Indian Territory, September 15, 1904.

Mffie M. Gilliland,

Dibble, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 15, 1904, dismissing the application for the enrollment of John E. Gilliland and Dean Olander Gilliland as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

James L. Luby.

Chairman.

Registered.

Incl. 7-5133.

Choctaw-5133

COPY.

Muskogee, Indian Territory, September 15, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated September 15, 1904, dismissing the application for the enrollment of John E. Gilliland and Dean Olander Gilliland, as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

James H. Hoxby

Chairman.

Incl. 7-5133.

COMMISSIONERS.

HENRY L. DAWKES,
TAMM HURST,
ALEXANDER S. MCKENNON,
THOMAS L. NEEDLES,
ALFRED J. AYERBROOK, SECRETARY.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1900.

Mr. J. P. Sharp;

Purcell, Indian Territory,

Dear Sir:

There is returned to you herewith birth certificate in the matter of the application for enrollment of Dean Glander Gilliland. You will note that the physician neglected to state in his certificate the sex of the child. When this correction is made, please return the document to this office.

Yours truly,

Acting Chairman.

Inclosure-19.

Al. Tull
C. 178.

Mustang, Indian Territory, July 18, 1901.

Mr. Davis Cross,

Dibble, Indian Territory,

Dear Sir:-

Receipt is hereby acknowledged of your letter of June 19, 1901, in which you desire to be informed if Ella Gilliland has been enrolled as a citizen of either the Choctaw or Chickasaw Nations.

Replying to your inquiry, you are informed that it appears from our records that on September 1, 1898, Ella Gilliland, seventy-one years of age of Lone Grove, Indian Territory, was listed for enrollment as a citizen of the Choctaw Nation, having been admitted to such citizenship by a judgment of the United States Court for the Southern District of the Indian Territory, rendered at Ardmore, Indian Territory, January 17, 1898, in court case number 73. Since that date two children have been born to Mrs. Gilliland, John F. and Dean Olander, who have also been listed for enrollment as citizens of the Choctaw Nation. There is a question as to the rights of these people for enrollment as citizens of the Choctaw Nation as it appears from the testimony in this case that they were residents of the state of Texas until about the middle of August 1898, and it does not appear that they have complied with

D.C. -2-

that provision of the Act of Congress of June 28, 1898, which provides:

"No person shall be enrolled who has not heretofore removed to and in good faith settled in the Nation in which he claims citizenship."

Yours truly,

7-5133.

Acting Chairman.

Muskogee, Indian Territory, July 16, 1903.

H. H. Weeden,

Dibble, Indian Territory.

DEAR Sir:

Receipt is hereby acknowledged of your letter of July 10, asking relative to the enrollment of Jim Gilliland and his wife, Effie Gilliland.

In reply to your letter you are informed that it appears from our records that Effie M. Gilliland, wife of J.D. Gilliland, was admitted to citizenship in the Choctaw Nation by a judgment of the United States Court for the Southern District in Indian Territory, rendered at Ardmore January 17, 1898, in court case, citizenship docket, No. 73. It does not appear from our records that her husband, J.D. Gilliland, was included in this judgment. Under the provisions of the act of Congress of July 1, 1902, which was ratified by the Choctaw and Chickasaw Nations on September 25, 1902, the

H.H.W.-----2

Commission is prohibited from enrolling or making allotment of land in the Choctaw and Chickasaw Nations to persons whose rights to citizenship are dependent upon judgments of the United States Courts in Indian Territory, until a final determination of their claims.

Respectfully,

Commissioner in Charge.

Choc 5134 James H. Bounds

5134

Muskogee, Indian Territory, July 11, 1901.

Messrs. Potter & Potter,
Attorneys at Law,
Gainesville, Texas.

Gentlemen:

The Commission has had before it for some time your letter of June 13, 1901, calling attention to the fact that on January 26, 1900, you addressed a communication to this Commission relative to the enrollment of James H. Bounds as a citizen by intermarriage of the Choctaw Nation, and his two sons, Young Walker and James Bounds, as citizens by blood of the Choctaw Nation.

In your letter of January 26, 1901, you stated that Judge Townsend of the United States Court for the Southern District of the Indian Territory, on January 25, 1900, set aside the judgment theretofore rendered in the case of James H. Bounds et al vs. the Choctaw Nation, on the ground that the appeal from the Dawes Commission in that case was not taken in the time prescribed by law.

You further call the attention of the Commission to the fact that the failure to perfect this appeal in the prescribed time, grew out of the mistake of the Secretary of the Commission in notifying you as attorneys for the applicants; that the application originally filed with the Commission had been granted in full,

4

P. & P.--2.

where, in fact, it had only been granted to a number of the original applicants and rejected as to the others; and that you were not advised of the true status of the case as passed upon by this Commission until after the expiration of the sixty days.

You further state that after the appeal was perfected, the United States Court for the Southern District of the Indian Territory rendered a judgment admitting all the parties in this claim to citizenship in the Choctaw Nation, and that while this judgment was so pending and recognized as in full force, Mr. Bounds appeared before the Commission at Ardmore, Indian Territory, and had himself and his entire family enrolled by virtue of that judgment.

The inquiry you seemed to make in your letter of January 26, 1900, is as to whether after the order of the court correcting the judgment, would it be necessary for James H. Bounds to again present himself before the Commission for enrollment or would the Commission take his name from the original entry of its records and enroll him.

On January 29, 1900, the Commission acknowledged the receipt of your letter above referred to, and notified you that the same would be called to the attention of the Commission upon the return of Capt. McKennon from Washington.

In your letter of June 13th you again renew the inquiries contained in your letter of January 26, 1900, and also as to whether

4

P. & P.--3.

it would be necessary for you to take any further steps in order to avail yourself of the right to present the question of the rejection of Mrs. Fannie Bounds and her two children, to the Secretary of the Interior when the rolls of the citizens of the Choctaw Nation are presented to him.

The history of this case as it appears upon our records is as follows:

Under the Act of Congress of June 10, 1896, and on September 8, 1896, there was filed the original application of James H. Bounds et al. for citizenship in the Choctaw Nation. The original petition as filed with the Commission in this case prayed for the admission to citizenship in the Choctaw Nation of James H. Bounds, his wife, Fannie Bounds, and their four children, Young Walker, James, Overton Martin and Frank Bounds.

The original petition recites that James H. Bounds was on the 25th day of November, 1875, lawfully married to Joanna Martin, a Choctaw Indian, and as fruits of such marriage there were born two children, Young Walker and James Bounds. Joanna Bounds died on June, 1891, and on January 24, 1893, James H. Bounds married Fannie Martin, a white woman, and a citizen of the United States, and as fruits of this marriage there were born two children, Overton Martin and Frank Bounds.

It appears that the application for citizenship of these per-

4

P. & P.--4.

sons was for James H. Bounds as a citizen by intermarriage of the Choctaw Nation by reason of the marriage to his Indian wife, and the offspring of such marriage, Young Walker and James Bounds, and also for his present wife, Fannie Bounds, and their two children by such marriage.

On October 3, 1896, the answer of the Choctaw Nation was filed to this original application, and in which it was contended that James H. Bounds was on January 24, 1893, married to a white woman a citizen of the United States, contrary to the laws of the Choctaw and Chickasaw Nations, and thereby forfeited his rights, if any he had, as an intermarried citizen, and that he could confer no rights on his last named wife, Fannie Bounds, or issue of their marriage."

On December 4, 1896, the Commission admitted to citizenship in the Choctaw Nation, James H. Bounds as an intermarried citizen, and Young Walker and James Bounds as citizens by blood of the Choctaw Nation, but denied the application on behalf of Fannie Bounds and her two children, Overton Martin and Frank Bounds.

Whether or not the interested persons in this ~~application~~ were duly notified of this action of the Commission does not appear on our records. It does appear, however, that an appeal was prayed from the decision of the Commission denying citizenship to Mrs. Fannie Bounds, Overton Martin and Frank Bounds, and on July 30, 1897, the United States Court for the Southern District of the

P. & P.--5.

Indian Territory, directed this Commission to forward to the Clerk of that Court all of the original papers filed, used and considered in such cause by this Commission, together with judgments and entries made and entered in trial and consideration of such cause. These papers were duly transmitted and receipted for by the Clerk of said Court on the 5th day of August, 1897.

On December 21, 1897, the United States Court for the Southern District of the Indian Territory, rendered a judgment in words as follows:

"It is therefore ordered and adjudged that James H. Bounds, and Young Walker Bounds and James Bounds, Jr., sons of said James H. Bounds, by his first wife, and Mrs. Fannie Bounds the present wife of the said James H. Bounds, and Overton Martin Bounds and Frank Bounds, sons of the said James H. Bounds and Fannie Bounds, be, and they are hereby admitted to citizenship in the said Cheotaw Nation and to membership in said Cheotaw Tribe of Indians, with all the rights and privileges of a native Cheotaw Indian, and that all of said parties be enrolled as such members and citizens."

After the approval of the Act of Congress of June 28, 1898, authorizing the Commission to prepare rolls of citizenship of the five tribes of the Indian Territory, the Commission in the fall of 1898, visited the Chickasaw Nation for the purpose of hearing applications for enrollment as citizens of the Cheotaw and Chickasaw Nations.

On September 23, 1898, Young Walker Bounds, twenty-one years of age, appeared in person before the Commission and made applica-

4

P. & P.--6.

tion for the enrollment of himself and brother, James Bounds, as citizens by blood of the Choctaw Nation. There was no mention made upon the appearance of Young Walker Bounds of the judgment as recorded admitting his father and brother to citizenship in the Choctaw Nation, and the Commission identified young Walker and James Bounds from the 1896 Census Roll as Choctaws residing in the Chickasaw Nation, and they were accordingly duly listed for enrollment as citizens of the Choctaw Nation. On the same date, however, James H. Bounds appeared before the Commission and made application for the enrollment of himself and his wife, Fannie Bounds and his four children, Young Walker, James, Jr., Overton Martin and Frank Bounds, and presented in evidence judgment of the Court of December 21, 1897, admitting them to citizenship in the Choctaw Nation, and in pursuance of such judgment they were duly listed for enrollment as citizens of the Choctaw Nation.

On January 25, 1900, the United States Court for the Southern District of the Indian Territory, vacated the judgment theretofore rendered in the case of James H. Bounds et al. vs. the Choctaw Nation, in words as follows:

Now on this day this cause coming on to be heard upon a motion of the defendant to vacate and set aside the judgment heretofore rendered, admitting plaintiffs to Choctaw citizenship, and it appearing to the Court that the appeal from the decision of the Commission to the Five Civilized Tribes, was

P. & P.--7

not made until after the time fixed by law for such appeals, it is therefore ordered, adjudged and decreed that the judgment heretofore rendered herein be vacated and set aside, the Court having no jurisdiction to render the same, and that this judgment be entered nunc pro tunc.

It is further ordered that a certified copy of this judgment be transmitted to the Commission to the Five Civilized Tribes; this dismissal to be without prejudice to the rights of the parties, and not to in any manner affect or impair the judgment of said Commission in this case, to which the plaintiff excepts."

In accordance with the said order of the Court above mentioned the Commission opposite the names of these persons as listed for enrollment in pursuance of that judgment made notation as follows:

"Names stricken from original judgment by order of the United States Court."

On May 11, 1900, the Commission ordered that James E. Bounds and his two sons, Young Walker and James Bounds, Jr., be listed for enrollment in pursuance of the judgment of the Commission to the Five Civilized Tribes originally entered in this case on December 4, 1896.

In addition to the rights to citizenship accruing to these parties under this judgment of the Commission to the Five Civilized Tribes, they were also identified from the 1896 Census Roll of Choctaws residing in the Chickasaw Nation.

The question upon which you now desire information, would appear to be whether the Commission will now entertain any further application on behalf of Fannie Bounds, Overton Martin and Frank

P. & P.--8.

Bounds. As it appears from the records of the Commission that the only rights these persons ever had to enrollment as citizens of the Choctaw Nation was by virtue of the judgment of the United States Court for the Southern District of the Indian Territory, admitting them to citizenship, and that that Court has since nullified such judgment, it is not considered that any further application can be entertained for their enrollment, and that the original judgment of the Commission to the Five Civilized Tribes, by which these persons were denied citizenship, remains in force.

Yours truly,

Commissioner in Charge.

7-5184

McM

10/11/19

(Copy)

"Exhibit B"

Muskogee, Indian Territory, Jan., 1900.

Messrs. Potter & Potter,

Gainesville, Texas.

Gentlemen:-

Receipt is hereby acknowledged of your letter of January, 26, in the matter of the citizenship of J. F. Bounds et al against the Choctaw Nation. Commissioner McKennon is at present in Washington; on his return to Muskogee the matter will be taken up and you will be advised in the premises.

Yours truly,

Tams Bixby,

Acting Chairman.

(Copy)

"Exhibit C"

Muskogee Indian Territory, Feb., 8, 1900.

Messrs. Potter & Potter,

Attorneys at law,

Gainesville, Texas.

Gentlemen:-

The Commission is in receipt of your letter of January 26, in the matter of the application for enrollment of James H. Bounds. Commissioner McKennon, who had full knowledge of all the circumstances concerning this case is at present in Washington, and upon his return to Muskogee the matter will be laid before him for his consideration, and you will be advised later what action had been taken.

Yours truly,

Tams Bixby,

Acting Chairman.

James H. Bounds and others.

James H. Bounds says:

I married a Choctaw citizen by whom I had 2 children: Young W. and James Jr. She died . I then married my present wife, a U.S. citizen, by whom I have 2 children:Overton and Frank.

I have been in the Chickasaw Nation for 23 years continuously.

And more Sept. 23 1898.

James H. Bounds
Fannie Bounds
Young W. Bounds
Overton M. Bounds
Frank Bounds
James Bounds, Jr.

enrolled.

REFER IN REPLY TO THE FOLLOWING

5000-1007

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

(COPY)

WASHINGTON.

JAN 1 1897

To: _____

Chief of Bureau of Indian Affairs,

Sir:

I have the honor to transmit herewith a communication from the Commissioner to the Five Civilized Tribes, dated January 14, 1897, enclosing the record of proceedings in the matter of the application for the enrollment of Overton Martin Bounds and Frank Bounds, as citizens of the Choctaw Nation.

It appears from the record herein that the petition praying for the enrollment of Overton Martin Bounds and Frank Bounds, as citizens of the Choctaw Nation, was filed with the Commissioner to the Five Civilized Tribes on January 27, 1896.

It further appears that on September 8, 1896, in the case entitled James V. Bounds, et al., vs. the Choctaw Nation, 1896 Choctaw Citizenship Docket, case No. 863, original application was made to the Commission, under the provisions of the Act of Congress approved June 10, 1896, for the admission to citizenship in the Choctaw Nation of the petitioners, Overton Martin Bounds and Frank Bounds, as citizens of that Nation, but that no action was taken thereon by the Commission to the Five Civilized Tribes. Subsequently, an appeal was taken to the United States Court for the Southern District of Indian Territory, which, on December 21, 1897, admitted the petitioners as citizens of the

Choctaw Nation. On January 25, 1900, this court entered of record a nunc pro tunc judgment, setting aside this judgment of December 21, 1899, for the reason that the appeal had not been taken within the time prescribed by law.

The petitioners have their right to enrollment as citizens of the Choctaw Nation by reason of being the minor children of James H. Bounds, an intermarried citizen of the Choctaw Nation, and Fannie Bounds, a non-citizen white woman.

In view of the provisions of the Act of Congress approved June 21, 1900 (34 Stat., 325), which provides for the enrollment of minors, "the children of Indians by blood," the Office is of the opinion that the decision of the Commissioner to the Five Civilized Tribes, dated January 14, 1900, denying the petition for the enrollment of Overton Martin Bounds and Frank Bounds, as citizens of the Choctaw Nation, is correct, and it is respectfully recommended that it be affirmed.

Very respectfully,

BWE--SD

C.F. Larrabee

Acting Commissioner.

Choc 5135 m. J. Vernon

#1-2-3-4-5-6-7 Dismissed Dec 12, 1964

5135

20 J. K. ...

... ..

... ..

180

M.J.Vernon and others.

M.J.Vernon says:

I have been living with my family in the Chickasaw Nation 8 years continuously.

Ardmore Sept 28 1898.

M.J.Vernon
George W. Vernon
Robert E.L.Vernon
Francis M. Vernon
Maudie A. Vernon
Samuel H. Vernon

enrolled.

13908

Certificate of Record of Marriage.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
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. *L. W. Gorman* and M. *Carlie P. Mc Cracken* were filed in my office in said Territory and District the *21* day of *Aug* A. D. 1900, and duly recorded in Book *6* of Marriage Record, Page *63*

WITNESS my hand and Seal of said Court,

at Ardmore, this *21* day
of *Aug* A. D. 1900

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.

ARDMOREITE JOB PRINT, ARDMORE, I. T.

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

FILED

SEP 10 1901



A. J. CHAPMAN

MARRIAGE LICENSE

[Redacted]

UNITED STATES OF AMERICA,)

INDIAN TERRITORY,)

Southern 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. *P. W. Vernon* of *Lone Grove*
in the Indian Territory, aged *23* years, and
Mattie S. McCracken, of *Lone Grove*
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 by hand and official seal, this *13* day

August 1900

J. W. Campbell
Clerk of the United States Court

Certificate of Marriage

UNITED STATES OF AMERICA,)

INDIAN TERRITORY,)

SOUTHERN DISTRICT.)

do hereby certify, that on the *19* day of *August*, A. D. 1900, 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 *20* day of *August*, A. D. 1900

My credentials are recorded in the office of the Clerk of the United States Court,
Indian Territory, Southern District, at Ardmore, Book *K. L. Gage* Page *298*

NOTE. The person officiating should fill in the spaces
for book and page, and sign here. **

K. L. Gage
Minister of 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 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 creden-
tials have first been recorded in the Clerk's office.

13308

INDEXED

CHOCTAW.

IN RE

Application for Enrollment of
Infant Child.

Cesar Lee Vernon

as a citizen of the

Choctaw

Nation.

Approved SEP 20 1901 1901

C. L. Brewster

COMMISSIONER.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

SEP 20 1901

[Signature]
S. J. CHARMAN

AW.

Department of the Interior.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation.
of Oscar Lee Vernon, born on the 5 day of August, 1901.
Name of Father: Wm. Vernon, a citizen of the Choctaw Nation.
Name of Mother: Callie P. Vernon, a citizen of the U. S.
Postoffice: Longrove, S. A.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA.
INDIAN TERRITORY.

Southern District.

I, Callie P. Vernon, on oath state that I am 20 years of age and a citizen of the U. S.
that I am the lawful wife of G. W. Vernon, who is a citizen, by Blood, of the Choctaw Nation; that a male child was born to me on the 5 day of Aug. 1901; that said child has been named Oscar Lee Vernon, and is now living.

WITNESSES TO MARK.

(Must be Two Witnesses.)
W. H. Harper
A. J. Griffin

Subscribed and sworn to before me this 14 day of Sept, 1901.

NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA.
INDIAN TERRITORY.

Southern District.

I, W. H. Harper, a Physician, on oath state that I attended on Mrs. Callie P. Vernon, wife of George Vernon, on the 5th day of August, 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 Oscar Lee Vernon.

WITNESSES TO MARK.

(Must be Two Witnesses.)
A. J. Griffin
W. H. Campbell

Subscribed and sworn to before me this 14 day of Sept, 1901.

NOTARY PUBLIC.

MJ
7-5135

7-5135.

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

In the matter of the application for the enrollment of M. J. Vernon as a citizen by intermarriage, and for the enrollment of her children, Geo. W. Vernon, Robert E. J. Vernon, Francis M. Vernon, Maudie A. Vernon, Samuel H. Vernon and Oscar Lee Vernon, as citizens by blood, of the Choctaw Nation.

-----oOo-----

It appears from the records of the Commission to the Five Civilized Tribes that on September 8, 1896 in the case entitled "Dr. Boron Vernon, et al., vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, case number 250) original application was made to the 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 the applicants M. J. Vernon, Geo. W. Vernon, Robert E. L. Vernon, Francis M. Vernon, Maudie A. Vernon and Samuel H. Vernon, and on December 2, 1896 the said M. J. Vernon, Geo. W. Vernon, Robert E. L. Vernon, Francis M. Vernon, Maudie A. Vernon and Samuel H. Vernon were by this Commission 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 "D. B. Vernon, et al., vs. Choctaw Nation" (Citizenship Case, number 98) reversed the decision of the Commission denying the said M. J. Vernon, Geo. W. Vernon, Robert E. L. Vernon, Francis M. Vernon, Maudie A. Vernon and Samuel H. Vernon admission to citizenship in the Choctaw Nation and admitted the said M. J. Vernon as a citizen by intermarriage, and the said Geo. W. Vernon (as George W. Vernon), Robert E. L. Vernon, Francis M. Vernon, Maudie A. Vernon (as Manda A. Vernon) and Samuel H. Vernon as citizens by blood, of the Choctaw Nation.

The applicant Oscar Lee Vernon is a son of the applicant Geo. W. Vernon, and Callie P. Vernon, a noncitizen, and, having been born subsequent to the date of the original application made herein to the Commission in 1896, is identified by proper proof of birth filed with and made a part of the record in this case.


It further appears from the records in the posses-

2.

sion 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 (38 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. 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 M. J. Vernon as a citizen by intermarriage, and the enrollment of Geo. W. Vernon, Robert E. L. Vernon, Francis L. Vernon, Maudie A. Vernon, Samuel H. Vernon and Oscar Lee Vernon, as citizens by blood, of the Choctaw Nation and it is, therefore, hereby ordered that the application for the enrollment of M. J. Vernon as a citizen by intermarriage, and for the enrollment of Geo. W. Vernon, Robert E. L. Vernon, Francis M. Vernon, Maudie A. Vernon, Samuel H. Vernon and Oscar Lee Vernon as citizens by blood, of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



Chairman.

Muskogee, Indian Territory,

Choctaw 5135

COPY.

Muskogee, Indian Territory, December 13, 1904.

M. J. Vernon,

Lonegrove, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 12, 1904, dismissing the application for the enrollment of yourself, as a citizen by intermarriage, and of Geo. W. Vernon, Robert E. L. Vernon, Francis M. Vernon, Vaudie A. Vernon, Samuel H. Vernon and Oscar Lee Vernon, as citizens by blood, of the Choctaw Nation.

Respectfully,

(SIGNED)

Registered.

Incl. 7-5135.

Chairman.

Choctaw 5135

COPY.

Muskogee, Indian Territory, December 15, 1904.

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

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission dated December 12, 1904, dismissing the application for the enrollment of M. J. Vernon, as a citizen by intermarriage, and of Geo. W. Vernon, Robert E. L. Vernon, Francis M. Vernon, Maudie A. Vernon, Samuel H. Vernon and Oscar Lee Vernon, as citizens by blood, of the Choctaw Nation.

Respectfully,

(SIGNED)

For

Incl. 7-5145.

Chairman.

Muskogee, Indian Territory, September 20, 1901.

Mr. J. E. Arnold,

Attorney at Law,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 14th instant, enclosing the marriage license and certificate between G. W. Vernon and Callie P. McCracken, and the same have 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 Oscar Lee Vernon, the infant son of George W. and Callie P. Vernon, born August 5, 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.

7-5135

choc 5136 Theodosha E. Howard

See Choctaw R 577

1-2-3-4 Dismissed 12/12/1904

5136

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

Record in the matter of the application for enrollment as citizens by blood of the Choctaw Nation of:

Theodosha E. Howard, et al.,

7-5136.

Handwritten notes, possibly including the number 11.

Handwritten notes, possibly including the number 21.

6/8/81

Handwritten notes, possibly including the word "Note".

101

Theodosha E. Howard and others.

Theodosha E. Howard says:

I was admitted as "Theodosha E. Vernon".

I married William P. Howard Feb. 10th 1895.

Robert L. was born April 10th 1897.

I have been living continuously in the Chickasaw Nation
for 8 years.

Attest: Sept. 29 1898.

Theodosha E. Howard
Robert L. Howard

enrolled.

Department of the Interior,
Commission to the Five Civilized Tribes,
Colbert, I.T., June 12, 1900.

-----0-----

Choctaw Card No. C 181.

In the matter of the application of Theodocia E. Howard for the enrollment of herself and children as Choctaws by blood; being sworn and examined by Acting Chairman Bixby, she testified as follows:

- Q - What is your name? A - Theodocia E. Howard.
Q - How old are you? A - 21 years old the 15th of December.
Q - What is your post office address? A - Terrell, I.T.
Q - Do you live at Terrell? A - Yes, sir.
Q - How long have you lived there? A - 10 years.
Q - Are you a Choctaw? A - Yes, sir.
Q - Have you been admitted to citizenship in the Choctaw Nation by a judgment of the United States Court? A - Yes, sir.
(The records examined and the name of Theodocia E. Howard is found on Field Card No. C 181, Choctaw Nation.)
Q - How long did you say you had lived in the Choctaw Nation?
A - 10 years.
Q - Have you been outside of the Nation for the past two years?
A - No, sir.
Q - I understand your purpose in coming before this Commission is to enroll a new born child? A - Yes, sir, to enroll this one.
Q - It appears from the record that your son Robert L., on the 23rd day of September, 1898, was a year and a half old. What is the name of this child? A - Annie May Howard.
Q - She is your daughter? A - Yes, sir.
Q - What is the name of her father? A - W. P. Howard.
Q - When was Annie May born? A - the 5th of November, 1895.
Q - Do you think of anything that you wanted to say? It does not appear from our record that the name of this child was in the original application to the Dawes Commission.

W. P. Howard, being sworn, testified as follows:

Q - Now make your statement. A - When the application was made my wife's mother made application for my wife and I made application for the children, and this child, her papers was gotten up wrong and I reckon it never did appear and when we met at Ardmore in 1898 they refused to put this child on on account of her papers, her name and age was both wrong and the Commission refused to put her on on that account.

Q - It appears, Mr. Howard, that as far as we can discover, that this child's name did not appear in the application to the Dawes Commission at all.

A - Her application was made separate from the others for the reason that we wasn't living with her mother and I made a separate application for her two children.

Q - What was her name? A - Annie May Howard and Robert L. Howard.

Q - You say this application was made in 1896? A - In 1897.

Q - Was that application made in what is known as the Birch case? A - It was made in the Vernon case.

Q - Have you got any relatives named Birch? A - No, sir. I have letters that I wrote for information on it from the Commission

Q - Got them with you? A - Yes, sir, I have several there together (Exhibits letters). That is copies of the letter, the lawyer kept the letter and copied from it, and that is the old application. Here is some I reckon of your own writing. (Exhibits other letters.)

Q - Do you claim that this child was ever admitted by the Dawes Commission or by the United States Court? A - It never was admitted by the Dawes Commission, they rejected her on account of

Theodocia N. Howard - 2.

age and name being wrong, her mother stated it and her lawyer put it differently.

Q - When did the Dawes Commission reject her? A - In 1881 at Ardmore, the 23rd of September, I reckon it was, it was the same time her mother and Robt. L. Howard was put on, but she was rejected.

Q - Do you know anything, Mr. Howard, about the original application that she made in behalf of your wife in 1896? A - I know nothing about it only her mother made it.

Q - Do you know what the names of the children were that were in the original application made to the Dawes Commission in 1896? A - The names of them I reckon I can give it.

Q - The names of your wife's children? A - They were not on that, her mother made application for herself and her children and I made application for my children.

Q - Did you make application for yourself? A - No, sir, just for my children.

Q - What was the title of the case in which you made application for your children, was there anybody else in the case except your two children? A - No, sir.

Q - Did you make that application in 1896? A - I can't tell you, my wife says it was in 1897.

Q - Anything else you wish to state in regard to this case? A - No, I reckon not, that is as far as I know.

Q - You don't know why your wife's mother didn't put the name of your daughter along with the other child in the application to the Dawes Commission in 1896, do you? A - The lawyer told her she had no right to do it, that I should do that.

Q - Did you then do that? A - I did just as quick as her mother notified me.

Q - You didn't do it for more than a year? A - Yes, sir, I reckon I did.

Q - You didn't do it until in 1897 did you? A - I can't swaer to that, I reckon my wife is right about it, I will say 1897, as my wife states it.

The enrollment of your child is refused for the reason that her name does not appear upon the tribal rolls of the Choctaw Nation now in the possession of this Commission, and neither has she ever been recognized as a citizen of the Choctaw Nation by the properly constituted Tribal authorities and it does not appear from the record that she was admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes acting under the law of June 10, 1896, or by judgment of the United States in the Indian Territory, this child having been born prior to the date of the application made in behalf of your wife to the Commission to the Five Civilized Tribes in 1896 and having no status as a Choctaw Indian other than that to be acquired through a judgment of the Dawes Commission or the United States Court, is therefore not entitled to be enrolled.

This testimony will be forwarded to the Honorable Secretary of the ~~Interior~~ Interior for his examination when the rolls of the citizens of the Choctaw Nation are sent to him for final approval,

Bruce C. Jones, being duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes he reported the testimony of the above named witnesses, and that the foregoing is a full, true and correct translation of his stenographic notes.

Sworn to and subscribed before me this the 18 day of June, 1900.

Commissioner.

1899 Act for Enrollment as a citizen of the
United States of Charles Frederick Howard, born
5th day of February 1899,
son of Walter H. Howard, father, and
Mary of Walter C. Howard, mother, citizen
of the United States.

United States of America
The Indian Territory (ss.
Southern Judicial District)

Be it remembered that on this
27th day of December 1899, personally
appeared before me P. Winward a notary
public in and for the district and Territory
aforesaid Mrs. Lusia Howard, who after
first being by me duly sworn deposes and
says: That she is a member of the Choctaw
Tribe of Indians by blood, and its wife of

Howard a citizen of
the United States of America, that there
was born to her on the 5th day of
February 1899 a male child, whose name
is Charles Frederick Howard and that
said child is now living.

February

Lusia C. Howard

Subscribed & sworn to

P. Winward
Notary Public

I do solemnly swear that I attended
upon Mrs. Lusia Howard a Choctaw Indian by
blood, wife of _____ Howard, and that there
was born unto said Mrs. Lusia Howard on
= 5th day of ^{February} _____

whose name is said to be Charles Frederick
Howard, and that said child is now
living. And I was his attending physician at the time

J. Howard
Subscribed and sworn to before me this
9th day of [illegible]

R. Howard
Notary Public

8162

In Re
Application for Enrollment of
Infant Child.

Charley Frederick Howell

A Citizen of the
Choctaw Nation.

Approved


6181.

CHOCTAW.

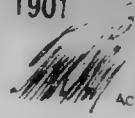
FEB - 8 1901



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

FILED

FEB 8 1901



ACTING CHAIRMAN

CHOCTAW.

5156

Within 20
W. O. Howard
P.O. Bradshaw

for mark
The District of Columbia
Feb 11

P.O. Howard's View

L. A. Anderson

Feb 11, 1911

P.O. Bradshaw

others called

2/14
164
7-5136.

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

In the matter of the application for the enrollment of Theodosha E. Howard and her minor children, Robert L. Howard, Charley F. Howard and Mattie Belle Howard, as citizens by blood of the Choctaw Nation.

-----000-----

It appears from the records of the Commission to the Five Civilized Tribes that on September 8, 1896 in the case entitled "Dr. Boron Vernon, et al., vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, case number 250) original application was made to the Commission, under the provisions of the act of Congress approved June 10, 1896 (29 Stat., 321) for the admission, as a citizen by blood of the Choctaw Nation, of the applicant Theodosha E. Howard (nee Vernon), and on December 2, 1896 the said Theodosha E. Howard was, by this Commission, 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 "D. B. Vernon, et al., vs. Choctaw Nation" (Citizenship Case, number 98), reversed the decision of the Commission denying the said Theodosha E. Howard admission to citizenship in the Choctaw Nation and admitted said Theodosha E. Howard (as Theodosha E. Vernon) as a citizen by blood of said nation.

The applicants Robert L. Howard, Charley F. Howard and Mattie Belle Howard are the offspring of the applicant Theodosha E. Howard and W. P. Howard, a noncitizen, and were born subsequent to the date of the original application made herein to the Commission in 1896.

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.

2.

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 Theodosha E. Howard, Robert L. Howard, Charley F. Howard and Mattie Belle Howard as citizens by blood of the Choctaw Nation and it is, therefore, hereby ordered that the application for the enrollment of Theodosha E. Howard, Robert L. Howard, Charley F. Howard and Mattie Belle Howard as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



Chairman.

Muskogee, Indian Territory,

DEC 1 1904

Choctaw 5136

COPEY,

Muskogee, Indian Territory, December 13, 1904.

Theodosha E. Howard,
Terral, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 12, 1904, dismissing the application for the enrollment of yourself and children, Robert L. Howard, Charley E. Howard and Mattie Belle Howard, as citizens by blood of the Choctaw Nation.

Respectfully,

EDUNES

Registered.

Incl. 7-5136.

Chairman.

Choctaw 5136

COPY.

Muskogee, Indian Territory, December 13, 1904.

Robert A. Howard,
Attorney at Law,
Pauls Valley, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 12, 1904, dismissing the application for the enrollment of Theodosha E. Howard, Robert L. Howard, Charley F. Howard and Mattie Belle Howard, as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Chairman.

Registered.

Incl. 7-5136.

Choctaw 5136

COPY.

Muskogee, Indian Territory, December 13, 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 December 12, 1904, dismissing the application for the enrollment of Theodosha E. Howard, Robert L. Howard, Charley F. Howard and Mattie Belle Howard, as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

Tamm Dixby.

Chairman.

Incl. 7-5136.

Waskoee, Indian Territory, May 22, 1900.

Mr. Robert A. Howard,

Attorney at Law,

Pauls Valley, Indian Territory,

Dear Sir:

The Commission is in receipt of your letter of the 17th, in
the matter of the application for enrollment as citizens of the
Clergyman of Annie May Howard, the daughter of Theodosha
E. and W. B. Howard, a duplicate of which was forwarded to the
territory. It is stated that Annie May Howard was born November 1, 1876, be-
ing the first born of Theodosha E. Howard's children. The records of
the Commission show that Theodosha E. Howard was admitted to citizen-
ship by the Clergyman of the United States Court,
rendered by Judge McAlister, April 25th, 1898, and that Annie May
Howard was listed as a citizen in the application made to
the Commission for citizenship; that she was a part of the said
application, and that in the judgment of the Commission, said
application, and in the judgment of the court, never to be denied
of the Commission and admitted to citizenship, her name
was not included. At the time the matter was heard before the Com-
mission as an applicant for enrollment, September 23rd, 1900, she and
Robert L. Howard were listed for enrollment in pursuance of an
injunction of that January 17th, 1900, Charles F. Howard was duly

R.A.H. 2.

listed for enrollment upon the presentation of the proper affidavits.

As to Mrs. Howard, being born prior to the date of the original application made to this Commission by her father, and in view of the fact that the United States court has jurisdiction to admit her to citizenship, it is the policy of this Commission to require that she be naturalized in the United States. Therefore, it is recommended that you advise Mrs. Howard of this requirement and request that she apply to the United States court for naturalization. If you have any further information to report, please advise this Commission. Therefore, it is recommended that you advise Mrs. Howard of this requirement.

If, however, you should receive information that Mrs. Howard is already naturalized, please advise this Commission. However, if you should receive information that Mrs. Howard is already naturalized, please advise this Commission. However, if you should receive information that Mrs. Howard is already naturalized, please advise this Commission.

Under no circumstances can the Commission hear applications for enrollment except upon the personal appearance of the applicant, and in the case of minor children, the parents, or have been listed for enrollment, will be allowed to appear on their behalf.

In reply to this letter,
please refer to 7-5136

Acting Chairman.

Muskogee, Indian Territory, November 1, 1900.

D. W. Vernon,

Law State, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 10th instant in which you request to be advised as to the status of the case of Annie Howard, Robert Lee Howard and Charlie Howard the children of Theodosia Howard.

You are informed that the records of this Commission show that Theodosia Howard and her three children, Robert L., Charlie F. Howard have been listed for enrollment by this Commission as citizens of the Choctaw Nation, Theodosia F. Howard 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, August 26th, 1899, her name appearing in the said judgment as Theodosia F. Vernon.

The records of the Commission do not show that any application has ever been made for Annie Howard, but on June 12th, 1900, Mrs. Howard appeared before the Commission, at Colbert, Indian Territory and there made application for the enrollment of her child, Annie May Howard, born November 5th, 1895. The Commission after hearing her testimony at that time, refused to enroll Annie May Howard as a citizen by blood of the Choctaw Nation for the reason that her name was not on any of the tribal rolls of the Choctaw Nation and that she had not been admitted to citizenship in that Nation by either the tribal authorities thereof or by this

D. B. V. S--

Commission acting under the act of Congress of June 10th, 1896, or by the United States Court for the Indian Territory on appeal from the decision of the tribal authorities of the Chectaw Nation or the decision of this Commission and for the further reason that she was living when the original application was made to the Commission and was not a party to such original application.

Yours truly,

Acting Chairman.

7-5136
7-R577

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, January 22, 1901.

Theodocia E. Howard,

Terrell, Indian Territory.

Dear Madam:-

There is enclosed herewith a copy of the decision of the Commission, refusing your application and the application made on behalf of your daughter, Annie May Howard, for enrollment as a citizen by blood of the Choctaw Nation.

Yours very truly,

Acting Chairman.

Encl. 1-59
Reg.M.
e/ 0181

Muskogee, Indian Territory, February 8, 1901

William P. Howard,

Terral, Indian Territory.

Dear Sir:

The Commission is in receipt of the application for enrollment as a citizen of the Choctaw nation of Mattie Bell Howard, the infant daughter of William P. and Theodosha E. Howard, born January 4th, 1901, and the same being in proper form has been duly filed with the records of this Commission and the child listed for enrollment as a citizen of the Choctaw nation.

Yours truly,

Acting Chairman.

795136

Kuskogee, Indian Territory, February 8, 1901.

R. A. Howard,

Pauls Valley, 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 Mattie Bell Howard, the infant daughter of William P. and Theodosia E. Howard, born January 4th, 1901.

The application 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.

7-5136

Indian Territory)
Southern District)

Before me the undersigned authority this day personally appeared Mrs. M. J. Vernon who being by me duly sworn on oath says that she knows Annie May Howard and Robert Lee Howard that they are children of Docia Howard and Wm. P. Howard that Annie May Howard was born on the 5th day of Nov. 1896 that Robert Lee Howard was born on the 10th day of August 1897; that affiant is the grandmother of the said Annie May Howard and Robert Lee Howard and that she is duly enrolled as a member of the Choctaw tribe of Indians ~~and~~, and that Docia Howard the mother of the said Annie May and Robert Lee Howard is also duly enrolled as a member of the Choctaw tribe of Indians ~~and~~, all of which the affiant states from her own personal knowledge

Mrs. M. J. Vernon

Subscribed and sworn to before me this the
1897

14th day of September

J. H. Harper
Notary Public.

United States of America
South Worcester June 10
J. Wm. Burkes After first seeing
the same deposited in my office that
I have registered to the Honorable
Green M. Curtain principal Chief of
the Choctaw Nation at Sans Bois
I. I. the application of Kocin
Howard the bearer of the children
Anna May Howard and sister Lee Howard
Appointed by Mrs M. J. Burkes and
Transcript of the District State
Court for the Central Division
held at South Worcester, Ark.

Attest
Witnessed and sworn to before
me this 15th day of Sept. 1897

J. F. Craig
Notary Public

Application for Enrollment
Before the United States Commission to
the Five Civilized Tribes

Amie May and Robert Lee Howard
By their Father in Law
Wm J. Howard

Wro
Choctaw Nation
Respondents

Application for admission
there and enrollment

To the above mentioned Hon Commission
your petitioners ^{Wm J. Howard} J. A. C. & E. Howard state that
she and her husband ^{Wm J. Howard} Wm J. Howard
were on the day of Sept 28 1897
together with her parents H. J. Cannon
Et al & others were by the Hon Wm J. Howard
United States Judge for the Central District
of the Indian Territory held at South McAlester
Indian Territory and by the said Hon
Court duly enrolled as members of the
Choctaw Tribe of Indians in the Choctaw
Nation and Judgment of Court has attached
your petitioners further state that
on the 10 day of ^{February} September 1896 and the 10
day of August 1897 respectively there
was born to them two (2) children
named Amie May Howard and Robt Lee Howard
Wherefore your petitioners pray that said
Amie M. Howard and Robt Lee Howard come to
your petitioners in said Wadlock since
the petition was filed before this
Honorable Court above mentioned
As passed their etc

Wherefore your petitioner prays that
her two (2) Children be enrolled
and Admitted to all the Rights
benefits privileges and Emoluments
of other Choctaw Indians in and
to the Choctaw nation

~~Dotson & Howard~~
Subscribed and sworn to before
me this ^{the} day of September 1899

J. S. [unclear]
Notary Public

TRANSCRIPT OF PROCEEDINGS.

The United States of America,)

UNITED STATES COURT, INDIAN TERRITORY,) SS:

CENTRAL DISTRICT,)

At a stated term of the United States Court in the Indian Territory, Central District, begun and had in the Court Rooms, at SOUTH MOALESTER in the Indian Territory, on the thirteenth day of April being the second Tuesday day of that month, in the year of our Lord one thousand eight hundred and ninety-seven and of the Independence of the United States of America the one hundred and twenty first.

Present, the Hon. W.H.H. Clayton.

Judge of said Court.

On Thursday the twenty sixth day of August, 1897, among the proceedings had were the following, to wit:

D.B. Vernon et al.
VS
Choctaw Nation.

Judgement.

On this 26th day of August, 1897, the same being one of the days of the April, A.D., 1897 term of this Court this cause came on for trial on the report of the Master, W.B. Rutherford, appointed by this Court for the purpose of finding and reporting the facts herein, and the plaintiffs and defendant appeared by their Attorneys and announced ready for trial, and this cause is by agreement submitted to the Court for decision, and the Court having heard the evidence on the part of both plaintiffs and defendant and having considered the report herein and being well and fully advised ^{doth confrm said report in every respect} in the premises, doth find that D.B. Vernon male, age 46, John.H. Vernon, male, age 23, Chesley Taylor Vernon, male, age 22 years, Lucy Vernon, female age 19 years, Amy Pearl Vernon, female age 17 years, Sophia.F. Vernon, female age 14 years, Jim.W. Vernon, male age 13 years, Caswell.B. Vernon, male age 11 years, Clydie.B. Vernon, male age 9 years, Ivey.L. Vernon, female age 7 years, Ida Vernon, female age 3 years, M.J. Vernon, female age 46, George.W. Vernon, male age 20 years, Theodosha.E. Vernon, female age 18, Louisa.T. Vernon

female age 17 years, Robert.E.L.Vernon, male age 15 years, Francis.
M.Vernon, male 12 years of age, Manda.A.Vernon, female , age 11, Samuel
H.Vernon male age 9 years, And Gracie.T.Vernon female age 5 years, are
citizens of the Choctaw Nation and that all of said above named plaintiff-
iffs are citizens by blood of the Choctaw Nation, excepting M.J.Vernon,
who is a citizen by intermarriage,-

It is therefore considered ordered and adjudged by the Court that
said plaintiffs above named, be and hereby are admitted to citizenship
in the Choctaw Nation with all the rights, privileges and benefits of
such citizens aforesaid in and to the Choctaw Nation.

The Court further finds that the other applicants herein, were not
residents of the Indian Territory at the time of filing their application
before the Commission to the five civilized tribes and did not reside
therein at the time their appeal herein was taken, and the same hereby
are denied to-wit:--J.F.Vernon, male age 32, M.A.Vernon, female age
7 years, W.J.Vernon, male age 5 years, W.B.Vernon, male age 4 years,
Maud Vernon, female age 2 years, Frank Vernon, male age 2 years, Arnold
Vernon, male age 7 months, R.H.Vernon male age 26 years, Ella Vernon,
female age 20 years, Pearlle May ersonon, female age 2 years, Irene Vernon
female age 7 weeks, Bradford.C.Vernon, male age 44 years, C.P.Vernon,
male age 19 years, D.C.Vernon, male age 17 years, E.J.Vernon male age
11 years, J.Y.Vernon, male age 9 years, B.C.Vernon, male age 8 years,
J.H.Vernon, male age 2 years, and G.W.Vernon male age 39 years.

It is further ordered and adjudged by the Court that the clerk of
this Court shall transmit to the Commission to the five civilized tribes
a certified copy of this judgement and decree and that said Commission
shall place the names of the plaintiffs, admitted to citizenship in this
action, named above, upon the rolls prepared or to be prepared by them of
the citizens and members by blood of the Choctaw Nation, excepting the
name of M.J.Vernon, which name shall be placed by said Commission upon
the rolls prepared or to be prepared by them of the citizens and members
by intermarriage of the Choctaw Nation and tribe of Indians; and that
such persons so admitted as citizens and members of the Choctaw Nation
as aforesaid shall be entitled to all the rights, privileges, immunities
and benefits of citizens of the Choctaw Nation in all respects.

It is further ordered that the plaintiffs have and recover of and
from the Choctaw Nation one half of all their costs in this behalf laid
out and expended, for all of which let execution issue.

The United States of America.

UNITED STATES COURT, INDIAN TERRITORY.

CENTRAL DISTRICT,

I, *E. J. Fannin*, Clerk of the United States Court, within and for the Central District of the Indian Territory aforesaid, do hereby certify that that the foregoing *Transcript* is truly taken, and correctly copied from ^{*Citizenship*} Court Journal *A* Page _____ of said Court.

In Testimony Whereof, I have herunto set my hand and affixed the Seal of said Court, at *Do. M. Union* this *15th* day of *Sept.*, A. D. 1897.

E. J. Fannin
Clerk

by _____

Deputy.

No. *98*

UNITED STATES COURT,

IN THE INDIAN TERRITORY,

CENTRAL DISTRICT.

N. B. Knowlton et al

vs.

Cherokee Nation

TRANSCRIPT OF PROCEEDINGS IN SUIT

FILED

SEP 20 1887

H. W. Garrison

M. M. Ludley J. H. Gordon

Attorneys.

choc 5137 D. B. Vernon

2-3-4-5-6-7-8-9-10 Dismissed Dec 12, 1904

5137

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

Record in the matter of the application for enrollment as citizens by blood of the Choctaw Nation:

John H. Vernon, et al.,

7-5137.

D.B.Vernon and others.

D.B.Vernon says:

Ida M. was admitted as "Ida".

I have been living 8 years continuously with my family in the Territory.

Attest: Sept 23 1898.

D.B.Vernon
John H. Vernon
Chesley T. Vernon
Sophia F. Vernon
James W. Vernon
Caswell B. Vernon
Clydie B. Vernon
Ivy L. Vernon
Ida E. Vernon

enrolled.

Certificate of Record.

STATE OF ARKANSAS,)

County of

Washington | T. Green Clerk

.....
Clerk of the County Court of said County certify that the above License for and
Certificate of the Marriage of Mr. John V. Green and
Miss Minnie Stone was filed in my office on the
5th day of Nov 1900, and the same is duly recorded on page
384 of Book L of Marriage Records.

Witness my hand and the seal of said Court this 5th day of

Nov 1900

Wm. H. Green

Clerk.

SEAL
HERE

By

D. C.

13607

Marriage Certificate.

Mr. *Geo. Keenan*
-TO-

Miss Maudie Stone



DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
SEP 20 1901

[Signature]
ACTING CHAIRMAN

Recorded, Book *4* Page *55*

Returned and filed this *5* th day of

Nov 190*1*
Gifford P. Hester
Clerk.

MARRIAGE LICENSE.



STATE OF ARKANSAS, COUNTY OF *Washington*

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 the *John A. Vernon* of *Habberton* in the County of *Washington* and State of *Arkansas* aged *25* years and *Miss Minnie Stone* of *Habberton* in the County of *Washington* and State of *Arkansas* aged *18* 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 *12th* day of *September* 1910
[Signature]
County Clerk

DC.

CERTIFICATE OF MARRIAGE.

State of *Arkansas*
County of *Pulaski*
I, *[Signature]* Minister of the Gospel do hereby certify that on the *Twelfth* day of *September* 1910 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 *Twelfth* day of *September* 1910
My Credentials are recorded in Recorder's Office
Pulaski County, Ark. Book B. Page 207 *[Signature]* Minister.

NOTE: This license with the certificate duly executed and officially signed must be returned to the office whence it is issued within sixty days from the date of license under penalty of forfeiture of the license.

13607
OHIO LAW.

INDEXED

IN RE

Application for Enrollment of
Infant Child.

Pearl Magnolia Vernon

is a citizen of the

Nation.

Approved SEP 20 1901 190

C. R. Buckinise
COMMISSIONER.

DEPARTMENT OF
COMMISSION TO TEACH CIVILIZED

FILED

SEP 20 1901

OHIO LAW.

5137

Department of the Interior.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation.
of Pearl Magnolia Vernon born on the 24 day of June, 1901
Name of Father: John H. Vernon a citizen of the Choctaw Nation.
Name of Mother: Minnie M. Vernon a citizen of the Choctaw Nation.
Postoffice: Lone Grove, Ark.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA.
INDIAN TERRITORY.
Southern District.

I, Minnie M. Vernon, 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 John H. Vernon, who is a citizen, by blood of the Choctaw Nation; that a female child was born to me on the 4 day of June, 1901; that said child has been named Pearl Magnolia Vernon, and is now living.

WITNESSES TO MARK.

(Must be Two Witnesses.) B. S. Shaw, F. W. ...

Subscribed and sworn to before me this 13th day of Sept, 1901.

Notary Public signature

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA.
INDIAN TERRITORY.
Coshen Washington District.

I, O. S. Slaughter, a Physician, on oath state that I attended on Mrs. Minnie M. Vernon, wife of John H. Vernon, on the 24th 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 named Pearl Vernon.

WITNESSES TO MARK.

(Must be Two Witnesses.) J. L. Slaughter, J. L. ...

Subscribed and sworn to before me this 3 day of Sept, 1901.

Notary Public signature and commission expiration date

J. H. Vernon
7-5137.

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

In the matter of the application for the enrollment of John H. Vernon, Chesley T. Vernon, Sophia F. Vernon, James W. Vernon, Caswell B. Vernon, Clydie B. Vernon, Ivey L. Vernon, Ida B. Vernon and Pearl Magnolia Vernon as citizens by blood of the Choctaw Nation.

-----oOo-----

It appears from the records of the Commission to the Five Civilized Tribes that on September 8, 1896 in the case entitled "Dr. Boron Vernon, et al., vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, case number 250) original application was made to the Commission, under the provisions of the act of Congress approved June 10, 1896 (29 Stat., 321), for the admission, as citizens by blood of the Choctaw Nation, of the applicants, John H. Vernon, Chesley T. Vernon, Sophia F. Vernon, James W. Vernon, Caswell B. Vernon, Clydie B. Vernon, Ivey L. Vernon and Ida B. Vernon; and on December 2, 1896 the said John H. Vernon, Chesley T. Vernon, Sophia F. Vernon, James W. Vernon, Caswell B. Vernon, Clydie B. Vernon, Ivey L. Vernon and Ida B. Vernon were, by this Commission, denied admission as citizens by blood of 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 "D. B. Vernon, et al., vs. Choctaw Nation" (Citizenship case number 98), reversed the decision of the Commission denying the said John H. Vernon, Chesley T. Vernon, Sophia F. Vernon, James W. Vernon, Caswell B. Vernon, Clydie B. Vernon, Ivey L. Vernon and Ida B. Vernon admission to citizenship in the Choctaw Nation and admitted said John H. Vernon, Chesley T. Vernon (as Chesley Taylor Vernon), Sophia F. Vernon, James W. Vernon (as Jim. W. Vernon), Caswell B. Vernon, Clydie B. Vernon, Ivey L. Vernon and Ida B. Vernon (as Ida Vernon) as citizens by blood of said nation.

The applicant Pearl Magnolia Vernon is a daughter of the applicant John H. Vernon and Minnie M. Vernon, a non-citizen, and, having been born subsequent to the date of the original application made herein to the Commission in 1896, is identified by proper proof of birth filed with and made a part of the record in this case.

It further appears from the records in the posses-

2.

sion 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. 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 John H. Vernon, Chesley T. Vernon, Sophia F. Vernon, James W. Vernon, Caswell B. Vernon, Clydie B. Vernon, Ivey L. Vernon, Ida B. Vernon and Pearl Magnolia Vernon as citizens by blood of the Choctaw Nation and it is, therefore, hereby ordered that the application for the enrollment of John H. Vernon, Chesley T. Vernon, Sophia F. Vernon, James W. Vernon, Caswell B. Vernon, Clydie B. Vernon, Ivey L. Vernon, Ida B. Vernon and Pearl Magnolia Vernon as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



Chairman.

Muskogee, Indian Territory,

Dec 1 1904

COPY!

7-5137

Muskogee, Indian Territory, December 13, 1904.

W. B. Vernon,

Lone Grove, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 12, 1904, dismissing the application for the enrollment of your children John W. Vernon, Chesley T. Vernon, Sophia F. Vernon, James W. Vernon, Caswell B. Vernon, Clydie B. Vernon, Ivey E. Vernon, Ida B. Vernon and your grand-daughter Pearl Magnolia Vernon as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Chairman.

Registered.

Incl. 7-5137.

7-5137

COPY.

Muskogee, Indian Territory, December 13, 1904.

Wansfield, McMurray and 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 December 12, 1904, dismissing the application for the enrollment of John R. Vernon, Chesley T. Vernon, Sophia P. Vernon, James W. Vernon, Maxwell S. Vernon, Myrtle B. Vernon, Ivey L. Vernon, Ida S. Vernon and Pearl Magnolia Vernon as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Chairman.

Incl. 7-5137.

Choc 5138 Serena Reid

Nos 9-10-11-12 Dismissed May 27, 1904

see C-127

Record in Choctaw #3528

5138

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:

Zada Pearl Reid,

7-8138.

-----o-----

me
1906

14936

IN RE

Application for Enrollment of

INFANT CHILD

Josa Paul Reid

as a citizen of

Whooten

Nation.

Approved

OCT 18 1901

190

Commissioner.

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

FILED

OCT 18 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 *Zada Pearl Reid*, born on the *15* day of *September*, 1901
(Here insert name of child)
Name of Father *Thomas R. Reid* a citizen of the *Choctaw* Nation
Name of Mother *Lizzie Reid* a citizen of the *&* Nation.
Post-office *Looga & S*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, *Lizzie Reid*, do hereby state that I am *Nineteen*
years of age and a citizen, by _____ of the _____ Nation;
that I am the lawful wife of *Thomas R. Reid*, who is a citizen, by
Blood of the *Choctaw* Nation; that a *female* child was
born to me on *15th* day of *September*, 1901; that said child has been
named *Zada Pearl Reid*, and is now living.

WITNESSES TO MARK
(Must be Two Witnesses)

Lizzie Reid

Subscribed and sworn to before me this *1st* day of *October*, 1901.
R. W. Blevins
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, *L. J. Cranfill*, a *Physician*, on oath state that I
attended on Mrs. *Lizzie Reid*, wife of *Thomas R. Reid*
on the *15th* 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
named *Zada Pearl Reid*.

WITNESSES TO MARK
(Must be Two Witnesses)

L. J. Cranfill, M.D.

Subscribed and sworn to before me this *1st* day of *October*, 1901.
R. W. Blevins
NOTARY PUBLIC.

7-5138.

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

-----o-----

In the matter of the application for the enrollment of
Zada Pearl Reid as a citizen by blood of the Choctaw Nation.

-----o-----

The applicant, Zada Pearl Reid, claims her right to enrollment as a citizen by blood of the Choctaw Nation through her father Thomas L. Reid. The right of the applicant's father, Thomas L. Reid, 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. 48, upon the South McAlester docket of said court, it is hereby ordered that the application of Zada Pearl Reid for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



Chairman.

Muskogee, Indian Territory,

Choctaw 5138.

Muskogee, Indian Territory, June 7, 1904.

Thomas L. Reid,
Loco, 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 the enrollment as a citizen by blood of the Choctaw Nation of Zada Pearl Reid.

Respectfully,

Registered.
Incl. 7- 5138.


Chairman.

Choctaw 5138.

COPY.

Muskogee, Indian Territory, June 7, 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 as citizens by blood of the Choctaw Nation of Josie Reid, Theron Reid, Zada Pearl Reid and Charles F. Calloway.

Respectfully,

(SIGNED)

James D. Stacy

Chairman.

Registered.

Incl. 7- 5138.

See Choctaw 5334 for registry receipt of 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 blood of the Choctaw Nation of:

Charles F. Calloway,

7-5138.

---o---

5197
Case No. 26

IN EXIST

20

I.N.B.E

Application for Enrollment of

INFANT CHILD

Charles J. Caploway
as a citizen of

the United States Nation.

Approved _____ 190

C. R. McKinstry
Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE CIVILIZED TRIBES

FILED

APR 4 1902

[Handwritten signature]
SPECIAL AGENT

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

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,
of *Charles Fredrick* Here insert name of child, born on the *1st* day of *February*, 1902.
Name of Father: *John Thomas Calloway* a citizen of the *Choctaw* Nation.
Name of Mother: *Evelina Calloway* a citizen of the *Choctaw* Nation.
Post-office *Alma I. T.*

AFFIDAVIT OF MOTHER.

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

I, *Evelina Calloway*, 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 *John Thomas Calloway*, who is a citizen, by *Marriage* of the *Choctaw* Nation, that a *Male* child was born to me on *1st* day of *February*, 1902 that said child has been named *Charles Fredrick Calloway* and is now living.

WITNESSES TO MARK

(Must be Two Witnesses)

Evelina Calloway

Subscribed and sworn to before me this *21st* day of *March*, 1902

J. M. Quinn
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, *W. R. Threlkeld*, a *Physician*, on oath state that I attended on Mrs. *Evelina Calloway*, wife of *John Thomas Calloway* on the *1st* day of *February*, 1902 that there was born to her on said date a *Male* child; that said child is now living and is said to have been named *Charles Fredrick Calloway*.

WITNESSES TO MARK.

(Must be Two Witnesses)

Dr. W. R. Threlkeld

Subscribed and sworn to before me this *21st* day of *March*, 1902

J. M. Quinn
NOTARY PUBLIC

Deft

7-5138.

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


-----o-----

In the matter of the application for the enrollment of
Charles F. Calloway as a citizen by blood of the Choctaw Nation.

---o---

The applicant, Charles F. Calloway, claims his right to
enrollment as a citizen by blood of the Choctaw Nation through his
mother Eva Reid. The right of the applicant's mother, Eva Reid,
to citizenship in the Choctaw Nation having been adversely deter-
mined by a decree of the Choctaw and Chickasaw Citizenship Court,
April 30, 1904, in case No. 40, upon the South McAlester docket of
said court, it is hereby ordered that the application of Charles
F. Calloway for enrollment as a citizen by blood of the Choctaw
Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



Chairman.

Muskogee, Indian Territory,

Choctaw 5138.

Muskogee, Indian Territory, June 7, 1904.

Eva Calloway,

Alma, 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 the enrollment as a citizen by blood of the Choctaw Nation of Charles F. Calloway.

Respectfully,

Registered.

Incl. 7- 5138.

Chairman.

Choctaw 5138.

COPY.

Muskogee, Indian Territory, June 7, 1904.

Mansfield, McMurray & Cernish,
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 as citizens by blood of the Choctaw Nation of Josie Reid, Theron Reid, Zada Pearl Reid and Charles F. Galloway.

Respectfully,

(SIGNED)

James Kirby

Chairman.

Registered.

Incl. 7- 5138.

See Choctaw 5334 for registry receipt of this letter.

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

() () ()

Record in the matter of the application for enrollment
as citizens by blood of the Choctaw Nation of:

Josie Reid, et al.,

7-8138.

-----o-----

Serena Reid and others.

Serena Reid says:

Thomas L. was admitted as "Thomas"

Carol was admitted as "Carroll".

Theron P. was born January 27th 1898.

I have been living continuously in the Chickasaw Nation 9 years.

Ardmore Sept 26 1898.

Serena Reid
Thomas L. Reid
Eva Reid
Olive Reid
Carol Reid
Rutha Reid
Wabel Reid
Jesse Reid
Josie Reid
Theron P. Reid

enrolled.

J. H. W.

7-5138.

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

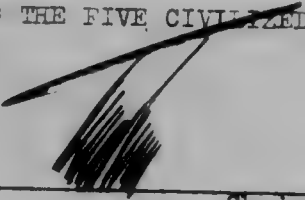
-----o-----

In the matter of the application for the enrollment of Josie Reid and Theron P. Reid as citizens by blood of the Choctaw Nation.

-----o-----

The applicants, Josie Reid and Theron P. Reid, claim their right to enrollment as citizens by blood of the Choctaw Nation through their mother Serena Reid. The right of the applicants' mother, Serena Reid, 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. 45, upon the South McAlester docket of said court, it is hereby ordered that the application of Josie Reid and Theron P. Reid for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



Chairman.

Muskogee, Indian Territory,

MAY 27 1904

Choctaw 5138.

Muskogee, Indian Territory, June 7, 1904.

Serena Quinn,

Alma, 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 the enrollment as citizens by blood of the Choctaw Nation of Josie Reid and Theron P. Reid.

Respectfully,

G. S.

Registered.

Incl. 7- 5138.

Chairman.

Choctaw 5138.

COPY.

Muskeges, Indian Territory, June 7, 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 as citizens by blood of the Choctaw Nation of Jessie Reid, Theron Reid, Zada Pearl Reid and Charles F. Galloway.

Respectfully,

(SIGNED)

James Bixby.
Chairman.

Registered.

Incl. 7- 5138.

See Choctaw 5334 for registry receipt of this letter.

C 127

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

In the matter of the petition for the enrollment of R. L. CRUDUP, et al. as citizens of the Choctaw Nation.

On June 27, 1906, there was received at the office of the Commissioner to the Five Civilized Tribes a petition forwarded by J. O. Poole, attorney at law, South McAlester, Indian Territory, praying for the reopening of the applications for the enrollment of R. L. Crudup, Syrena E. Reed and her children (names not mentioned in the petition), Lou Porter, Viola Sharp and her children (names not mentioned in the petition) and Curg Barron as citizens of the Choctaw Nation and for the readjudication of the rights of said parties to enrollment as citizens of said nation.

The records in the possession of the Commissioner to the Five Civilized Tribes show that the petitioner, R. L. Crudup, was an applicant 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); that on December 5, 1896, in the case entitled R. L. Crudup, et al, vs. Choctaw Nation, 1896 Choctaw Citizenship Case No. 969, said Commission denied his application, among others; that from this decision an appeal was taken to the U. S. Court for the Central District of Indian Territory, which Court on August 25, 1897, rendered judgment in said case admitting the petitioners, Robert L. Crudup, Syrena Reed (as Serena Reed) Lou Porter, Viola Sharp, Curg Barron (as Lycurgas C. Barron), among others, to citizenship in the Choctaw Nation.

This judgment was subsequently vacated, set aside and held for naught by a decree of the Choctaw and Chickasaw Citizenship Court on December 17, 1900, 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 and Chickasaw Citizenship Court created under the act of Congress approved July 1, 1902, (32 Stats., 641), for a trial de novo and on April 30, 1904, in the case entitled R. L. Crudup, et al, vs. Choctaw and Chickasaw Nations said Citizenship Court rendered judgment therein, wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, Robert L. Crudup...Lou Porter, Viola Sharp, Lycurgus C. Barron, Serena Reed....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."

Section 1 of the act of Congress approved April 26, 1906, (34 Stats., 137), provides in part as follows:

".....No motion to reopen or reconsider any citizenship case, in any of said tribes, shall be entertained unless filed with the Commissioner to the Five Civilized Tribes within sixty days after the date of the order or decision sought to be reconsidered except as to de-

cisions made prior to the passage of this Act, in which cases such motion shall be made within sixty days after the passage of this Act....."

I am of the opinion that inasmuch as the petition herein was not filed within the sixty days after the passage of the act above referred to, I am without authority to receive same; that said petition should be dismissed, and it is so ordered.

Tams Bixby,

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory,
Jan. 17, 1907.

I, [Name], of the County of [County], State of [State], do hereby certify that the [Title] [Name] [Address] is the [Title] of the [Organization] at [Location] on the [Date].

In testimony whereof, I have hereunto set my hand and the seal of the [Organization] at [Location] this [Day] of [Month], [Year].

[Signature]
 [Name]
 [Title]

Subscribed and sworn to before me this the 5th day of April A.D. 1858

J. S. Kelly
 Notary Public

0
The Secretary of the
Commission to
Civilized Tribes

Mr. [Name] [Address]
[Address]
[Address]
[Address]

Dear Sir,
I have the honor to
acknowledge the receipt
of your letter of the
[Date] and in reply to
inform you that the
same has been forwarded
to the proper authorities
for their consideration.

I am, Sir, very respectfully,
Yours,
[Signature]

Very respectfully,
[Signature]

Mrs. Theresa Reid and W. J. Reid
before me

to be true and correct

On this the 28th Day of March 1898

R. M. Mow
Notary Public

COPY OF ORDER OF COURT.

United States of America,

INDIAN TERRITORY,

Central

DISTRICT.

IN THE UNITED STATES COURT in the Indian Territory, Central District, at a term thereof begun and held at ... in the Indian Territory, on the ... day of ... A. D. 189... Present, the Honorable ... Judge of said Court.

The following order was made and entered of record, to wit: ... et al.

Main body of the court order text, containing names of individuals and their ages, such as '... a male 10 years old, ... a female 12 years old, ... and ... are all citizens and members of the ... nation and tribe of Indians by blood and as such are entitled to all the rights, privileges, immunities and benefits of citizens and members of blood of the ... nation of Indians, and that the plaintiffs Ellen Ardup a female 10 years of age and Mattie Barron, a female 11 years of age are members and citizens of the ...'

COPY OF ORDER OF COURT.

United States of America,

INDIAN TERRITORY.

887

DISTRICT

IN THE UNITED STATES COURT in the Indian Territory, District,
at a term thereof begun and held at and the Indian
Territory, on the day of A. D. 189
Present, the Honorable Judge of said Court

The following order was made and entered of record, to wit:
Doctaw Tribe and Nation of Indians, Person of Indian Descent
been legally married, Eliza to W. Group, and Marie to Bourgas
Larson, plaintiffs herein and both Doctaw Indians, vs.
such Indians and citizens are entitled to all the rights, privileges
immunities and benefits of citizens and members of the Nation
and Nation of Indians by intermarriage.

It is the order of this court that the following names be
and the plaintiffs herein, W. Group, Marie Group, and
Group, Frank Group, Clarence Group, Viola Group, George Group,
Martin Luther Group, Louis Group, John Group, Joseph
Group, Lou Group, Elizabeth Group, Thomas
Group, Thomas Group, John Group, Viola Group,
Lucy Group, Laura Group, Thomas Group, John Group,
Eliza Group, Carroll Group, Susan Group, Sarah Group,
Group, and each of them and their heirs and assigns,
privileges immunities and benefits of citizens and members of
the Doctaw Nation and that each of their names be placed upon the
citizenship rolls of the Doctaw Nation by the Commission
to the Five Civilized Tribes.

It is further ordered, decreed and adjudged that the plain-
tiffs Eliza Group and Marie Larson be admitted to and granted all the
rights, privileges immunities and benefits of members of the Doctaw
Nation by intermarriage, and that their names be placed upon the rolls
of members by intermarriage of the Doctaw Nation by the Commission
to the Five Civilized Tribes.

It is further ordered, that the clerk of this court transmit
to the Commission to the Five Civilized Tribes a certified copy of the
decree and judgment in this cause and an order that said Commission
place the names of the above named plaintiffs upon the rolls as herein
commanded. It is further ordered and decreed that the
plaintiffs herein have and recover of and from the defendant the Doctaw
Nation all their costs herein laid out and expended for all of
which let execution issue.

COPY OF ORDER OF COURT.

United States of America,

United States of America,

INDIAN TERRITORY.

Cochise DISTRICT.

I, *E. C. James*, Clerk of the District Court of the United States for

the *Cochise* District of the Indian Territory, do hereby certify the foregoing to be a true copy of an order made by said Court on the *25th* day of *August*, 189*7* 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 *Phoenix* in said District, this *29th* day of *March*, A. D. 189*7*.

E. C. James, Clerk,

By *J. M. ...* Deputy.

Wm. J. Fang

March 28th 1898

This is to certify that I am acquainted with W. J. Reid and his wife Serena Reid and that said Serena Reid gave birth to a Boy Baby on January 29th 1898. That I have seen said Baby on several occasions and that he is a healthy child.

W. J. Fang

Wrote & subscribed to before me

this 28th day of March 1898

R. M. Innes
Notary Public

Lucas

March 28th 1898

This is to certify that I am acquainted
with Mr. Reid and his wife Mrs. Corina
Reid that Mrs. Corina Reid gave birth
to a child (son) on the 27th day of
January 1898 that I have seen the
baby on many occasions and that
he is a healthy healthy child. They have
named him Leroy, Fovee Reid

Witness my hand and subscribed before me this 28th day of March

1898
R. M. Moas, Notary Public

This is to certify that I am acquainted
with Mr. J. Reid and one son.
I was present when Reid gave birth
to a Boy on the 20th day of January 1898.
The Boy has been named "Reid"
and is alive and well at this time.

Subscribed and sworn to
before me this 20th day of
March 1898

Walter S. Hilton

R. J. Moore
Notary Public

This is the ...
with ...
that ...
length ...
have ...
still ...

There ...
before ...
March ...
R. ...
...

Office of
L. J. CRANFILL
Physician and Surgeon.

March 18 1896

I hereby certify that I was personally
engaged and was present at the birth
of the child born to Mrs. Emma Edith
Wife of W. J. Reid on the 27th day of
January 1896 and that said child
is now alive and in good health.

Luther L. Reynolds M.D.

Subscribed & sworn to before me
this 18th day of March 1896

R. A. Moor

Notary Public

14936 312

Certificate of Record of Marriage.

UNITED STATES OF AMERICA,)
THE INDIAN TERRITORY,) SCL.
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. *Ed Reid* and M. *Lizzie Banks* were filed in my office in said Territory and District the *11* day of *Nov*

A. D. 189*9*, and duly recorded in Book *10* of Marriage Record, page *127*

WITNESS my hand and seal of said Court, at Ardmore, this *13* day of *Mo.*

A. D. 189*9*
C. M. Campbell CLERK.

Ardmore Power Print, Ardmore, I. T.

FILE

MAR *21* 1899

C. M. CAMPBELL

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

FILED

OCT 18 1901

[Signature] ACT'NG CHAIRMAN.

UNCLERK
5138



MARRIAGE LICENSE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
SOUTHERN DISTRICT.

SS: To Any Person Authorized by Law to Solemnize Marriage--Greeting:

You are hereby Comanded, To solemnize the Rite and
publish the Banns of Matrimony between
Mr. J. L. Reid of Loco
in the Indian Territory, aged _____ years, and
Miss Lizzie Crooks of Duncan
in the Indian Territory, aged 17 years,
according to law; and do you officially sign and return this License to
the parties therein named.

Witness my hand and official seal, this 9 day
of March A. D. 1899
C. M. Camp
Clerk of the United States Court

Certificate of Marriage.

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

SS: I, W. H. May Kendall
a solemnized minister
do hereby certify, that on the 7 day of March 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 7 day of March A. D. 1899

My credentials are recorded in the office of the Clerk of the United States Court,
Indian Territory, Southern District, at Ardmore, Book _____ Page _____

W. H. May Kendall
a 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 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 creden-
tials have first been recorded in the Clerk's office.

Certificate of Record of Marriage.

UNITED STATES OF AMERICA,)
INDIAN TERRITORY,)
SOUTHERN DISTRICT.) *sc.*

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. J. L. Quinn

AND

Mrs. C. C. Tied

were filed in my office in said Territory and District the *30* day of *April* A. D. 190*2*, and duly recorded in Book *F.* of Marriage Record, Page *322*

WITNESS my hand and Seal of said Court,

~~FILED~~ *30* day

of *May* A. D. 190*2*

APR 30 1902 8 PM

C. M. Campbell
C. M. CAMPBELL, Clerk.

Southern Dist. Ind. Ter.

** 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

COMMISSION TO

FILED

No.

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. J. Quinn of Lees in the Indian Territory, aged 62 years, and Mrs. S. E. Ried of Lees in the Indian Territory, aged 50 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 21 day of April, A. D. 1902
C. M. Campbell
Clerk of the United States Court
Deputy

Certificate of Marriage.

United States of America,
Indian Territory,
Southern District. } ss;

I, H. C. Griffin
a ordained Minister

do hereby certify, that on the 22 day of April A. D. 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 22 day of April, A. D. 1902

My credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Southern District, at Ardmore, Book A, Page 16 & 17

NOTE—The person officiating should fill in the spaces for book and page and sign here.

H. C. Griffin
a ordains Miney Les

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.

5197

Certificate of Record of Marriage

UNITED STATES OF AMERICA, }
INDIAN TERRITORY, } sec.
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 Campbell* and
M. *Eva Lewis*

were filed in my office in said Territory and District the *25* day of *January* A. D. 190*2* and duly recorded in Book *E* of Marriage Record, Page *216*

WITNESS my hand and Seal of said Court, at Ardmore, this *25th* day

of *January* A. D. 190*2*.
C. M. Campbell
CLERK.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
APR 4 1902

[Signature]
ACTING CHAIRMAN

5138

Return this License to the United States Clerk at Ardmore, that it may be recorded, when it will be mailed to the proper address.

Marriage License

United States of America,
INDIAN TERRITORY
SOUTHERN 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. *J. S. Callaway*
of *Velma* in the Indian Territory, aged *28* years and
M. *Eva Reid* of *Looco*
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 *10* day
of *Dec* A. D. 190*1*

W. M. Campbell
Clerk of the United States Court

Certificate of Marriage.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
SOUTHERN DISTRICT.

I, *J. S. Callaway*
do hereby certify, that on the *14* day of *Dec*, A. D. 190*1*.

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 *10* day of *Dec*, A. D. 190*1*

My credentials are recorded in the office of the Clerk of the United States Court, Indian
Territory, Southern District, at Ardmore, Book *74*, Page *76*

(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.

NEW BORN

100

IN RE
Application for Enrollment of
MINOR CHILD

Act of Congress Approved
April 26, 1906.

Charles Friedrich Kellang

as a citizen of

..... **CHOCTAW** **Nation.**

Approved..... 190...

.....
Commissioner.

Born Feb 1 1912

ACT OF CONGRESS APPROVED APRIL 26, 1906.

DEPARTMENT OF THE INTERIOR
COMMISSIONER OF INDIAN AFFAIRS

AUG 14 1906

Zoba

RECEIVED

CHOCTAW

5135

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

ENROLLMENT OF MINORS. ACT OF CONGRESS, APPROVED APRIL 20, 1906.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,
of Charles Frederick Callaway born on the 1 day of Feb 1906
Name of Father: John Thomas Callaway a citizen of the U.S. Nation.
Name of Mother: Evelina Callaway a citizen of the Choctaw Nation.
Tribal enrollment of father: Pending Tribal enrollment of mother: Pending
Postoffice: Alma

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory,

Southern District

Evelina Callaway on oath state that I am 25
years of age and a citizen by Blood of the Choctaw Nation;
that I am the lawful wife of John Thomas Callaway, who is a citizen, by
Marriage of the Choctaw Nation; that a male child was
born to me on 1 day of Feb 1906, that said child has been named
Charles Frederick Callaway and was living March 4, 1906.

Evelina Callaway

WITNESSES TO MARK:

[Must be Two Witnesses]

Subscribed and sworn to before me this 20 day of July 1906.

J. E. Harrison
Notary Public

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory,

Southern District

Serena Quinn a midwife, on oath state that I
attended on Evelina Callaway wife of John Thomas Callaway
on the 1 day of Feb 1906 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 Charles Frederick
Callaway

(with Dr. R. Thompson whose reports are enclosed)

Serena Quinn

WITNESSES TO MARK:

[Must be Two Witnesses]

Subscribed and sworn to before me this 20 day of July 1906.

J. E. Harrison
Notary Public
My commission expires Dec 6 - 08

Muskogee, Indian Territory, October 4, 1901.

Mr. T. I. Reid,

1000, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 1st instant, addressed to C. R. Breckinridge, Muskogee, I. T., and by him referred to this office for consideration and appropriate action.

Enclosed in your letter is the application for the enrollment as a citizen of the Choctaw Nation of Zada Pearl Reid, infant daughter of Thomas L. and Lizzie Reid, born September 15, 1901, and the same is returned to you herewith for the reason that the mother of the child being a citizen of the United States, it will be necessary that you file with this office either your original marriage license and certificate or a certified copy thereof.

Upon return of the application, together with legal evidence of your marriage, the matter will receive further consideration.

In all future communications relative to matters which are of record, or which are to be made of record in this office, you are requested to address only the Commission to the Five Civilized Tribes.

Yours truly,

7-5138
McH
136

Acting Chairman.

McAlester, Indian Territory, October 1901.

J. L. Sellers,
Alma, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 13th instant requesting information as to the enrollment of Serena, T. L., and Olive Reed.

You are informed that the records of this office show that Serena Reed, 42 years of age, and her son Thomas L. Reed, 25 years of age, and her daughter Olive Reed, 18 years of age of Loco, Indian Territory were listed for enrollment as citizens of the Choctaw Nation, September 23, 1898, having been admitted to citizenship in the Choctaw Nation by a judgment of the United States Court for the Central District of the Indian Territory at South McAlester, Indian Territory, January 27, 1898.

Yours truly,

7-5138

Acting Chairman.

Muskogee, Indian Territory, October 18, 1901.

T. L. Reid,

Loco, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 14th instant enclosing marriage license and certificate between T. L. Reid and Lizzie Crooks 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 Zada Pearl Reid, the infant daughter of Thomas L. and Lizzie Reid born September 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,

7-5138.

Acting Chairman.

Muskogee, Indian Territory, April 4, 1902.

J. T. Calloway,

Alma, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 31st ultimo enclosing application for enrollment as a citizen of the Choctaw Nation of Charles F. Calloway, infant son of John T. and Evalena Calloway, 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 J. T. Calloway and Eva Reid and the same has been duly filed with the records of the Commission in the matter of the application for the enrollment of the above named child.

Yours truly,

Commissioner in Charge

7-5138.

Muskogee, Indian Territory, November 14, 1902.

S. L. Quinn,

Alma, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 10th inst., enclosing the marriage license and certificate of J. L. Quinn and S. E. Reid. It is stated in your letter that you were listed for enrollment as a citizen of the Choctaw Nation under the name of Serena Reid, since which time you have been married to J. L. Quinn.

You are advised that the marriage license and certificate have been duly filed with our records in the matter of the application for enrollment as a citizen of the Choctaw Nation of Serena Reid, as authority for the change of her name upon our records from her former name to her present married name.

Respectfully,

Acting Chairman.

7-5138

Muskogee, Indian Territory, July 24, 1906.

A. H. Kennedy,
Lock Box 72,
Alma, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of July 9, 1906, in which you state that the names of the parents of your wife, Olive Kennedy, are Serena Reid and William Reid.

In reply you are advised that the information contained in your letter has enabled this office to identify her as having been denied by the Choctaw-Chickasaw Citizenship Court, and has been filed with the affidavits for the enrollment of Myrtle Viola Kennedy and Wesley Hartley Kennedy.

Respectfully,

Commissioner.

7-5138

Muskogee, Indian Territory, August 14, 1906.

John Thomas Calloway,
Alma, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of the affidavits of
Evalena Calloway and Serena Quinn to the birth of Charles
Fredrick Calloway and Zach Alton Calloway, children of John
Thomas and Evalena Calloway, February 1, 1902 and April 20,
1904, respectively.

Respectfully,

Commissioner.

7-5138

Muskogee, Indian Territory, September 29, 1906.

Serena Quinn,

Alma, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of September 18, 1906, in which you state that persons are cutting timber on land which you are holding. You ask if you will be safe in making improvements on the land that you now hold, and request to be advised concerning the cutting of timber.

In reply you are advised that on April 30, 1904, the Choctaw and Chickasaw Citizenship Court denied the citizenship of yourself and your children in the Choctaw Nation.

It further appears that a petition for citizenship, under the ruling of the Department in the Loula West case, was received at this office June 27, 1906, but as the same was not received until after the ninety days allowed for a peal in such cases no action has yet been taken thereon.

You are advised that the matter of cutting and sale of timber in Indian Territory comes within the jurisdiction of the United States Indian Inspector, Muskogee, Indian Territory.

Respectfully,

Commissioner.

7-5138

Muskogee, Indian Territory, October 2, 1906.

Serena Quinn,

Alma, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of September 18, 1906, in which you state that persons are cutting timber on land which you are holding. You ask if you will be safe in making improvements on the land that you now hold, and request to be advised concerning the cutting of timber.

In reply to your letter you are advised that on April 30, 1904, the Choctaw and Chickasaw Citizenship Court denied the citizenship of yourself and your children in the Choctaw Nation.

It further appears that a petition for rehearing in your case under the ruling of the Department in the Loula West case, was received at this office June 27, 1906, but as the same was not received until after the ninety days provided by the Act of Congress of April 26, 1906 for appeal in cases which had been determined prior to the passing of that act had expired no action has yet been taken thereon.

You are advised that the matter of cutting and sale of timber in the Indian Territory, comes within the jurisdiction of the United States Indian Inspector, Muskogee, Indian Territory.

Respectfully,

Commissioner.

Choc 5139 Viola Sharp

nos 8-9 Dismissed Oct 31, 1902

C-127

see Petition #C-1278

Record in Choctaw #3528

5139

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

- - - - -

Record in the matter of the application for enrollment
as citizens by blood of the Choctaw Nation of:

Mary J. Sharp, et al.,

7-5139.

- - - - -

Viola Sharp and others.

Viola Sharp says:

Mary J. was born July 3d 1897.

I have been living in the Chickasaw Nation 9 years continuously.

Ardmore, Sept. 23 1898.

Viola Sharp
Robert E. Sharp
Martin L. Sharp
John T. Sharp
J.B.Sharp
Willie B. Sharp
Josephine Sharp
Mary J. Sharp

enrolled.

Choctaw.

20

IN RE

Application for Enrollment of

INFANT CHILD

Daniel Anderson Sharp
as a citizen of

Choctaw Nation

Approved: *December 14* 1900

[Signature]
Commissioner

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
DEC 14 1900

[Signature]
ACTING CHAIRMAN

Choctaw.
5139.

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

IN RE Application for Enrolling ^{Sharp} as a citizen of the *Choctaw* Nation.
of *Samuel Hudson*, born on the *11* day of *November*, *1900*
(Here insert name of child.)
Name of Father: *J. W. Sharp*, a citizen of the *Choctaw* Nation.
Name of Mother: *Viola Sharp*, a citizen of the *Choctaw* Nation.
Post-office, *Grady, Ind Ter*

AFFIDAVIT OF MOTHER.

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

I, *Viola Sharp*, do hereby state that I am *38*
years of age and a citizen, by *Blood*, of the *Choctaw* Nation;
that I am the lawful wife of *J. W. Sharp*, who is a citizen, by
marriage of the *Choctaw* Nation; that a *male* child was
born to me on the *11* day of *November*, *1900*; that said child has been
named *Samuel, Hudson*, and is now living

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this *4th* day of *December*, *1900*.
W. C. Sappington
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, *M. A. Beeler*, a *Physician* do hereby state that I
attended on Mrs. *Viola Sharp*, wife of *J. W. Sharp*,
on the *11* 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
named *Samuel Hudson*.

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this *6* day of *December*, *1900*.
M. A. Beeler M.D.
W. C. Sappington
NOTARY PUBLIC

Lead


7-8139.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application for enrollment of
Mary J. Sharp and Samuel Hudson Sharp as citizens by blood of the
Choctaw Nation.

The applicants, Mary J. Sharp and Samuel Hudson Sharp,
claim their right to enrollment as citizens by blood of the Choctaw
Nation through their mother Viola Sharp. The right of the
applicants' mother, Viola Sharp, 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. 40,
upon the South McAlester docket of said court, it is hereby ordered
that the application of Mary J. Sharp and Samuel Hudson Sharp for
enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



Chairman.

Muskogee, Indian Territory,

Choctaw 5139.

COPY!

Muskogee, Indian Territory, June 7, 1904.

Viola Sharp,
Grady, 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 citizens by blood of the Choctaw Nation of Mary J. Sharp and Samuel Hudson Sharp.

Respectfully,

S. SNEED

Wm. D. S.

Registered.

Chairman.

Incl. 7- 5139.

Choctaw 5139.

COPY:

Muskogee, Indian Territory, June 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 27, 1904, dismissing the application for enrollment as citizens by blood of the Choctaw Nation of Mary J. Sharp and Samuel Hudson Sharp.

Respectfully,

(SIGNED)

James Dixie.

Chairman.

Registered.

Incl. 7- 5139.

Choctaw 5139.

COPY:

Muskogee, Indian Territory, June 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 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 Mary J. Sharp and Samuel Hudson Sharp.

Respectfully,
(SIGNED)

James Dixby.
Chairman.

Registered.

Incl. 7- 5139.

See Choctaw 5334 for registry receipt of this letter

COMMISSIONERS

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

ALLISON I. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, December 14, 1900.

Mrs. Viola Sharp.

Grady, Ind. Ter.

Dear Madam:-

The Commission is in receipt of the application for enrollment as a citizen of the Choctaw Nation, of Samuel Hudson Sharp, the infant son of J. W. and Viola Sharp, born November 11, 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.

7-5139.

Acting Chairman.

Chectaw 5139.

Receipt
Muskogee, Indian Territory, April 17, 1903.

Viola Sharp,

Grady, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of your affidavit stating that you were admitted to citizenship in the Chectaw nation by a judgment of the United States Court at South McAlester, Indian Territory, and designating the land which you have selected for yourself and your minor children.

The affidavit is herewith returned you and your attention is invited to rule fifteen of the rules and regulations of the Commission governing the selection of allotments and the designation of homesteads in the Chectaw and Chickasaw Nations, a copy of which is herewith inclosed you.

You are advised that the Commission will not allot lands on which so-called court claimants have improvements, not in excess of lawful allotments, without notice to them of application having been made therefor, and they will be permitted to institute contest for the land on which their said improvements are located.

Respectfully,

AB 1-17
Rules for allotment.

Chairman.

Choctaw 5139

Muskogee, Indian Territory, March 15, 1904.

J. S. Mullen,

Attorney at Law,

Ardmore, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of March 8, asking relative to the status of Mrs. _____ Sharp, of Oscar or Grady, Indian Territory, as a citizen of the Choctaw Nation.

In reply to your letter you are advised that Viola Sharp, about forty years of age, and her children were admitted to citizenship in the Choctaw Nation by a judgment of the United States Court for the Central District of the Indian Territory, rendered August 25, 1897, in court case, citizenship docket, Number 105.

It appears from our records that the post office address of Viola Sharp at the time she made application to the Commission for enrollment was Grady, Indian Territory, and if this is the person concerning whom your inquiry is made, you should address the Clerk of the Choctaw-Chickasaw Citizenship Court, South McAlester, Indian Territory, for information concerning her status as her case is now pending in that court.

Respectfully,

7-5139

Muskogee, Indian Territory, May 15, 1906.

Viola Calvary,

R. R. 5, Box 6,

Nocona, Texas.

Dear Madam:

Receipt is hereby acknowledged of your letter of May 7, 1906, asking the status of your application for enrollment in the Choctaw Nation; you state that you were formerly Viola Sharp.

In reply to your letter you are advised that the Choctaw and Chickasaw Citizenship Court on April 30, 1904 denied the citizenship of yourself and your children in the Choctaw Nation. Your case is therefore considered closed.

Respectfully,

Acting Commissioner.

Viola Sharp

Robert E.

Martin

John

J.B.

Willie B.

Josephine

Mary J.

born July 21st 1871

Charlotte

Sanit. M. M. M. 105

Aug 4th 1877

1884

The State of Texas
County of Montague, Personally
appeared before me
J. S. Blackwell, who after
being by me duly sworn
on oath, that he
saw mailed to Green
McCartain (Governor of the
Choctaw Nation, a true
copy of all the papers in
the case of Mrs. Viola Short -
asking for the Enrollment
of her daughter Mary Jane
Short - to wit: of the

Petition Copy of Judgment
and affidavits of
Dr. Wilson, McDaniel
and A. J. Durand. as to wit
this November 2nd 1897 and
that he has no interest
in said cause.

Jas. S. Blackwell
Sworn and subscribed to
this November 2nd 1897

G. Price McCall J. P. & officio
Notary Public in & for Montague County

Choctaw Nation
Indian Territory to The
Honorable The Commission
to the Five Civilized Tribes
Part

Mrs Viola Sharp -
a resident and legal
citizen of said Choctaw Tribe
represents that
she is the mother of a
child born since her
admission through the
courts to citizenship -
and has named said
child Mary Jane Sharp -

In proof of my admission
to citizenship - reference
is hereby made to annexed
copy of Judgment
and as to birth of child
to the testimony of
Jas Wilton, McDaniel
and several heirs to
attached, wherefore

~~Part~~ Of Viola Sharp -
Prays your Honors that
her child Mary Jane
be enrolled, upon the
Legal citizenship - Rolls

By Blood of Calise
Choctaw Nation
And will ever Pray to
Viola Charis—
By Joseph
Murray

TRANSCRIPT OF PROCEEDINGS.

The United States of America,)
UNITED STATES COURT, INDIAN TERRITORY,)
CENTRAL DISTRICT,)

At a stated term of the United States Court in the Indian Territory, Central District, begun and had in the Court Rooms, at South McAlester in the Indian Territory, on the 13th, day of April being the Second Tuesday ~~day~~ of that month, in the year of our Lord one thousand eight hundred and ninety-seven, and of the Independence of the United States of America the one hundred and Twenty-two

Present, the Hon. Wm. H. H. Clayton

Judge of said Court.

On Wednesday the Twenty fifth day of August, 1897, among the proceedings had were the following, to wit:

R. L. CRUDUP et al

Plaintiffs

Vs.

No. 105

The Choctaw Nation

Defendant.

This ~~case~~ ^{case} came on to be heard on this 25th day of August 1897, in open court, whereupon both plaintiff and defendant announced ready for trial, and the Court having heard the evidence in the cause, and argument of counsel, and the same being submitted to the court for judgment herein:

The court find that the plaintiffs, Robert L. Crudup, a male 36 years old, ~~Robert~~ Robert Crudup a boy 8 years old, Edna Crudup a girl 7 years old, Dora Crudup a girl 5 years old, Earnest Crudup a boy 3 years old, Clarence P. Crudup a boy 1 Year old; Viola Sharp, a female 35 years old, Robert E. Sharp, a boy 14 years old, Martin Luther Sharp, a boy 13 years old, John T. Sharp, a boy 10 years old, J. B. Sharp a boy 7 year old, Willie Barron Sharp a boy 3 years old, Josephine Sharp a girl 1 year old, Lou Porter a female 36 years old, Archibald W. Porter a boy 17 years old, Due Porter a boy 15 years old, Lycurgas Porter a boy 13 year old, Thomas Porter a boy 10 years old, Hugh Porter a boy 6 years old, Viola Porter a girl 4 years old, Henry W. Porter a boy 2 years old, Lycurgas C. Barron a male 29 years old, Serena Reid, a female 40 years old, Thomas

Reid a male 22 years old, Leta Reid a girl 20 years old, Eva Reid, a girl 18 years, Olive Reid a girl 18 years old, Carroll a girl 14 years old, Rutha Reid, a girl 12 years old, Mabel Reid a girl 10 years old, Jessie a boy 8 years old and Josie Reid a girl 6 years old, are all citizens and members of the Choctaw Tribe and Nation of Indians by blood and as such are entitled to all the rights privileges, immunities and benefits of citizens and members by blood of the Choctaw Tribe and Nation of Indians, and that the plaintiffs, Ellen Crudup a female 30 years of age and Mattie Barron, a female 24 years of age, are members and citizens of the Choctaw Tribe and Nation of Indians by reason of having heretofore been legally married, Ellen to R. L. Crudup, and Mattie to Lycurgas Barron, Plaintiffs herein and both Choctaw Indians by blood and as such intermarried citizens are entitled to all the rights, privileges, immunities and benefits of citizens and members of the Choctaw Nation and Tribe of Indians by intermarriage.

It is therefore ordered, adjudged and decreed by the court that the plaintiffs, Robert L. Crudup, Herbert Crudup, Dora Crudup, Edna Crudup, Earnest Crudup, Clarence P. Crudup, Viola Sharp, Robert E. Sharp, Martin Luther Sharp, John T. Sharp-J. B. Sharp, Willie B. Sharp, Josephine Sharp, Lou Porter, Archibald W. Porter, Due Porter, Lycurgas Porter, Thomas Porter, Hugh Porter, Viola Porter, Henry W. Porter, Lycurgas C. Barron, Serena Reid, Thomas Reid, Leta Reid, Eva Reid, Olive Reid, Carol Reid, Rutha Reid, Mabel Reid, Jessie Reid and Josie Reid, and each of them be admitted to and granted all the rights, privileges, immunities and benefits of Choctaw citizens by blood of the Choctaw Nation, and that each of their names be placed upon the legal citizenship rolls of the Choctaw Nation by blood by the Commission to the Five civilized Tribes.

It is further ordered, decreed and adjudged that the plaintiffs Ellen Crudup and Mattie Barron be admitted to and granted all the rights, privileges, immunities and benefits of members of the Choctaw Nation by intermarriage, and that their names be placed upon the rolls of members by intermarriage of the Choctaw Nation by the Commission to the Five Civilized Tribes.

It is further ordered that the Clerk of this Court transmit to the Commission to the Five Civilized Tribes a certified copy of the decree and judgment in this cause and an order that said Commission place the names of the above named plaintiffs upon the rolls as herein commanded.

It is further ordered and decreed that the plaintiffs herein have and recover of and from the defendant, the Choctaw Nation all their costs herein laid out and expended, for all of which let execution issue.

The United States of America,

UNITED STATES COURT, INDIAN TERRITORY,

CENTRAL DISTRICT,

I, *E. J. Mullin*, Clerk of the United States Court, within and for the Central District of the Indian Territory aforesaid, do hereby certify that that the foregoing *per E. J. Mullin* is truly taken, and correctly copied from Court Journal *(C. J. 1897)* Page 119, of said Court.

In Testimony Whereof, I have hereunto set my hand and affixed the Seal of said Court, at *McMurtre* this *4th* day of *Oct*, A. D. 1897

E. J. Mullin

Clerk.

by _____

Deputy.

U. S. A.
Chickasaw Nation,
Southern District, Indian Territory.

Personally appeared before me G. C. Wilton
a practicing physician and after being
by me duly sworn says on oath that he
resides in Pickens County, Chickasaw
Nation, Indian Territory, and has so re-
sided for 7 years: that he is a phy-
sician by profession - and has been for
7 years: that he confined Mrs. Viola
Sharp on the third day of September 1897:
that she on said day gave birth to a well-
developed girl child and said child is
now living and doing well and named
Mary Jane Sharp. This Oct. 2 1897.

G. C. Wilton

Sworn and subscribed to
before me this October 2, 1897.

R. J. Dumas
a Notary Public in and for
the Southern District Ind. Ter.

U. S. A. Chickasaw Nation,
Indian Territory, Southern District.

Personally appeared before
me, L. J. McDaniel, who, after being
by me duly sworn, says on oath that
he is fifty-one years of age and resides
in the Chickasaw Nation, Indian Ter-
ritory; that he is personally acquainted
with Viola Sharp and her husband
William Sharp and that Mrs. Viola
Sharp gave birth to a child on to wit
the third day of September 1897 and
that said child is a girl and named
Mary Jane and is now a living
human and in a parently good
health; that its mother Viola Sharp
is the same Viola Sharp admitted to
to citizenship in United States Court
at South McAlester, Indian Terri-
tory, by Judge W. H. H. Clayton, Judge
of said court. A copy of said judg-
ment is hereto attached for proof
of same. This Oct. 2, 1897.

L. J. McDaniel

Sworn and subscribed to before
me this, the second day of Oct. 1897.

R. D. Maguire, Notary

Public in and for the Southern District
Ind. Ter.

U. S. A.

Chickasaw Nation
Indian Territory, Southern Dist.

Personally appeared before me
A. J. Penrod, who after being by me duly
sworn says on oath that he is forty-
three years of age and resides in the
Chickasaw Nation, Indian Territory: that
he is personally acquainted with Viola Sharp
and her husband William Sharp and that
Mrs Viola Sharp gave birth to a child on or wit-
hin the third day of September 1897, and that
said child is a girl and named Mary
June and is now a living human
and in apparently good health: that
its mother, Viola Sharp, is the same Viola
Sharp admitted to citizenship in U. S.
Court at South McAlester, Indian Territory,
by Judge W. H. Clayton, Judge of said
court. A copy of said judgment is here-
to attached for proof of same. This Oct.
2, 1897.

A. J. Penrod

Sworn and subscribed to before me
this the second day of Oct. 1897.

Notary Public in and for the South-
ern District Ind. Ter.

SUMMONS.

Original

United States, of America,)

INDIAN TERRITORY,)

Choctaw and Chickasaw Citizenship Court.)

SS:

The President of the United States of America,

To the United States Marshal for the Indian Territory, Northern District,

GREETING:

YOU ARE COMMANDED TO SUMMONS Green McCurtain
Principal Chief of the Choctaw nation

on behalf of said nation
to answer in twenty days after the service of this summons upon him
as Principal Chief of said nation
a complaint in Equity filed against the Choctaw and Chickasaw nations

in the Choctaw and Chickasaw Citizenship Court, in the Indian Territory, So. McAlester
by R. L. Cradup et al and warn him that upon his as said Prin. Chief failure to answer, the
on behalf of said nation complaint will be taken for confessed, and you will make return of the summons on the
first day of next instanter Term of said Court

and you are further commanded to notify the said Green McCurtain, Principal Chief aforesaid, that the files, papers and proceedings in case of R. L. Cradup et al file No. 105 in the District Court for the Central District of the Indian Territory, have been transferred to the Choctaw and Chickasaw citizenship court, and that the certificate of the Clerk of said Court for said Central District has been Indian Territory, has been attached thereto.

WITNESS the Honorable SPENCER B. ADAMS, Chief Judge, WALTER L.

WEAVER and HENRY S. FOOTE, Associate Judges, and the Seal

thereof, at South McAlester, I. T., aforesaid,

this 17 day of March, A. D. 1903

James T. Cassman
Clerk.

By _____, Deputy.

MARSHAL'S RETURN.

United States of America,)

INDIAN TERRITORY,)

DISTRICT.)

I RECEIVED this summons this 21 day of November, A. D. 1902, at _____ o'clock _____ m. and served same by copy, as follows:

Personally on	1	at	Ind. Ter. this	day of	190	o'clock	m.
<i>Alvan Holt</i>	<i>1</i>	at	Ind. Ter. this	day of	190	o'clock	m.
		at	Ind. Ter. this	day of	190	o'clock	m.
"		at	Ind. Ter. this	day of	190	o'clock	m.
"		at	Ind. Ter. this	day of	190	o'clock	m.
At Residence of		at	Ind. Ter. this	day of	190	o'clock	m.
"		at	Ind. Ter. this	day of	190	o'clock	m.
"		at	Ind. Ter. this	day of	190	o'clock	m.
"		at	Ind. Ter. this	day of	190	o'clock	m.

With a member of defendant's family over 15 years of age there residing.

And the other persons named in this Summons are "not found in this District."

J. E. ...
U. S. Marshal.

By *...* Deputy

104
416

No. 4 S-m

SUMMONS
IN EQUITY.

R. L. Crudup et al
vs.
Chatham & Chatham
Natives

Summons issued the 14 day
of March 1903

Returnable ~~instantly~~ ~~1903~~

Returned and filed 1903

By _____ Clerk.
Deputy.

MARSHAL'S FEES.

Services,	- - - - -	x
Miles,	- - - - -	x
Expense,	- - - - -	x
TOTAL,	- - - - -	x

J. O. Paul,
Cattin - Patten
Lawrenceville, Ga.
Attorney for Plaintiff.

IN THE CHOCTAW AND CHICKASAW CITIZENSHIP COURT SITTING AT
SOUTH MC ALESTER, INDIAN TERRITORY.

R. L. Crudup, et al,-----Plaintiffs,)
vs)
Choctaw and Chickasaw Nations, Defendants.)

The defendants are hereby notified to produce upon the trial of this cause ^{all} the original official books containing a roll of the names of the members of the Choctaw tribe of Indians made prior to the year 1834, or secondary evidence of the contents of the same will be introduced, to show the names of plaintiffs ancestors on said roll.

Potter & Potter atty
for paper

~~Use with original service of the above
noted June 1903~~

A Copy of the above has been
received by us
Mansfield, W. Murray Cornish

In the Choctaw and Chickasaw Citizenship Court, sitting at
South McAlester, in the Central District of the Indian Territory,
April Term, 1904.

R. L. Crudup, et al.,

vs.

No. 45.

Choctaw and Chickasaw Nations.

DECREE OF COURT.

On this 30th day of April, 1904, this cause coming on for final decision, the same having heretofore been submitted upon the law and the evidence, and the Court being well and sufficiently advised in the premises, doth find that the plaintiffs, Robert L. Crudup, Herbert Crudup, Dora Crudup, Edna Crudup, Earnest Crudup, Clarence P. Crudup, Viola Sharp, Robert E. Sharp, Martin Luther Sharp, John T. Sharp, J. B. Sharp, Willie B. Sharp or Willie Barron Sharp, Josephine Sharp, Lou Porter, Archibald W. Porter, Due Porter, Lycurgus Porter, Thomas H. Porter or Thomas Porter, Hugh Porter, Viola Porter, Henry W. Porter, Lycurgus C. Barron, Serena Reid, Thomas Reid, Lela Reid, Eva Reid, Olive Reid, Carroll Reid, Rutha Reid, Mabel Reid, Jessie Reid, ~~John Reid~~ Ellen Crudup and Mattie Barron, are not entitled to be deemed or declared citizens of the Choctaw Nation, or to enrollment as such, or to any rights whatever flowing therefrom; and the Court doth further find that it has no jurisdiction over the petitioner John Reid.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the petition of the plaintiffs, Robert L. Crudup, Herbert Crudup, Dora Crudup, Edna Crudup, Earnest Crudup, Clarence P. Crudup, Viola Sharp, Robert E. Sharp, Martin Luther Sharp, John T. Sharp,

J. B. Sharp, Willie B. Sharp or Willie Barron Sharp, Josephine Sharp, Lou Porter, Archibald W. Porter, Due Porter, Lycurgus Porter, THOMAS F. Porter or T omas Porter, Hugh Porter, Viola Porter, Henry W. Porter, Lycurgus C. Barron, Serena Reid, Thomas Reid, Lela Reid, Eva Reid, Olive Reid, Carroll Reid, ✓ Rutla Reid, Mabel Reid, Jessie Reid, Ellen Crudup and Mattie Barron, 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 petitioner John Reid, the Court having no jurisdiction, his petition is dismissed.

Sperren B. Adams
.....
Chief Judge.

Walter L. Weaver
.....
Associate Judge.

H. S. Hootle
.....
Associate Judge.

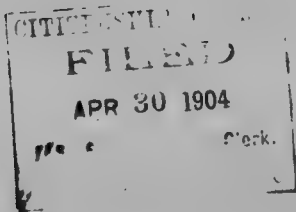
45.

R. L. Crundup, et al.

vs.

Choctaw and Chickasaw
Nations.

Decree



Choc 5140 Lau Porter

Nº 9 Dismissed Oct 31, 1902

See Pet #C-1277

Record in Choc #3528

5140

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:

Newman Porter,

7-5140.

-----o-----

Lou Porter and others.

Lou Porter says:

Newman was born July 20th 1888 -

I have been living in the Chickasaw Nation 9 years, ~~and~~

Arkansas, Sept. 22 1892

- Lou Porter
- Archibald W. Porter
- mas Porter
- Lycurgus Porter
- Thomas H. Porter
- Hugh Porter
- Viola Porter
- Henry W. Porter
- Newman Porter

enrolled.

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[Faint, illegible text with a large dark smudge or mark]

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The first,

only, in the second.

and the

the second, in the first.

the first, in the second.

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the first, in the second.

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the second.

SECRET

CONFIDENTIAL - SECURITY INFORMATION

MEMORANDUM FOR THE DIRECTOR

FROM: SAC, [Redacted]

SUBJECT: [Redacted]

1. [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

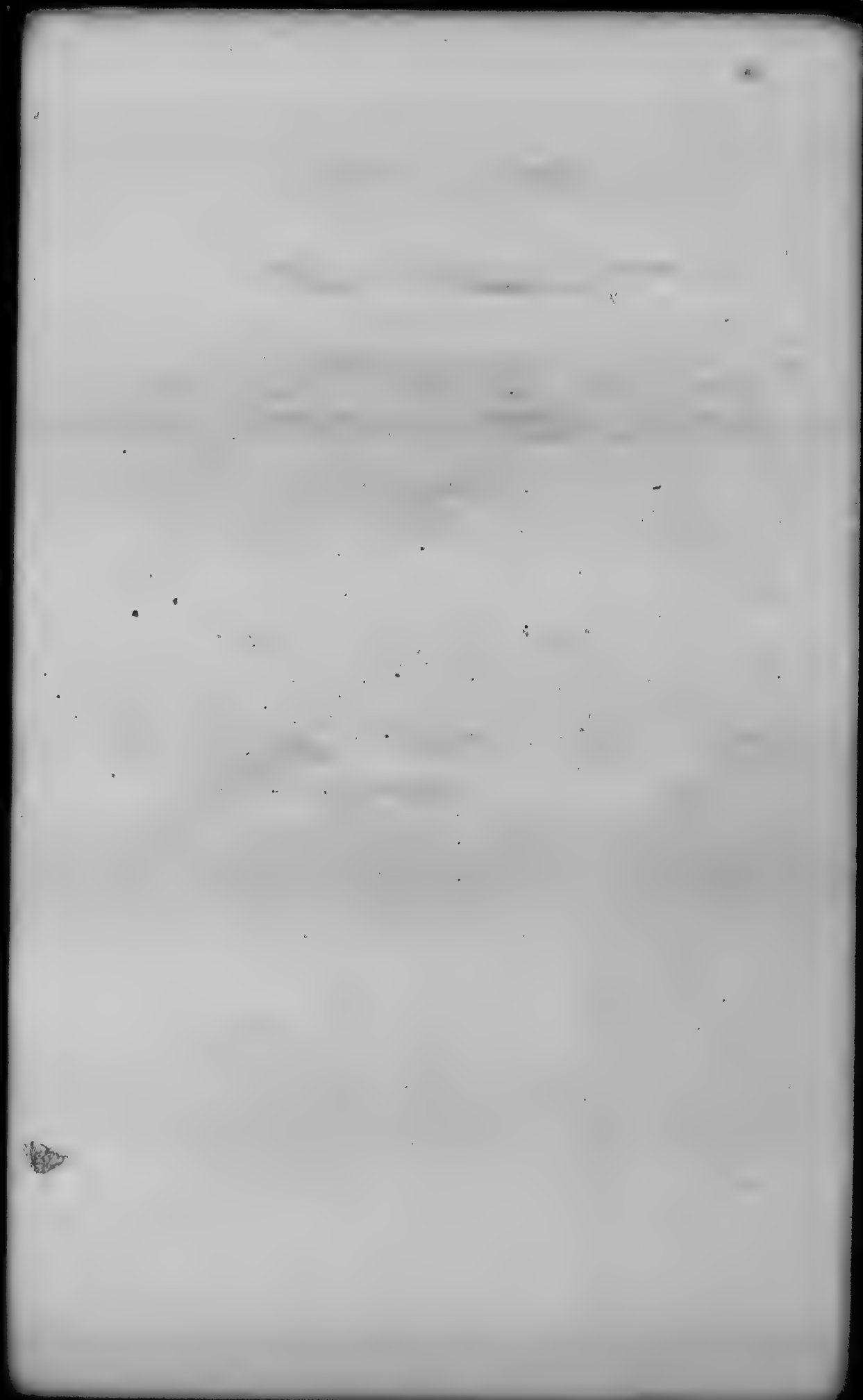
[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]



...the passage of this Act, in which cases
...the passage of this Act, in which cases
...the passage of this Act, in which cases
...the passage of this Act, in which cases

...the passage of this Act, in which cases
...the passage of this Act, in which cases
...the passage of this Act, in which cases
...the passage of this Act, in which cases

San Port
April 11

By
1/4
1/4
1/4

6185

Trails
Henry W
The

6-11-18
2
185

Muskogee, Indian Territory, October 25, 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., Dug, Lycurgus, Thomas H., 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 2

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, Rexy, 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 Anglesman 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

7-5140

Muskogee, Indian Territory, April 20, 1906.

Mrs. Lou Porter,
Grady, Indian Territory.

Dear Madam:

Your letter of April 7, 1906, addressed to the Secretary of the Interior has been by him referred to this office for consideration and appropriate action. Therein you refer to the opinion of the Assistant Attorney General which holds that the Choctaw tribal roll of 1896 is conclusive and state that you were enrolled under a judgment of the court of the Commission to the Five Civilized Tribes in September 1898 and you ask if this is the same as tribal enrollment.

In reply to your letter you are advised that your name is not found upon the tribal rolls of the Choctaw Nation in the possession of this office and you are informed that the judgment of the United States Court enrolling you and your children as citizens of the Choctaw Nation was vacated, set aside and held for naught by the decree of the Choctaw and Chickasaw Citizenship Court of December 17, 1902.

Replying to that portion of your letter in which you ask if you should employ an attorney, you are advised that the employment of attorneys is a matter which is entirely within the dis-

Mrs. L. P. #2

cretion of the applicants and this office can give you no advise upon the subject.

Respectfully,

Acting Commissioner.

Choc 5141 John T. Boyd

cancelled

transferred to choctaw # 3782 July 29, 1904

EXCEPT AS TO DEATH OF JOHN T. BOYD

5141

Choctaw 5141.22

INDEXED

IN RE
THE DEATH OF

John T. Boyd, Sr.,
a citizen of the

Choctaw Nation.

Approved. *OCT 21 1902* 1902

~~Handwritten signature~~

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

OCT 21 1902

~~Handwritten signature~~

CHIEF CHAIRMAN.

CHC 0143

5141

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

In the matter of the death of John T. Boyd, Senior,
(Here insert name of deceased.)
a citizen of the Choctaw Nation, who formerly resided at or near
Admore, Ind. Ter., and died on the 4 day of
June, 1901.
(Here insert name of post office.)

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
Southern District.

I, John T. Boyd, Jr., on oath state that I am 27
years of age and a citizen, by blood, of the Choctaw Nation;
that my post office address is Chickasha, Ind. Ter.; that I am
the son of John T. Boyd, Sr.
(State relationship as the father, an uncle, a cousin, etc.) (Here insert name of deceased.)
who was a citizen, by inter marriage, of the Choctaw Nation;
and that said John T. Boyd, Sr. died on the 4 day of
June, 1901.
WITNESSES TO MARK: John T. Boyd Jr

(Must be Two Witnesses.)

Subscribed and sworn to before me this 17th day of October 1902
H. Beavers
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
Southern District.

I, Arlington Telle, on oath state that I am 43
years of age, and a citizen, by blood, of the Choctaw Nation;
that my post office address is Atoka, Ind. Ter.;
that I was personally acquainted with John T. Boyd, Sr.
(Here insert name of post office.) (Here insert name of deceased.)
who was a citizen, by intermarriage, of the Choctaw Nation;
and that said John T. Boyd, Sr. died on the — day of
June, 1901.
WITNESSES TO MARK: Arlington Telle

(Must be Two Witnesses.)

Subscribed and sworn to before me this 17th day of October 1902
H. Beavers
Notary Public.

Choc 5142 J. N. Forbes

5142

Choctaw 5142

Muskogee, Indian Territory, March 19, 1904.

G. W. McMillan,

Care C. J. McCoy,

Ardmore, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of March 16, asking the status of J. N. Forbs, and in reply you are advised that it appears from our records that the case of J. N. Forbes and his family is now pending before the Choctaw and Chickasaw Citizenship Court, and for information relative thereto you should address the clerk of that court, South McAlester, Indian Territory.

Respectfully,

Commissioner in Charge.

J. K. Forbes

Mary J.

Sarah A.

Edwin A.

Choctaw

Admore 11th Dec 21 1891

Dec 1891

J.N.Forbes and others.

J.N.Forbes says:

I have been living in the Chickasaw Nation about
14 years continuously .

Ardmore, Sept. 23 1898.

J.N.Forbes
Mary S. Forbes
Sarah A. Forbes
Edwin A. Forbes

enrolled.

Choc 5143 William Addington

2-3-4 Dismissed May 27, 1904

5143

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:

Clyde Adair, et al.,

7-5143.

-----o-----

IN RE

Application for Enrollment of

INFANT CHILD

Chas. Preston Addington
as a citizen of

Choctaw Nation.

DEC 26 1901

Approved _____ 1901

C. R. McQuinn
Commissioner.

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

FILED

DEC 26 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 Otis Preston Addington, born on the 5th day of October, 1901
(Here insert name of child.)
Name of Father: William H Addington a citizen of the Choctaw Nation.
Name of Mother: Bettie Addington a citizen of the Choctaw Nation.
Post-office Addington Ind Ter

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY
Southern District.

I, Bettie Addington, on oath state that I am 23
years of age and a citizen, by manager, of the Choctaw Nation;
that I am the lawful wife of William H Addington, who is a citizen, by
Blood, of the Choctaw Nation; that a male child was
(male or female.)
born to me on 5th day of October, 1901; that said child has been
named Otis Preston Addington, and is now living.

WITNESSES TO MARK:

(Must be Two
Witnesses.)

Bettie Addington

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

Jarrett S. Addington
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
State of Indiana Boone County

I, J. M. Ballou, a Physician, on oath state that I
attended on Mrs. Bettie Addington, wife of William H Addington
on the 5th 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 Otis Preston Addington.

WITNESSES TO MARK:

(Must be Two
Witnesses.)

J. M. Ballou
Wm H. G. Jarratt
Wm P. L. Strange

Subscribed and sworn to before me this 23rd day of December, 1901.

M S Guest
NOTARY PUBLIC.

G. 188

William Addington and
others.

William Addington says:

Clyde was born November 9th 1897.

I have been living in the Chickasaw Nation all my life.

Ardmore, Sept. 23 1898.

William Addington
Clyde Addington

enrolled.

Indian territory,

Chickasaw Nation.

Bettie Addington, being duly sworn says on her oath that she is the wife of William Addington, who is a Choctaw Indian by blood; that there was born to her and said William Addington, on the first day of september, 1899, a boy baby, which is named Chester Addington; that said child is a member of the Choctaw Nation of Indians by blood; that said child is now alive and in good health, and is living with this affiant and its father, near Orr, Chickasaw Nation, Indian territory.

Bettie Addington

Subscribed and sworn to before me this 7th day of september, 1899.

Isaac Roberts
Notary Public.

Indian Territory,
Chickasaw nation.

Jerry Ashley, being duly sworn, says that he is a practicing physician, residing at Orr, Indian Territory Chickasaw nation; that he is acquainted with William Addington, and Bettie Addington, his wife; that on the first day of September he attended Mrs Bettie Addington, wife of William Addington, when she gave birth to a boy baby, which is named Chester Addington; that said baby is now alive and in good health and is living with its said parents near Orr, I. T.

Jerry Ashley

Subscribed and sworn to before me this 7th day of September, 1899.

Isaac Roberts
Notary Public.

Indian Territory,
Chickasaw Nation.

William Addington, being duly sworn says that he is a member of the Choctaw Tribe of Indians by blood; and has been heretofore duly enrolled as such by the Honorable Dawes Commission; that he was married to his wife Nettie Addington, on the 17th day of May, 1896.

That on the first day of September, 1899, there was born to him and said Bettie Addington, in lawful wedlock, a boy baby, which is named Chester Addington; that said child is now a live and in good health and is living with this affiant and its mother near the town of Orr, Indian Territory, Chickasaw Nation; that said child is a member of the Choctaw Nation by blood, and is entitled to be and should be enrolled as such.

Therefore he prays that the honorable Dawes Commission place the name of said child, Chester Addington, on the roll of Choctaw Indians by blood, and for all other proper relief.

William Addington

Subscribed and sworn to before me this 6th day of September, 1899.

H. R. Bleasman
Notary Public.

966

7-5143.

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

-----o-----

In the matter of the application for the enrollment of Clyde Addington, Chester Addington and Otis Preston Addington as citizens by blood of the Choctaw Nation.

-----o-----

The applicants, Clyde Addington, Chester Addington and Otis Preston Addington, claim their right to enrollment as citizens by blood of the Choctaw Nation through their father William Addington. The right of the applicants' father, William Addington, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, March 9, 1904, in case No. 61, upon the South McAlester docket of said court, it is hereby ordered that the application of Clyde Addington, Chester Addington and Otis Preston Addington for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



Chairman.

Muskogee, Indian Territory,

Choctaw 5143.

COPY!

Muskogee, Indian Territory, June 7, 1904.

William Addington,
Addington, 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 the enrollment as citizens by blood of the Choctaw Nation of Clyde Addington, Chester Addington and Otis Preston Addington.

Respectfully,

(SIGNED)

Tame Bixby.

Chairman.

Registered.

Incl. 7- 5143.

Choctaw 5143.

COPY.

Muskogee, Indian Territory, June 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 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 Clyde Addington, Chester Addington and Otis Preston Addington.

Respectfully,

(SIGNED)

Tams Bixby.

Chairman.

Registered.

Incl. 7- 5143.

See Choctaw 5334 for registry receipt for this letter.

William Redington

City

1888

© 1888

Muskogee, Indian Territory, December 26, 1901.

William H. Addington,
Addington, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Otis Preston Addington, the infant son of William H. and Bettie Addington, born October 2, 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.

7-5143

Certificate of Record of Marriage.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY, } *sc.*
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. *W. H. Addington* and M^{rs} *Bettie Strange* were filed in my office in said Territory and District the *16* day of *June* *1898* A. D. ~~1900~~ and duly recorded in Book *B.* of Marriage Record. Page *51*

FILED
MAR 20 1900
COMMISSION TO FIVE TRIBES.

WITNESS my hand and Seal of said Court,

at Ardmore, this *26* day
of *March* A. D. 1900.

I. 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.

ARDMORE: ILLUSTRATED PRINT, ARDMORE, I. T.

7-5143

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. W. K. Addington of Eastman
in the Indian Territory, aged 21 years, and
Miss Bettie Strange of Eastman
in the Indian Territory, aged 17 years,
according to law; and do you officially sign and return this License to
the parties therein named.

Witness My hand and official Seal, this 14 day

of May 1896
A. D. 1896

J. S. Phillips
Clerk of the United States Court.

Certificate of Marriage

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
SOUTHERN DISTRICT.)

I. J. D. Stringer
M. D. G.

do hereby certify, that on the 17 day of May 1896
A. D. 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 19 day of May 1896
A. D. 1896

My credentials are recorded in the office of the Clerk of the United States Court,
Indian Territory, Southern District, at Ardmore, Book a Page 17

(NOTE.—The person officiating should fill in the spaces
for book and page, and sign here.)

J. D. Stringer
M. D. G.

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 creden-
tials have first been recorded in the Clerk's office.

Choc 5144 William A. Bottoms

NO 5-6 Dismissed Jan 24, 1905

NO 2 Dismissed Feb 9, 1905

5144

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

Ethel Bottoms.

7-5144.

William A. Bottoms and
others.

William A. Bottoms says:

Allie was admitted as "Allia"

I have been living in the Chickasaw Nation continuously since 1894. I married Ethel McKelvy, my present wife, December 16th 1894. I was remarried to her under Chickasaw law July 4th 1898, under name of "Miss Ethel Bottoms" by L.L. Thurston a minister of the Methodist Church at Ardmore.

(License and certificate exhibited) Ardmore, Sept. 23 1898.

William A. Bottoms
Ethel Bottoms
Allie Bottoms
Bertha A. Bottoms

enrolled.

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

In the matter of the application of Ethel Bottoms for enrollment as a citizen by intermarriage of the Choctaw Nation.

It appears from the records of the Commission that on September 1, 1896 in the case entitled "Zachariah T. Bottoms vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, Case No. 6) 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 (among others) the applicant herein, and her husband, William A. Bottoms; that on December 1, 1896, this Commission rendered its decision denying said application; that from this decision of the Commission an appeal was taken, as to certain of the applicants, including the said William A. Bottoms, to the United States Court for the Southern District of Indian Territory, which Court, on December 2, 1897 in the case entitled "Z. T. Bottoms, et al., vs. Choctaw Nation" (Citizenship Case No. 115) entered of record a judgment (among others) the said William A. Bottoms (as William Alexander Bottoms) to citizenship in the Choctaw Nation. The name of the applicant herein, Ethel Bottoms, does not appear in said judgment rendered by said United States Court, nor does it appear from the records of the Commission that any appeal was taken by the applicant herein from said decision of this Commission of December 1, 1896, denying her application for admission to citizenship.

It further appears from the record herein that on July 4, 1898 the applicant was remarried, in accordance with the laws, customs and usages of the Chickasaw Nation, to the said William A. Bottoms, and that on September 26, 1898 application was made to this Commission for her enrollment as a citizen by intermarriage of the Choctaw Nation by reason of her said marriage on July 4, 1898 to the said William A. Bottoms.

The right of the applicants husband, William A. Bottoms, (as William Alexander Bottoms) 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 No. 75 upon the Fishomingo docket of said Court, it is hereby ordered that the application for the enrollment of Ethel Bottoms as a citizen by intermarriage of the Choctaw Nation, be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Chairman.

Washburne, Indian Territory,

FEB - 9 1905

FEB - 9 1905

Choctaw 5144.

COPY.

Muskogee, Indian Territory, February 9, 1905.

Ethel Bottoms,

Roff, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated February 9, 1905, dismissing your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

(SIGNED)

James Bixby

Chairman.

Registered.

Incl. 7-5144.

Choctaw 5144.

COPY.

Muskogee, Indian Territory, February 9, 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 February 9, 1905, dismissing the application for the enrollment of Ethel Bottoms as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

(SIGNED).

James Bixby
Chairman.

Incl. 7-5144.

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

Record in the matter of the application for enrollment as citizens by blood of the Choctaw Nation of:

CLEMMIE HUGH BOTTOMS, ET AL.,

7-5144.

IN RE

Application for Enrollment of

INFANT CHILD.

Leammie Hugh Bottoms

As a citizen of the

Choctaw — Nation.

Approved

MAY 24 1900

1

[Signature]
Commissioner.

FILED
MAR 14 1900
COMMISSION TO FIVE TRIBES.

*Chick
51 H-4*

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the *Choctaw* Nation,
 of *Clennie Angh Bottoms*, born on the *5th* day of *February*, 1900.
 Name of father: *William A Bottoms*, a citizen of the *Choctaw* Nation.
 Name of mother: *Ethel Bottoms*, a citizen of the *Choctaw* Nation.
By intermarriage
 Post Office: *Padli Ind Territory*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Donthom District.

I, *Ethel Bottoms*, on oath, state that I am *24* years of age and a citizen, by *intermarriage*, of the *Choctaw* Nation; that I am the lawful wife of *William A Bottoms*, who is a citizen, by *blood*, of the *Choctaw* Nation; that a *Male* child was born to me on the *5th* day of *Feb'y*, 1900; that said child has been named *Clennie Angh Bottoms* and is now living.

Subscribed and sworn to before me this *10th* day of *February*, 1900.
Ethel Bottoms

Geo C. McCullough
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
Donthom District.

I, *C. A. McKelvey*, *Midwife*, on oath, state that I attended on Mrs. *Ethel Bottoms*, wife of *Wm A Bottoms* on the *5th* day of *February*, 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 *Clennie Angh Bottoms*.

Subscribed and sworn to before me this *27th* day of *February*, 1900

C. A. McKelvey
 Notary Public.

IN RE

Application for Enrollment of

INFANT CHILD

Ruth Bottoms

as a citizen of

Choctaw

Nation.

Approved

FEB 10 1902

190

[Signature]
Commissioner.

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

FILED

FEB 10 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 Ruth Bottoms, born on the 4 day of February, 1902
(Here insert name of child)
Name of Father: William F. Bottoms, a citizen of the Choctaw Nation.
Name of Mother: Ethel Bottoms, a citizen of the U.S. Nation.
Post-office, Ruff L T

AFFIDAVIT OF MOTHER.

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

I, Ethel Bottoms, 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 William A Bottoms, who is a citizen, by
Blood of the Choctaw Nation, that a Female child was
(male or female)
born to me on the 4 day of February, 1902 that said child has been
named Ruth Bottoms and is now living.

WITNESSES TO MARK

(Must be Two)
Witnesses

Subscribed and sworn to before me this 6 day of Feb 1902

John W. Clark
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, Cynthia A. McKelvey, a midwife, on oath state that I
attended on Mrs. Ethel Bottoms, wife of William A. Bottoms,
on the 4 day of February, 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 Ruth Bottoms

WITNESSES TO MARK:

(Must be Two)
Witnesses

Subscribed and sworn to before me this 6th day of Feb 1902

John W. Clark
NOTARY PUBLIC

Sh

7-5144.

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

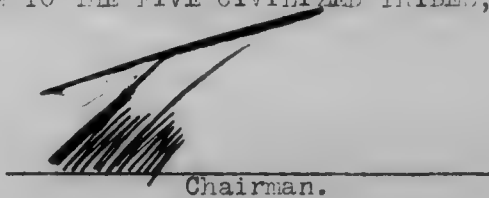
In the matter of the application for the enrollment of Clemmie Hugh Bottoms and Ruth Bottoms as citizens by blood of the Choctaw Nation.

-----oOo-----

The applicants, Clemmie Hugh Bottoms and Ruth Bottoms, claim the right to enrollment as citizens by blood of the Choctaw Nation through their father William A. Bottoms.

The right of the applicants' father, William A. Bottoms (as William Alexander Bottoms), to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, of November 28, 1904, in case Number 75 upon the Tishomingo docket of said court, it is hereby ordered that the application of Clemmie Hugh Bottoms and Ruth Bottoms for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



Chairman.

Muskogee, Indian Territory,

JAN 24 1905

Choctaw 5144

COPY!

Muskegee, Indian Territory, January 24, 1905.

William A. Bottoms,

Reff, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated January 24, 1905, dismissing the application for the enrollment of your minor children, Clemmie Hugh Bottoms and Ruth Bottoms as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED,

Tams Bixby

Chairman.

Registered.

Incl. 7-5144.

Choctaw 5144

COPY.

Muskogee, Indian Territory, January 24, 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 24, 1905, dismissing the application for the enrollment of Clemmie Hugh Bottoms and Ruth Bottoms as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Iams Bixoy
Chairman.

Incl. 7-5144.

7-5144

1 Block - Denied

cccc

OK.

W.O.B.

FEB 20 1905

Choctaw Court Card C 189

IN RE application of William A. Bottoms and others.

Sworn by Commissioner McKennon.

William A. Bottoms says:

Allie was admitted as "Allia"

I have been living in the Chickasaw Nation continuously since 1894. I married Ethel McKelvy, my present wife, December 16th 1894. I was remarried to her under Chickasaw law July 4th 1898, under name of "Miss Ethel Bottoms" by L.L. Thurston a minister of the Methodist Church at Ardmore.

(License and certificate exhibited)

Ardmore, Sept. 23 1898.

William A. Bottoms
Ethel Bottoms
Allie Bottoms
Bertha A. Bottoms

enrolled.

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

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Bertha Ann Bottoms, born on the 21 day of March, 1897,

(Here insert name of child.)

Name of Father: Wm. A. Bottoms a citizen of the Choctaw Nation.

Name of Mother: Ethel Bottoms a citizen of the Choctaw Nation.

Post-office: REEF I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, Ethel Bottoms, 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 William A. Bottoms, who is a citizen, by blood, of the Choctaw Nation; that a female child was born to me on 21 day of March 1897; that said child has been named Bertha Ann Bottoms, and is now living.

WITNESSES TO MARK:

Ethel Bottoms

(SEAL)

(Must be Two Witnesses.)

Subscribed and sworn to before me this 25 day of June 1901.

John A. Clark NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, R. H. Alvis, a physician, on oath state that I attended on Mrs. Ethel Bottoms, wife of Wm. A. Bottoms, on the 21 day of March 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 Bertha Ann Bottoms.

WITNESSES TO MARK:

R.H. Alvis M.D.

(SEAL)

(Must be Two Witnesses.)

Subscribed and sworn to before me this 25 day of June 1901.

W.R. Bleakmore NOTARY PUBLIC

7-5144.

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

In the matter of the application for the enrollment of
Bertha Ann Bottoms as a citizen by blood of the Choctaw Nation.

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

It appears from the record herein that on September 23, 1898, application was made to this Commission for the enrollment of Bertha Ann Bottoms, born March 21, 1897, as a citizen by blood of the Choctaw Nation. The applicant is a daughter of William A. Bottoms, an alleged citizen by blood of the Choctaw Nation, and of Ethel Bottoms a noncitizen white woman.

It does not appear from the records in the possession of the Commission that the said William A. Bottoms, father of the applicant herein, has ever been enrolled by the tribal authorities of the Choctaw Nation, or that the applicant has been admitted to citizenship in said nation by the legally constituted authorities thereof, or by the Commission to the Five Civilized Tribes, or by the United States Court in Indian Territory, in accordance with the provisions of the Act of Congress approved June 10, 1896, (29 Stat., 521).

It appears from the records of the Commission that on December 22, 1897, the United States Court for the Southern District of Indian Territory, in the case entitled "Z. T. Bottoms, et al., vs. Choctaw Nation" (Citizenship Case No. 115) entered of record a judgment admitting the applicant herein (as Bertha Annie Bottoms) to citizenship in the Choctaw Nation, and also admitting (among others) the father of the applicant herein, as William Alexander Bottoms, and on March 3, 1899, entered of record in said cause an order correcting said original judgment by striking therefrom the name of the applicant herein.

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., 541), "set aside, annulled, vacated and held for naught" the aforesaid judgment of the United States Court for the Southern District of Indian Territory admitting the persons therein named (including said William Alexander Bottoms) to citizenship in the Choctaw Nation. Said cause, as to the said William Alexander Bottoms, was duly certified to said Choctaw and Chickasaw Citizenship Court, for a trial de novo, within the time prescribed by said Act of Congress approved July 1, 1902 (32 Stat., 541), and said Court on November 26, 1904, in case No. 75 upon its Tishomingo docket entered of record a decree declaring that said William Alexander Bottoms is not a citizen of the Choctaw Nation.

It is, therefore, the opinion of this Commission that Bertha Ann Bottoms is not entitled to be enrolled as a citizen by blood 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 26, 1896 (30 Stat., 495), and it is so ordered.

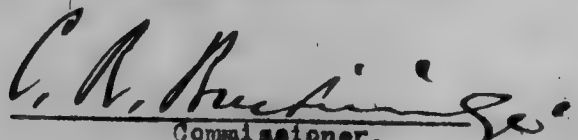
COMMISSION TO THE FIVE CIVILIZED TRIBES.



Chairman.



Commissioner.



Commissioner.

Muskogee, Indian Territory,

MAR 30 1905

7-5144.

Muskogee, Indian Territory, March 30, 1905.

William A. Bottoms,

Hoff, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered March 30, 1905, regarding the application for the enrollment of your minor child, Martha Ann Bottoms, as a citizen by blood of the Choctaw Nation.

The decision, with the record of proceedings in this 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,

CHAS

James H. ...

Registered.

Chairman.

Incl. 7-5144.

7-5144

COPY,

Muskogee, Indian Territory, March 30, 1906.

J. F. Sharp,

Attorney at Law,

Purcell, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered March 30, 1906, denying the application for the enrollment of Bertha Ann Bottoms as a citizen by blood of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

WESLEY

WESLEY D. W.

Chairman.

Registered.

Incl. 7-5144.

COPY.

7-5144

Muskogee, Indian Territory, March 30, 1905.

Cruce, Cruce & Cruce,
Attorneys at Law,
Ardmore, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered March 30, 1905, denying the application for the enrollment of Bertha and Nettoms as a citizen by blood of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

(SIGNED)

Lewis Bixby

Chairman.

Registered.

Incl. 7-5144.

7-5144

COPY.

Muskogee, Indian Territory, March 30, 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 30, 1905, denying the application for the enrollment of Bertha Ann Bottoms as a citizen by blood of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

CHIGNEDA

Tarns Buxby

Chairman.

Incl. 7-5144.

COPY.
Muskegee, Indian Territory, March 30, 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 Bertha Ann Bottoms as a citizen by blood of the Choctaw Nation, including the decision of the Commission dated March 30, 1906, denying said application.

Respectfully,

(SIGNED)

Jams Bixby

Chairman.

Incl. 7-5144.

Through the
Commissioner of Indian Affairs.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

G.R.

LLP

May 17, 1905.

D. C. 25909-1905.
I. T. T. 3852-1905.

LRS

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

Ge tlomea:

March 30, 1905, you transmitted the record in the matter of the application for the enrollment of Bertha Ann Bottoms as a citizen by blood of the Choctaw Nation, including your decision of same date, denying said application.

April 13, 1905, the Acting Commissioner of Indian Affairs reporting in the matter, recommended that your decision denying said application be affirmed. A copy of said letter is inclosed.

The Department concurs in the recommendation made and your decision, dated March 30, 1905, denying said application, is hereby affirmed.

Respectfully,

(signed) THOS. RYAN,
Acting Secretary

1 inclosure.

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

Land. 25422-1905.

WASHINGTON. April 13, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

I enclose a report from the Commission to the Five Civil Tribes, dated March 30, 1905, transmitting the record of the application for enrollment as a citizen by blood of the Choctaw Nation by Bertha Ann Bottoms.

March 30, 1905, the Commission decided adversely to the applicant.

The record shows that the applicant is a daughter of William A. Bottoms, an alleged citizen by blood of the Choctaw Nation, and of Ethel Bottoms, a non citizen white woman.

It does not appear from the records that the said William A. Bottoms, father of the applicant, or the applicant herein, has ever been enrolled or admitted to citizenship by any tribal authority of the Choctaw Nation or by any United States tribunal other than as hereinafter stated.

It appears from the record that on December 22, 1897, the United States Court, Southern District, Indian Territory, entered of record a judgment admitting the applicant herein and her father, the said William A. Bottoms, to citizenship in

the Choctaw Nation; and on March 3, 1199, entered of record in said cause an order correcting said original judgment by striking therefrom the name of this applicant; that on December 17, 1902, the Choctaw and Chickasaw Citizenship Court "set aside, annulled, vacated and held for naught" the aforesaid judgment of the United States Court.

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.
S.

7-5144

Muskogee, Indian Territory, May 26, 1905.

William A. Bottoms,

COPY.

Roff, Indian Territory.

Dear Sir:

You are hereby notified that on the 17th day of May, 1905 the Secretary of the Interior affirmed the decision of this Commission, rendered March 30, 1905, denying the application for the enrollment of your minor child, Bertha Ann Bottoms, as a citizen by blood of the Choctaw Nation.

Respectfully,
SIGNED

Tams Bibby

Chairman.

7-5144

Muskogee, Indian Territory, May 26, 1905.

Cruce, Cruce & Cruce,
Attorneys at Law,
Ardmore, Indian Territory.

COPY.

Gentlemen:

You are hereby notified that on the 17th day of May, 1905 the Secretary of the Interior affirmed the decision of this Commission, rendered March 30, 1905, denying the application for the enrollment of Bertha Ann Bottoms as a citizen by blood of the Choctaw Nation.

Respectfully,

SIGNED

James Bixby

Chairman.

7-5144

Muskogee, Indian Territory, May 26, 1905.

J. F. Sharp,

Attorney at Law,

Purcell, Indian Territory.

COPY.

Dear Sir:

You are hereby notified that on the 17th day of May, 1905 the Secretary of the Interior affirmed the decision of this Commission, rendered March 30, 1905, denying the application for the enrollment of Bertha Ann Bottoms as a citizen by blood of the Choctaw Nation.

Respectfully,

SIGNED

Tams Bixby

Chairman.

7-5144

Muskogee, Indian Territory, May 26, 1905.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

COPY.

Gentlemen:

You are hereby notified that on the 17th day of May, 1905 the Secretary of the Interior affirmed the decision of this Commission, rendered March 30, 1905, denying the application for the enrollment of Bertha Ann Bottoms as a citizen by blood of the Choctaw Nation.

Respectfully,

SIGNED

Jams Bixby

Chairman.

DEPARTMENT OF THE INTERIOR,
WASHINGTON. G.R.

LLB
May 17, 1905.

D. C. 25909-1905.
I.T.T. 3852-1905.

LRS

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

Gentlemen:

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April 13, 1905, the Acting Commissioner of Indian Affairs reporting in the matter, recommended that your decision denying said application be affirmed. A copy of said letter is inclosed.

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Respectfully,

(signed) THOS. RYAN,
Acting Secretary

1 inclosure.

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

Land. 25422-1905.

WASHINGTON. April 13, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

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March 30, 1905, the Commission decided adversely to the applicant.

The record shows that the applicant is a daughter of William A. Bottoms, an alleged citizen by blood of the Choctaw Nation, and of Ethel Bottoms, a non citizen white woman.

It does not appear from the records that the said William A. Bottoms, father of the applicant, or the applicant herein, has ever been enrolled or admitted to citizenship by any tribal authority of the Choctaw Nation or by any United States tribunal other than as hereinafter stated.

It appears from the record that on December 22, 1897, the United States Court, Southern District, Indian Territory, entered of record a judgment admitting the applicant herein and her father, the said William A. Bottoms, to citizenship in

the Choctaw Nation, and on March 3, 1899, entered of record in said cause an order correcting said original judgment by striking therefrom the name of this applicant; that on December 17, 1902, the Choctaw and Chickasaw Citizenship Court "set aside, annulled, vacated and held for naught" the aforesaid judgment of the United States Court.

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.N.
W.

INDIAN TERRITORY)
SOUTHERN DISTRICT)

85

J. B. SHARP being of lawful age and

first duly sworn according to law deposes and states that on the 28th day of August, A.D. 1897, he saw J. F. Sharp, Attorney at Law, deposit for Registration, in the Post-Office at Purrell, addressed to the Governor of the Choctaw Nation, a true and complete copy of the attached Application for Citizen-ship of Bertha Anna Bottoms in the Choctaw Nation, together with a copy of affidavits of W. A. Bottoms and Ethel Bottoms and copy of Master in Chancery W. H. L. Campbell's Report in case of Z. T. Bottoms et al vs Choctaw Nation

That affiant compared said copies with the original hereto attached and that the same is in every respect a true copy thereof.

Affiant further states that he has no interest in said case and is not in any way related to any of the parties thereto.

Witness my hand this the 28th day of August, A.D. 1897.

J. B. Sharp

Subscribed and sworn to before me this the day and year last aforesaid.

J. B. Sharp
Notary Public

Before the Honorable Commission to the Five Civilized Tribes of the Indian Territory.

In the matter of the application for citizenship of Bertha Anne Bottoms, a minor child.

P E T I T I O N.

Your petitioner, Bertha Anne Bottoms, by her father, W.A. Bottoms, states that she is a citizen of the Choctaw Nation by blood and a resident of the Chickasaw Nation, near Ardmore.

Your petitioner further states that the said Bertha Anne Bottoms was born March 21st, 1897, at the present home of the parents in the Indian Territory.

Your petitioner further states that her said parents made application to have their rights as citizens of the Choctaw Nation established before your Honorable Commission and which application was duly rejected and an appeal prosecuted to the United States Court for the Southern District of the Indian Territory at Ardmore.

That upon a hearing before the Master in Chancery, in and for said district and to whom said hearing had been duly referred, a Report reversing the judgment of your commission and favoring the citizenship of the said W.A. Bottoms and child, was duly filed in court. Your petitioner further says that owing to a failure of an opportunity, due to the unavoidable absence of the U.S. Judge from the Territory, caused by illness, said report of the Master in Chancery has not been confirmed or acted upon.

A copy of said Report is filed herewith marked exhibit "A".

W h e r e f o r e, Your petitioner prays that said minor child, Bertha Anne Bottoms be admitted to citizenship under the law providing for the establishing of rights of Indian children born since

June 30th, A.D. 1897,
Indian Territory)
Southern District)

W.A. Bottoms upon oath states that he is the father of the said Bertha Anne Bottoms and that the facts set forth in the foregoing petition are true.

W.A. Bottoms

W.A. Bottoms

Indian Territory)
Southern District) ss

Before me, Le S Johnson a Notary

Public within and for the District and Territory afore-said, duly qualified, commissioned and acting as such, personally appeared William A. Bottoms and Ethel Bottoms, husband and wife, each of whom are to me personally well known, and who, after being first duly sworn according to law, depose and state that they are the same William A. and Ethel Bottoms that are set forth in the petition of Z. T. Bottoms and others, filed before the Commission to the Five Civilized Tribes and numbered 2713. Said affiants further state that on March 21st, A. D. 1897, the within named Bertha Anne Bottoms was born at their home near Ardmore, I. Ty., and that said child is now living at their said home in the Indian Territory.

Affiants further state that the said William A. Bottoms and Allie A. Bottoms, an older child, have been recommended as entitled to citizen-ship by the Master in Chancery for the United States Court for the Southern District of the Indian Territory.

Witness our hands this the 25 day of August, A. D. 1897.

W. A. Bottoms
Ethel Bottoms

subscribed and sworn to before me this the day and year last above written.

Le S Johnson
Notary Public.

149x
[Handwritten scribble]

[Handwritten scribble]

Copy

UNITED STATES COURT SOUTHERN DISTRICT AT ANKORE INDIAN TERRITORY.

Z.T. Bottoms et al)
vs)
Choctaw Nation)

Master's Report.

To The Hon. C.B. Kilgore, Judge of said Court:-

The applicants in this case are about One Hundred, their contention is that William Bottoms, commonly known as Uncle Willie Bottoms, whose Indian name was "Hockahubble" was a one-half or three fourths Choctaw Indian by blood, and was married to Ann Meshalahubbe, a full blooded Choctaw Indian, and resided with the Choctaw Indians in the Choctaw Nation in Mississippi, before their removal to the Indian Territory.

Of this union there has been born several children. The testimony in this case shows that the applicants, except those that were inter-married were descendants of William and Ann Bottoms. The evidence in the case further shows that William and Ann Bottoms were Choctaw Indians.

There are quite a number of the applicants, about thirty four in number, who are non-residents of the Indian Territory, or inter-married not in accordance with the laws of the Choctaw Nation. Their names are set up as follows:-

Wm. F. Bottoms, Latha, Fernando, Pearl, Pauline E. Bottoms, Jno. W. Morrow, Mary L. Bottoms, Ezekel Putnam and Hattie Jane and Frankie Lee Putnam Orton Bennett, Emiline Sherwood Bottoms, Mary F. Bottoms, Sirena Bottoms, Geo Atwood, Thomas Segroves, Elsie Capps Segroves, ^{Chelicia Segroves} Sarah Kirkland, Ernie Jones Kirkland, Inez Lock Kirkland, Joseph Steppick, Chas/ F. Steppick, Marcus L. Ivey, Mary E. Thomas, Wm. J. Thomas, Nora, Lewis and Sedenia White Ivey, Lou H. Ivey Wilbern Crawford.

The following list are the lineal descendants of William and Ann Bottoms who reside in the Indian Territory; Wm. H. Bottoms, Rosa Bell, and Wm. Elmore Bottoms, Rebecca Morrow, Wm. F. Walter, Letitia, Towell, Beulah, M. Minnie, Winnie Morrow and Newton W. Bottoms, Wm. I. Bottoms, Claude E. B.

(2)

Bottoms, Betzie Jane Bottoms, Zaharie Thomas Bottoms, Wm. L. Bottoms, Francis Caroline Bottoms, Jane E., Bertha May, Samuel, and Easter E. Bottoms, Wm. A. Bottoms, Allia A. Bottoms, Thomas Atwood, E? Emmett Montgomery, Elizabeth Segroves, Jane, Samuel M.? Chas. W.? Doc Thomas, Wm., E Zachariah and Paral Segroves; Elredge Kirkland, Wm. Walter Kirkland, Wm., Laura, Inez, Roxy, Sallie, James and Beulah Kirkland, Monta and Lee Kirkland, Nancy Ann Steppick, Marvus Ivey, Thomas L. Ivey, Elisha W. Ivey, Usb ley Ivey and Wm. Oscar Steppick, Thos. J., Geo. W., Bessie L. Steppick and John H. Gregory and Robert L. Ivey Nora Lee and Kittle Ragan Crawford It will be noticed that neither the testimony nor the application shows by what law, quite a number, if any at all, of the inter-marriages of the inter-married applicants were solemnized.

It appears that the Choctaw Nation has constantly resisted the claims to citizenship of these applicants and I think that the burden is upon the applicants to show that they were married in accordance with the Choctaw laws.

I therefore recommend that these inter-married persons be allowed an opportunity to show to the Court that they have married in accordance with the laws of the Choctaw Nation, and if this testimony is not procured, that I recommend that their claim to citizenship be rejected; however, I do not think that they should be rejected without an opportunity to show that they married in accordance with the laws. The record is silent upon that point if any of them were married in accordance with the Choctaw laws.

I recommend that the lineal descendants of William and Ann Bottoms as contained in this record, who reside in the Indian Territory, be admitted to enrollment as members of the Choctaw tribe.

(Signed)

W. A. Campbell

Master in Chancery

... copy of report in the case of Z. J. Watson

of Indian Territory at Ardmore

W. H. Campbell
Master in Chancery

Subscribed & sworn to before me this 21st day of
August 1897

E. H. Bond
Notary Public.

No. -

Before the Commission
to the Five Civilized
Tribes of Indians at
Tulsa, Okla.

Perthelume Nations
Choctaw Nation

Application for
Recognition

P.O. Address
Hudson, Okla.

FILED

OCT 16 1887

E. L. Layton

In
J. H. Thompson Attorney
Tulsa, Okla.

Choc 5145 melissa J. Smith

#7-8 Dismissed 1-24-05

5145

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

Record in the matter of the application for enrollment as citizens by blood of the Choctaw Nation of:

VIRGIE E. SMITH, et al.,

7-5145.

Melissa J. Smith and others.

Melissa J. Smith says:

Virgie E. was born July 15th 1898.

I have been living with my family in the Chickasaw Nation since 1893.

Ardmore. Sept. 23 1898.

Melissa J. Smith
Ruby D.M. Smith
Martin E. Smith
Manton L. Smith
Guy Smith
Amos B. Smith
Virgie E. Smith

enrolled.

IN RE

Application for Enrollment of

INFANT CHILD

Virian Grace Smith

as a citizen of the

Choctaw Nation.

Approved **JUL 6 1901** 1901

C. R. McKinstry
Commissioner.

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

FILED

JUL 6 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 Vivian Grace Smith born on the 27th day of May, 1901
(Here insert name of child.)
Name of Father: J. E. Smith, a citizen of the _____ Nation.
Name of Mother: Malissa Jane Smith, a citizen of the Choctaw Nation.
Post-office, Midland, Ind. Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, Malissa Jane Smith, on oath state that I am thirty seven
years of age and a citizen, by blood, of the Choctaw Nation;
that I am the lawful wife of J. E. Smith, who is a citizen, by
_____, of the _____ Nation; that a female child was
(male or female)
born to me on the 27th day of May, 1901; that said child has been
named Vivian Grace Smith, and is now living.

WITNESSES TO MARK:

Malissa Jane Smith

(Must be Two Witnesses.)

Subscribed and sworn to before me this 2nd day of July, 1901.

Lewis Binzinger
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, W. E. Threlkeld, a Choctaw, on oath state that I
attended on Mrs. M. J. Smith, wife of J. E. Smith,
on the 27th 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 Vivian Grace Smith.

WITNESSES TO MARK:

W. E. Threlkeld & M. J.

(Must be Two Witnesses.)

Subscribed and sworn to before me this 3rd day of July, 1901.

Lewis Binzinger
NOTARY PUBLIC

7-5145.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Virgie E. Smith and Vivian Grace Smith as citizens by blood of the Choctaw Nation.

-----oOo-----

The applicants, Virgie E. Smith and Vivian Grace Smith, claim the right to enrollment as citizens by blood of the Choctaw Nation through their mother Melissa J. Smith.

The right of the applicants' mother, Melissa J. Smith (as Melissa Jane Smith or Mellissa Jane Smith), to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, of December 3, 1904, in case No. 15 upon the Tishomingo docket of said court, it is hereby ordered that the application of Virgie E. Smith and Vivian Grace Smith for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



Chairman.

Muskogee, Indian Territory

JAN 21 1905

Choctaw 5145

COPY.

Muskogee, Indian Territory, January 24, 1905.

Melissa J. Smith,
Midland, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated January 24, 1905, dismissing the application for the enrollment of your minor children, Virgie E. Smith and Vivian Grace Smith as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

Tama Bibby

Registrar.

Chairman.

Incl. 7-5145

Choctaw 5145

COPY.

Muskogee, Indian Territory, January 24, 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 24, 1905, dismissing the application for the enrollment of Virgie E. Smith and Vivian Grace Smith as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED).

Tamo Dixie

Incl. 7-5145

6-21-1905.

Melissa J. Smith

Ruby

Martin

Manton

© 1900.

Jay

Arthur B.

Fergie E.

from

Charles

On June 1st, 1900.

Muskogee, Indian Territory, March 9, 1901

S. C. Davis,

Hart, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 6th instant in which you desire to be informed if J. C. Smith, his wife, Mrs. M. J. Smith and their children, Earl, Rheuben, Luster, Bruce, Guy, and Virgie Smith are on the roll of the Choctaw Nation or simply as court claimants.

Replying to your letter you are informed that the records of the Commission show that Melissa J. Smith, 31 years of age, of Fox, Indian Territory, and her children, Ruby D. M., Martin E., Manton L., Guy, Amos B. and Virgie E. Smith were on September 23rd, 1898 listed for enrollment as citizens of the Choctaw Nation in pursuance of a judgment of the United States Court for the Southern District of the Indian Territory rendered at Ardmore, Indian Territory, December 21st, 1897 in Court case No. 124.

It does not appear that J. C. Smith, the husband of Melissa J. Smith and the father of the children above named has ever made application for enrollment as a citizen of the Choctaw Nation and appears upon our records as a non citizen.

Yours truly,

Acting Chairman.

Muskegee, Indian Territory, May 29, 1901.

Messrs Mansfield, McMurray & Gernish,
Attorneys at Law,

South McAlester, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 28th instant in which you request information relative to M. J. Smith and R. Kirkland, claiming citizenship in the Choctaw or Chickasaw Nations by reason of a decree of the United States Court in Indian Territory.

You are informed that it appears from our records that Melissa J. Smith, 31 years of age of Fox, Indian Territory, together with her six minor children Ruby D. M., Martin E., Mantana L., Guy, Amos B. and Virgie E. Smith were listed for enrollment as citizens of the Choctaw Nation September 23, 1898, having been admitted to such citizenship by a judgment of the United States Court for the Southern District, Indian Territory, rendered at Ardmore, Indian Territory, December 21, 1897 in the case of Melissa Jane Smith et. al vs the Choctaw Nation, court case No. 124.

Elfredge Kirkland, 45 years of age, of Paoli, Indian Territory, with his four minor children, Jesse, Mary P., Wm. W. and Sallie G. Kirkland were on September 15, 1898, listed for enrollment as citizens of the Choctaw Nation by virtue of a judgment of the United States Court for the Southern District of the Indian Territory rendered at Ardmore, December 22, 1897 in the case of

M McN & O 2

L. T. Bottoms et. al vs the Chestaw Station, court case No. 115.

The names of Melissa J. Smith and her family appear upon our records on Chestaw roll card, field No. 8145 and the names of Eldredge Kirkland and the members of his family appear upon our records on Chestaw roll card field No. 8019.

Yours truly,

Acting Chairman.

7-8145

7-8019

Muskogee, Indian Territory, July 6, 1901.

Mr. J. G. Smith,

Midland, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of an application for enrollment as a citizen of the Choctaw Nation of Vivian Grace Smith, the infant daughter of J. G. and Malissa J. Smith, born May 27, 1901.

The application for the enrollment of this child being in proper form has been accepted by the Commission as evidence of its birth and duly filed with and made a part of the original application of W. J. Smith for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Commissioner in Charge.

7-3143

Choc 5146 W.H. Hignight

#4 Dismissed 9-10-54

5146

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

-----o-----

Record in the matter of the application for the enrollment as a citizen by blood of the Choctaw Nation of:

Bula Hignight

7-5146.

-----o-----

IN RE

Application for Enrollment of

INFANT CHILD

Bulo Higright.

as a citizen of

Choctaw Nation.

Approved, NOV 13 1901

[Signature]

Commissioner.

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

FILED

NOV 13 1901

[Signature]
ACTING CHAIRMAN

[Vertical handwritten notes and signatures on the right side of the page]

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

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Buea Kiznight, born on the 19 day of May, 1901
(Here insert name of child)
Name of Father: Joe Kiznight, a citizen of the Choctaw Nation.
Name of Mother: Mattie Kiznight, a citizen of the United States Nation.
Post-office: Chadwell

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, Mrs. Mattie Kiznight, on oath state that I am 21
years of age and a citizen, of the United States Nation;
that I am the lawful wife of Joseph Kiznight, who is a citizen, by
blood of the Choctaw Nation, that a female child was
(male or female)
born to me on the 19 day of May, 1901; that said child has been
named Buea Kiznight, and is now living.

WITNESSES TO MARK

(Must be Two
Witnesses)

Mattie Kiznight

Subscribed and sworn to before me this 20 day of August, 1901.

E. Walker
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, Dr. M. M. Mues, a Physician, on oath state that I
attended on Mrs. Mattie Kiznight, wife of Joseph Kiznight,
on the 19 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 Buea Kiznight.

WITNESSES TO MARK:

(Must be Two
Witnesses)

Dr. M. M. Mues, M. D.

Subscribed and sworn to before me this 26th day of August, 1901.

W. C. Potters
NOTARY PUBLIC.

Southern Dist.
Ind. T.

2678

7-5146.

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

-----o-----

In the matter of the application for the enrollment of
Bula Hignight as a citizen by blood of the Choctaw Nation.

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

The applicant, Bula Hignight, claims her right to enrollment as a citizen by blood of the Choctaw Nation through her father Joseph Hignight. The right of the applicant's father, Joseph Hignight, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case No. 16 upon the Tishomingo docket of said court, it is hereby ordered that the application of Bula Hignight for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,


Chairman.

Muskogee, Indian Territory,

SEP 10 1904

Choctaw 5146

COPY:

Muskogee, Indian Territory, September 12, 1904.

Joseph Hignight,

Araders, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 10, 1904, dismissing the application for the enrollment of Bula Hignight as a citizen by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

James Dixby.

Chairman.

Registered.

Incl. 7- 5146.

Choctaw 8146

COPY.

Muskogee, Indian Territory, September 12, 1904.

H. H. Brown,

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 September 10, 1904, dismissing the application for the enrollment of Bula Hight as a citizen by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tame Bixby.

Registered.

Chairman.

Incl. 7-8146

Choctaw 5146

COPY.

Muskogee, Indian Territory, September 12, 1904.

Mansfield, McMurray & Cernish,

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 10, 1904, dismissing the application for the enrollment of Bula Hignight as a citizen by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

James Bixby.

Chairman.

Incl. 7-5146.

W.H.Hignight and others.

en

Elizabeth Hignight says:

I have been living in the Chickasaw Nation for 17 years, continuously.

Ardmore, Sept. 23 1898.

W.H.Hignight
Elizabeth Hignight
Joseph Hignight

enrolled.

United States of America,
Southern Judicial District,
Aradmore, Indian Territory.

In re
Application for citizenship of Beulah Hight, infant child of
Joseph and Mattie Hight.

Now comes Joseph Hight, who, after having first been sworn
to tell the truth, the whole truth and nothing but the truth, deposes
and says:

My age is 22 years. My post office address is Aradmore, Chick-
saw Nation, Indian Territory. I am the father of Beulah Hight,
born on the 19th day of May, 1901, referred to in the application here-
in. My wife's name is Mattie Hight; her maiden name being
Mattie Vance. The license herewith enclosed, marked "Exhibit A", is
a license uniting myself and Mattie Vance in marriage. My name
appears in the license as "J. W. Hight," which mistake was made
by virtue of my name being given to the clerk, who issued the license,
by another party. My real name, and the only name which I love, is
Joseph Hight. The mistake referred to, in the license, of having
the "W" as a double name, was made by the other party and was not
noticed by me at the time. I am the Joseph Hight who is one of
the applicants for citizenship in the case of Mrs. Elizabeth Hight
against the Choctaw Nation, and was admitted by court judgment to citi-
zenship. The license herewith filed will show the date of my marriage
with Mattie Vance.

Subscribed and sworn to before me on this the 5th day of November,
1901.

Joseph Hight
J. Williams
Notary Public.

743

Certificate of Record of Marriage.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY, } *set.*
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. *J. W. Nicmish* and M. *Mattie Vance* were filed in my office in said Territory and District the *30* day of *July* A. D. 1900, and duly recorded in Book *E* of Marriage Record, Page *2*.

WITNESS my hand and Seal of said Court, at Ardmore, this *30* day of *July* A. D. 1900.

I. 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.

ARDMORETYPE JOB PRINT, ARDMORE, I. T.

JUL 30 1900 1AM

G. M. CAMPELL, Clerk.

MARRIAGE LICENSE

[Redacted]

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern 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
W. K. Knight of *Elmore*
in the Indian Territory, aged *21* years, and
Mattie Vance, of *Ardmore*
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 *28* day

of *July* A. D. 1900.
W. M. Campbell
Clerk of the United States Court.

Certificate of Marriage

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
SOUTHERN DISTRICT.)

I.

a

SS:

do hereby certify, that on the

29th 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 Banns of Matrimony between the parties therein named.

WITNESS my hand, this *30th* day of *July*, A. D. 1900.

My credentials are recorded in the office of the Clerk of the United States Court,

Indian Territory, Southern District, at *Ardmore*, Book *A*, Page *226*.

(NOTE. - The person officiating should fill in the spaces
for book and page, and sign here.)

J. M. Gross
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 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 creden-
tials have first been recorded in the Clerk's office.

Muskegee, Indian Territory, February 13, 1901.

S. H. Johnson,

Elmore, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 7th instant in which you desire to be informed if W. H. and Elizabeth Hignight are listed for enrollment as citizens of the Chickasaw Nation.

Replying to your letter you are informed that the records of this Commission show that W. H. Hignight, 74 years of age, of Ardmore, Indian Territory, and his wife, Elizabeth Hignight and their son, Joseph Hignight, are listed for enrollment as citizens of the Choctaw Nation, having been admitted to such citizenship by judgment of the United States Court for the Southern District of Indian Territory, rendered at Ardmore, Indian Territory, March 10th, 1898 in Court case No. 144.

Yours truly,

Acting Chairman.

7-5146

Muskogee, Indian Territory, November 14, 1901.

W. S. Ball,

Elmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 9th instant in which you desire to know what steps to take relative to the holding of a place rented by you from Joseph Hignight and also to be informed if the said Joseph Hignight has been enrolled by this Commission as a citizen of either the Choctaw or Chickasaw Nations.

The Commission cannot at this time take any cognizance of any disputes arising between the citizens of the Choctaw and Chickasaw Nations relative to the possession of any certain tracts of land in the Choctaw-Chickasaw country, nor has it any jurisdiction over the collection of rents or the use of the lands of these two tribes.

Matters of this character will receive the consideration of the Commission upon the establishment of an allotment office in the Choctaw and Chickasaw Nations for the purpose of allowing the citizens of these two tribes to make selection of and file upon their prospective allotments.

The records of the Commission show that Joseph Hignight,

V 8 3 2

18 years of age, and the son of W. H. and Elizabeth Hignight, was on September 23, 1898, listed for enrollment as a citizen of the Choctaw Nation in pursuance of a judgment of the United States Court for the Southern District of the Indian Territory, rendered at Ardmore, Indian Territory, March 10, 1898 in citizenship case No. 144.

Yours truly,

Acting Chairman.

7-5146

Muskogee, Indian Territory, November 14, 1901.

H. H. Brown,

Attorney at Law,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 7th instant enclosing the application for enrollment as a citizen of the Choctaw Nation of Beulah Hignight, the infant daughter of Joe and Mattie Hignight, born May 19, 1901. Also marriage license and certificate of J. W. Hignight and Mattie Vance and the affidavit of Joseph Hignight as to the correct spelling of his name.

The marriage license and certificate with the affidavit attached thereto, have been filed with the records of the Commission and the application for the enrollment of the child being in proper form, has been accepted and filed and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

7-5146

Choc 5147 J. H. Hignight

Dismissed sept 10, 1904

CHIS

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:

NEVADA HIGNIGHT, ET AL., 7-5147.

-----o-----

Clark's Secret at
Archwood; S.T.

No. 144

Affidavit of Attending Physician
at Birth of Child.

IN RE APPLICATION OF

Mrs. Elizabeth King Knight et al
FOR CITIZENSHIP IN

NATION.

Brown & Lyell
Attys.
Archwood; S.T.

July 25 1898

Affidavit of Attending Physician at Birth of Child.

INDIAN TERRITORY,

Southern District.

I, *Walter Horay*, being duly sworn, on oath, state that I was the physician who attended on Mrs. *Lucie Nighright* on the *25th* day of *July* 1898, and that there was born to her on said date a *Female* child, and that said child was named *Nerada*, and is now living.

Subscribed and sworn to before me this *20* day of *Sept* 1898

W. Horay M.D.
Summer Hardy
NOTARY PUBLIC.

CHOCTAW.

20

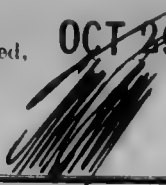
IN RE

Application for Enrollment of

INFANT CHILD

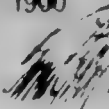
James Bryan Hight
as a citizen of the
Choctaw Nation.

Approved, ~~OCT 29~~ 1900 190.



Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
OCT 29 1900


ACTING CHAIRMAN

CHOCTAW.

5147

Brommason
att'y for Hight.
Adm'n

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

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of James Bryan Hignight, born on the 1st day of September, 1900
(Here insert name of child.)
Name of Father: J. H. Hignight, a citizen of the Choctaw Nation.
Name of Mother: Annie Hignight, a citizen of the United States Nation.
Post-office, Ardmore; I. T.

AFFIDAVIT OF MOTHER.

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

I, Annie Hignight, on oath state that I am _____
years of age and a citizen, of the U.S., of the _____ Nation;
that I am the lawful wife of James Hignight, who is a citizen, by
blood _____, of the Choctaw Nation; that a boy child was
(male or female)
born to me on the 1st day of September, 1900; that said child has been
named James Bryan Hignight, and is now living.

WITNESSES TO MARK: X Annie Hignight

(Must be Two Witnesses.) }

Subscribed and sworn to before me this 27th day of October, 1900.

My Commission expires July 28th 1903 J. V. Mason NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, Walter Hardy, a Physician, on oath state that I
attended on Mrs. Annie Hignight, wife of James Hignight,
on the 1st 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 James Bryan Hignight.

WITNESSES TO MARK: W. Hardy

(Must be Two Witnesses.) }

Subscribed and sworn to before me this 16th day of October, 1900.

My Commission expires July 28th 1903 J. V. Mason NOTARY PUBLIC.

IN RE

Application for Enrollment of

INFANT CHILD

Charles R. Hignight

as a citizen of the

Choctaw

Nation.

Approved SEP 27 1902 190



Commissioner.

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

FILED

SEP 25 1902



ACTING CHAIRMAN.

2

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

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,
of Charles R. Hignight, born on the 13 day of September, 1902
(Here insert name of child)
Name of Father: James Hignight, a citizen of the Choctaw Nation.
Name of Mother: Annie Hignight, a citizen of the U.S. Nation.
Post-Office: Ardmore, I.T.

AFFIDAVIT OF MOTHER.

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

I, Annie Hignight, on oath state that I am 39
years of age and a citizen, by the U.S., of the _____ Nation;
that I am the lawful wife of James Hignight, who is a citizen, by
blood, of the Choctaw Nation, that a boy child was
(Male or female.)
born to me on the 13 day of September, 1902, that said child has been
named Charles R. Hignight, and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 23 day of September, 1902

J. P. Higgins
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, Walter Hardy, a Physician, on oath state that I
attended on Mrs. Annie Hignight, wife of James Hignight,
on the 13th day of September, 1902; that there was born to her on said
date a son (male) child; that said child is now living and is said to have been
(Male or female.)
named Charles R. Hignight.

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 21 day of September, 1902.

Charles L. London
Notary Public.

5147-7

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

-----o-----

In the matter of the application for the enrollment of Nevada Hignight, James Bryan Hignight and Charles R. Hignight as citizens by blood of the Choctaw Nation.

-----o-----

The applicants, Nevada Hignight, James Bryan Hignight and Charles R. Hignight, claim their right to enrollment as citizens by blood of the Choctaw Nation through their father J. H. Hignight. The right of the applicants' father, J. H. Hignight, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case No. 16 upon the Tishomingo docket of said court, it is hereby ordered that the application of Nevada Hignight, James Bryan Hignight and Charles R. Hignight for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,


Chairman.

Muskogee, Indian Territory,

SEP 10 1904

Choctaw-5147.

COPY!

Muskogee, Indian Territory, September 12, 1904.

J. H. Hignight,

Ardmore, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 10, 1904, dismissing the application for the enrollment of Nevada Hignight, James Bryan Hignight and Charles R. Hignight, as citizens by blood of the Choctaw Nation.

Respectfully,

Clarence Bibby.

Chairman.

Registered.

Inc. 7-5147.

Choctaw-5147

COPY.

Muskogee, Indian Territory, Sep tember 12, 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 10, 1904, dismissing the application for the enrollment of Nevada Hignight, James Bryan Hignight and Charles R. Hignight, as citizens by blood of the Choctaw Nation.

Respectfully,

John E. Eddy.

Chairman.

Inc. 7-5147.

Muskogee, Indian Territory, October 29, 1900.

H. J. Hignight,

Ardmore, Indian Territory.

Dear Sir:

The Commission is in receipt of the application for enrollment as a citizen of the Choctaw Nation of James Bryan Hignight, the infant son of J. H. and Annie Hignight, born September 1st, 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.

7-5147.

Muskogee, Indian Territory, September 25, 1902.

James Hignight,

Ardenore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 23d inst., enclosing the application for enrollment as a citizen of the Choctaw Nation of Charles R. Hignight, infant son of James and Annie Hignight, born September 13, 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.

J.H.Hignight and others.

J.H.Hignight says:

Levada was born July 25th 1898.

I have been living in the Chickasaw Nation continuously for 10 years.

Atmore Sept. 23 1898.

J.H.Hignight
Willie Hignight
Lillie Hignight
Sarah Hignight
Lottie Hignight
Levada Hignight

enrolled.

Choc 5148 James Goins

Nº 4 Dismissed 9-10-04

5148

April 22, 1909 Indian office requests report

April 30, 1909 Report to Indian office

June 3, 1909 Dept holds case not analogous to
Goldsby case and declines to take action

looking to enrollment of applicants

June 16, 1909 Parties notified

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

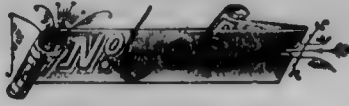
-----o-----

Record in the matter of the application for enrollment
as a citizen by blood of the Choctaw Nation of:

IRA PADIER,

7-5148.

-----o-----



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. Deaborn Padier of Keller
in the Indian Territory, aged 23 years, and
Elizabeth Jones of Keller
in the Indian Territory, aged 17 years,
according to law; and do you officially sign and return this License to
the parties therein named.

Witness my hand and official seal, this 7th day
of June A. D. 1899
C. M. Campbell
Clerk of the United States Court.

Certificate of Marriage.

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

I, O. M. Garrett
Minister
do hereby certify, that on the 7 day of June 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 10 day of June A. D. 1899

My credentials are recorded in the office of the Clerk of the United States Court,
Indian Territory, Southern District, at Ardmore, Book U Page 184

O. M. Garrett
Minister

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 creden-
tials have first been recorded in the Clerk's office.

IN RE

Application for Enrollment of

INFANT CHILD

Ira Padur

as a citizen of the

Choctaw

Nation.

Approved JUL 6 1902 190



Commissioner.

COMMISSION TO THE FILE

FILED

JUL 6 1902



CLERK

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

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,
of Ira Padier, born on the 11th day of December, 1901
(Here insert name of child.)
Name of Father: Seaborn Padier, a citizen of the Choctaw Nation.
Name of Mother: Elizabeth Padier, a citizen of the Choctaw Nation.
Post-Office: Shackerville Ind Ter

AFFIDAVIT OF MOTHER.

The State of Texas.
UNITED STATES OF AMERICA, }
INDIAN TERRITORY, }
Cooke County, District. }

I, Mrs Elizabeth Padier, 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 Seaborn Padier, who is a citizen, by
blood, of the Choctaw Nation, that a Male child was
(Male or female)
born to me on the 11th day of December, 1901; that said child has been
named Ira Padier, and is now living.

WITNESSES TO MARK

(Must be Two Witnesses)

Elizabeth Padier
G. Morris
W. E. Washington Jr.

Subscribed and sworn to before me this 30th day of September, 1902

H. S. Holman
Notary Public, for
Cooke County, Texas

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

The State of Texas.
UNITED STATES OF AMERICA, }
INDIAN TERRITORY, }
Cooke County, District. }

I, Adeline D. Goins, a Midwife, on oath state that I
attended on Mrs. Elizabeth Padier, wife of Seaborn Padier,
on the 11th day of December, 1901; that there was born to her on said
date a Male child; that said child is now living and is said to have been
(Male or female)
named Ira Padier

WITNESSES TO MARK:

(Must be Two Witnesses)

Adeline D. Goins
George Morris
W. E. Washington Jr.

Subscribed and sworn to before me this 30th day of September, 1902

H. S. Holman
Notary Public, for
Cooke County, Texas

Department of the Interior.
Commission to the Five Civilized Tribes.
Antlers, Ind. Ter., December 1, 1902.

Choctaw
3571.

In the matter of the application for enrollment as a citizen by blood of the Choctaw Nation of Elizabeth Goins.

----Additional Testimony----

Elizabeth Durant, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Elizabeth Durant.
Q How old are you? A About fifty six, I reckon.
Q What is your post office address? A Boswell,
Q Indian Territory? A Yes sir.
Q Do you know Elizabeth Goins? A I raised her.
Q Where does she live? A Lives at home with me.
Q Is she married? A No sir, she has never been married.
Q Do you know any one by the name of Seaborn Padier? A No sir.
Q Elizabeth Goins has no children? A No sir, never has been married--a young girl.

---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 1st 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 16 day of December, 1902

P. C. Bolger
Notary Public

D.C. 13115-1903.

I.T.D. 213611903.

L.R.S.

DEPARTMENT OF THE INTERIOR.

WASHINGTON.

J.W.H.

FHE

May 1, 1903.

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

Gentlemen:

On February 17, 1903, you addressed a communication to the Department, requesting that you be authorized to cancel upon the schedule of citizens by blood of the Choctaw Nation, as approved by the secretary of the Interior on February 4, 1903, Number 10112, Ira Padier, and that you be further authorized to change the name, Elizabeth Padier, Number 10111, to Elizabeth Goins.

In support of said request you state that Numbers 10111, Elizabeth Padier, and 10112, Ira Padier, as they appear upon said schedule, are erroneous entries and should be corrected. Your reasons for so believing appear in said communication, and are as follows:

"On September 17, 1902, S. P. Padier, of Gainesville, Texas, forwarded to the Commission his marriage license and certificate of marriage to Elizabeth Goins, seventeen years of age, of date June 7, 1899, as authority for the change of her name upon our records from her maiden name of Elizabeth Goins to her married name of Elizabeth Padier.

The Commission identified the wife of S. P. Padier as Elizabeth Goins, the ward of Elizabeth Durant on Choctaw card number 1571, and her name was accordingly changed to Padier.

On October 6, 1902, there was filed with the Commission an application for the enrollment of Ira Padier, the infant child of Seaborn and Elizabeth Padier, born December 11, 1901. This child was identified as the daughter of Elizabeth Padier, nee Goins, above

referred to, and as the proof of birth was in proper form the child was listed forenrollment and the names of the mother, Elizabeth Padier, and the child, Ira Padier, were placed on the schedule above referred to as numbers 10111 and 10112.

The Commission has been recently advised that Elizabeth Goins, the ward of Elizabeth Durant, has never been married and has no children, and the testimony of Elizabeth Durant, the Guardian of this girl, has been secured relative to this fact.

It further appears from our records that a Lizzie Goins, seventeen years of age, and the daughter of James Goins, was admitted to citizenship in the Choctaw Nation by a judgment of the United States Court for the Southern District of the Indian Territory December 21, 1897, in Choctaw citizenship case number 127. Since said admission she has married Seaborn P. Padier by whom she has one child, Ira Padier."

Report in the matter February 7, 1903, the Acting Commissioner of Indian Affairs recommended that the authority requested by you be granted. A copy of his letter is inclosed.

The Department concurs in said recommendation, and you are accordingly authorized to make changes requested by you. The copy of said schedule in the possession of the Department has been this day corrected in accordance herewith.

Respectfully,

Thos. Ryan,
Acting Secretary.

1 inclosure.

Land.

12200-1903.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs,

Washington, Feby. 27, 1903.

The Honorable,

The secretary of the Interior.

Sir:

Referring to Department letter of February 4, 1903, (I.T.D. 988), there is enclosed herewith report from the Commission to the Five Civilized Tribes, dated February 17, 1903, in which it requests authority to cancel upon the schedule of approved citizens by blood of the Choctaw Nation, the name Ira Padier, which appears opposite roll No. 10112, and that it be authorized to change the name Elizabeth Padier, which appears opposite roll No. 10111, to Elizabeth Goins.

The Commission states that on September 17, 1902, S. P. Padier, of Gainesville, Texas, forwarded to it his marriage license and certificate of marriage to Elizabeth Goins, seventeen years of age, showing that they were married on June 7, 1899, and that the Commission then changed the name Elizabeth Goins to Elizabeth Padier.

The Commission further states that the wife of S. P. Padier was identified as Elizabeth Goins, the ward of Elizabeth Durant, on Choctaw card No. 3571; that her name was accordingly changed to Padier; that on October 6, 1902, there was filed with the Commission an application for the enrollment of Ira Padier, the infant child

of Seaborn and Elizabeth Padier, born December 11, 1901, which said child was properly identified by birth affidavit as the child of Elizabeth Padier, nee Goins. Elizabeth Padier and her child, Ira Padier, were placed on the schedule opposite the number above mentioned.

It is further stated that the Commission was recently advised that Elizabeth Goins, the ward of Elizabeth Durant, had never been married; that she has no children, and the testimony of said Elizabeth Durant, the guardian of Elizabeth Goins, is enclosed. From said testimony it appears that Elizabeth Goins is 17 years of age, is unmarried, has no children, and that the affiant is not acquainted with any one by the name of Seaborn Padier.

From the Commission's statement and the testimony of Elizabeth Durant it would appear that Elizabeth Goins, the ward of Elizabeth Durant, and Elizabeth Padier, the wife of Seaborn P. Padier, are one and the same person, and that the Commission understood when it placed the name of Elizabeth Padier on said roll that she was the Elizabeth Goins who is the ward of Elizabeth Durant.

In view of the foregoing the office respectfully recommends that the authority requested by the Commission be granted, and that it be authorized to make proper correction and cancellation on its partial roll.

Very respectfully,

Commissioner.

2700

Littsburgh In and if woman there that Elizabeth Johns, the wife of

John the son, brother, ...

... of the name of ...

... of the name of ...

... of the name of ...

... of the name of ...

... of the name of ...

... of the name of ...

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... of the name of ...

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

MAY 14 1883

2700

Land

YAH

86220-08
16000-09
JUR

KRM

Department of the Interior,
Office of Indian Affairs,

Washington, D. C. Meh. 2, 1909.

Respectfully referred to the Commissioner
to the Five Civilized Tribes, for
early report as to matters not of record
as being in this office.

John Francis Jr.

Acting Chief Land Division.

1 copy of letter (16000)

D C D 277-1909

W.S.A.

J.W.H.

DEPARTMENT OF THE INTERIOR,

WASHINGTON.

February 25, 1909.

The Commissioner
of Indian Affairs.

Sir:

The Department has had under consideration for some time a schedule, prepared in the office of the Commissioner to the Five Civilized Tribes, which was originally filed in your office December 30, 1908, as No. 88228, purporting to be a list of persons whose names were stricken from the approved rolls of citizens of the Five Civilized Tribes without prior notice. Action has already been taken by the Department upon a majority of the names mentioned in said list, but there is a comparatively small number of cases as to which the information before the Department is not sufficiently complete to warrant present action.

The names of the parties to cases of the latter class having applications for enrollment as citizens of the Chectaw Nation are listed below, and you are requested to cause further report to be made as to each, calling upon the Commissioner to the Five Civilized Tribes, if necessary, for additional information and papers.

It is also desired that the record in each of said cases be forwarded with separate report thereon.

CHOCTAW BY BLOOD.

Name	Roll No.
Armstrong, Rebecca F.	16,057
Armstrong, Nonnie D.	16,056
Armstrong, Layton W.,	16,055
Armstrong, Mattie L.,	16,054
Padier, Ira	10,112
Turner, Martin Franklin,	15,369
Turner, Myrtle L.,	15,370

CHOCTAW BY MARRIAGE.

Duer, Thomas W.,	1,556
Hyden, Georgia,	1,601
Hyden, Martha,	1,609
Marshall, Josiah T.,	1,541
Swadley, William T.,	1,634

In connection with Josiah T. Marshall, it should be shown whether his enrollment by the Department was based upon a marriage contracted subsequent to the decision against him by the Dawes Commission under the Act of June 10, 1896. The Department also desires to be advised, in connection with the case of William T. Swadley, what information, if any, is of record concerning Minerva P. Swadley.

Notwithstanding partial reports have been made heretofore, with varying degrees of completeness, it is desired that all material information affecting each case be brought together in

a single report showing particularly, --

1. What tribal recognition, if any, has been accorded the applicants, whether by enrollment, act of council, decree of court, or otherwise.
2. The action by the Commission (or Commissioner) to the Five Civilized Tribes, the Commissioner of Indian Affairs, and the Secretary of the Interior, together with the dates of such action.

NOTE: This information is desired in order that it may be apparent to what extent, if at all, the Department should now be governed by its ruling of August 15, 1907 (D-299) in the case of Serona Bullocks, et al.

3. What action, if any, was taken under the Act of June 10, 1896, (a) by the Commission to the Five Civilized Tribes, and (b) by the United States court,
4. Whether the case was appealed or transferred to the Choctaw and Chickasaw Citizenship court and, if so, whether specific judgment was rendered by said court,
5. Whether certificates of allotment or patents were issued, delivered, or recorded in favor of any of the applicants,
6. What attempt, if any, was made, directly or indirectly, to give the applicants and their heirs notice of the proceedings looking to the cancellation of

their names from the approved rolls; also what evidence is now available showing that such attempt was made.

7. When and for what reason did the Department strike or attempt to strike their names from the approved rolls.

Very respectfully,

(Signed) Jesse K. Wilson

Assistant Secretary.

D 277-1909

Muskogee, Oklahoma, March 12, 1909.

Subject:
Report on Departmental
letter of February 25,
1909 as to Ira Padier.

The Honorable,

The Commissioner of Indian Affairs,

Sir:

March 2, 1909 (Land 88228-1908, 16008-1909) the Indian Office referred to this office copy of Departmental communication of February 25, 1909, asking for a full report on certain Choctaw cases therein named, among which was Ira Padier.

Reporting in this matter I have the honor to advise that it appears from the records of this office that on September 17, 1902, S. P. Padier, of Gainesville, Texas forwarded to this office the license and certificate of his marriage to Elizabeth Goins, seventeen years of age, dated June 7, 1899, as authority for the change of her name upon our records from her maiden name of Elizabeth Goins to her married name of Elizabeth Padier. The person named in the marriage license and certificate was identified as Elizabeth Goins, then about nineteen years of age, ward of Elizabeth Durant, Choctaw census card Number 3571, and her name was accordingly changed to Elizabeth Padier.

On October 6, 1902, there was filed with the Commission to the Five Civilized Tribes an application for the enrollment of Ira Padier, infant child of Seaborn and Elizabeth Padier, born December 11, 1901. This child was identified as the son of Elizabeth Padier, nee Goins, above referred to, and the proof of birth being in proper form the child was listed for enrollment with Elizabeth Padier on Choctaw census card Number 3571.

January 9, 1903 there was transmitted to the Department a schedule constituting part of the final roll of citizens by blood of the Choctaw Nation upon which the names of Elizabeth Padier and Ira Padier appeared at Numbers 10111 and 10112.

From the testimony of Elizabeth Durant, guardian of Elizabeth Goins, it appeared that her ward was not married and had no child named Ira Padier. This information was secured by the party in the field in December, 1902, and an effort was made by them to secure the appearance or ascertain the whereabouts of the mother of Ira Padier, but to no purpose.

An examination of the records of this office, however, disclosed that one Lizzie Goins, child of James Goins, seventeen years of age in 1898, had been listed for enrollment, pursuant to a judgment of the United States Court for the Southern District of the Indian Territory, on Choctaw census card Number 5148, and she was identified as the mother of Ira Padier.

Inasmuch as the Choctaw and Chickasaw Citizenship Court,

created under the provisions of the Act of Congress approved July 1, 1902 (32 Stat., 641) had, by its decision of December 17, 1902, set aside, annulled, vacated and held for naught all judgments of the United States Court in Indian Territory admitting persons to citizenship in the Choctaw Nation, the Commission to the Five Civilized Tribes, on February 17, 1903, recommended the cancellation of the enrollment of Ira Padier at Number 10112 upon the schedule of citizens by blood of the Choctaw Nation as approved by the Secretary of the Interior February 4, 1903, and the change of the name at Number 10111 from Elizabeth Padier to Elizabeth Goins, in order that the application for the enrollment of Ira Padier might be disposed of in accordance with the action of the Choctaw and Chickasaw Citizenship Court as to the right to enrollment of his mother, Lizzie Padier. At the same time there were inclosed, for the information of the Department copies of all papers with reference to this erroneous identification.

May 1, 1903 (I T D 2136-1903) the Department approved the recommendation of this office and the name of Ira Padier was cancelled from the approved roll of citizens by blood of the Choctaw Nation at Number 10112.

On June 29, 1904, the Choctaw and Chickasaw Citizenship Court entered its decree holding that James Goins and his children, among them, Lizzie Goins, were not entitled to be enrolled as citizens by blood of the Choctaw Nation. Subsequently, on

September 10, 1904, the Commission to the Five Civilized Tribes dismissed the application for the enrollment of Ira Padier for the reason that his mother, Lizzie Padier, formerly Lizzie Goins, had been denied by the Choctaw and Chickasaw Citizenship Court. Of this decision Lizzie Padier and her attorney were duly notified by registered mail on September 12, 1904, and were furnished a copy of the order dismissing the application for the enrollment of Ira Padier, to which no protest was ever entered.

It does not appear from the records of this office that notice was given to the mother of Ira Padier, either of his enrollment or the cancellation thereof, although ~~she was~~ subsequently notified of the dismissal of his application for enrollment, and no selection of allotment was made in his name.

It appears from the record that Ira Padier was born subsequent to the date of the rendition of the judgment of the United States Court admitting Lizzie Padier (Goins) to citizenship in the Choctaw Nation and was not a party to that case, nor included in the original application made, on behalf of his mother, to the Commission to the Five Civilized Tribes under the act of Congress approved June 10, 1896 (29 Stat., 321), which application was denied by the Commission in 1896 Choctaw Citizenship Case Number 55.

Respectfully,

AB

Acting Commissioner.

7-5148.

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

-----o-----

In the matter of the application for the enrollment of
Ira Padier as a citizen by blood of the Choctaw Nation.

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

The applicant, Ira Padier, claims his right to enrollment as a citizen by blood of the Choctaw Nation through his mother Lizzie Padier. The right of the applicant's mother, Lizzie Padier, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case No. 31 upon the Tishomingo docket of said court, it is hereby ordered that the application of Ira Padier for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,


Chairman.

Muskogee, Indian Territory,

SEP 10 1904

Choctaw 5148

COPY:

Muskogee, Indian Territory, September 12, 1904.

Lizzie Padier,

Chackerville, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 10, 1904, dismissing the application for the enrollment of Ira Padier as a citizen by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Jame Bixby.

Chairman.

Registered.

Incl. 7-5148.

Choctaw 5148

7-5148

Muskogee, Indian Territory, September 12, 1904.

COPY.

H. S. Holman,
Attorney at Law,
Gainesville, Texas,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 10, 1904, dismissing the application for the enrollment of Ira Padier as a citizen by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tamm L. ...

Chairman.

Registered.

Incl. 7-5148

Choctaw 5148

COPY.

Muskogee, Indian Territory, September 12, 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 10, 1904, dismissing the application for the enrollment of Ira Padier as a citizen by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tame Bixby
Chairman.

Incl. 7- 5148.

Goins, Robert,
Goins, Elizabeth,
Goins, Seaborn,
Goins, Calvin,
Goins, Caroline,
Goins, John,
Goins, Elizabeth,
Goins, Minerva,
Goins, Wm. Henry,
Goins, Samantha,
Goins, James,
Goins, James, Jr.,
Goins, Randolph,
Goins, Lizzie,
Goins, Rayborn,
Goins, Thomas L.,
Goins, Wm.,
Goins, Collin,
Goins, Eli,
Goins, Rayborn, Jr.,
Goins, Campbell,
Goins, Martha Margaret,
Goins, Missouri E.,
Goins, Mandi May,
Goins, Dinkle,
Goins, Reuben,
Goins, Mary,
Goins, Cordelia,
Goins, Jeremiah, Jr.,
Goins, Monroe,
Goins, William,
Goins, Frank,
Goins, Leonard,
Paddico, Mrs. Eveline,
Paddico, Reuben,
Paddico, Tasso,
Paddico, John,
Paddico, Evaline,
Paddico, Martha,
Paddico, James,
Paddico, Amanda,

~~Morris, Caroline,~~
Morris, Jerry M., ✓
Morris, G. W., ✓
Morris, Spencer W., Jr., ✓
Morris, Sarah, or Sallie, ✓
Morris, Kansas, ✓
Perrice, Mrs. Emily, ✓
Nevéls, G. W., ✓
Perrice, Ike, or Ignitia, ✓
Perrice, Josephine, ✓
Perrice, Mary, ✓
Perrice, Annie, ✓
Perrice, Alzona, ✓
Perrice, Caroline, ✓
Southward, Mrs. Mary, ✓
Southward, W. C., ✓
Southward, Wm. H., ✓
Southward, Elizabeth, ✓
Southward, John F., ✓
Southward, James Marion, ✓
Southward, Jessie Myrtle, ✓
Southward, Maggie May, ✓
Gardner, James Milton, ✓
Gardner, Margeret Lugene, ✓
Gardner, Sallie (f) ✓
Gardner, Mauda Eldora, ✓
Gardner, Cora Lee, ✓
Gardner, J. M., ✓
~~Morris, J. M.,~~
Morris, Ebenezer, S., ✓
Morris, Gertrude E., ✓
Morris, Joel W., ✓
Morris, Jesse Coleman, ✓
Morris, Augustus B., ✓
Morris, Wilnuth, ✓
Morris, Nora Lee, ✓
Morris, Mollie, ✓
Morris, Cora May, ✓
Morris, Kansas Viola, ✓
Jones, Frank C., ✓
Jones, James, ✓
Jones, Jessie, ✓
Jones, Gipsie, ✓
Jones, Frank C., ✓
~~Morris, Josephine, ✓~~

+ *Majinas* -3-

- Marjares, Ignitia, ✓
- Marjares, Sussie, ✓ *Sussie*
- Marjares, ~~Regulio~~, ✓ *Regulio*
- Perrice, Joe, ✓
- Perrice, Ignatia, Jr., ✓ *h²b*
- ~~Dias, Mary,~~ ✓
- Dias, Eugene, ✓
- Dias, Albert, ✓
- Androda, Annie, ✓
- Androda, Clara, ✓
- Androda, Christoval, ✓
- Priest, Mrs. Josephine, ✓
- Taylor, Adella, ✓
- Taylor, Pearlina, ✓
- Taylor, Anzo, ✓
- Taylor, Wm. Martin, ✓
- Taylor, Josephine, ✓
- Taylor, Clara, ✓

COMMISSIONERS
TAMM HIXBY
THOMAS S. NEEDLES
C. S. BRACKENRIDGE
W. M. H. BEALL,
Secretary

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED IN REPLY TO THE FOLLOWING:
Choctaw 5148

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, September 12, 1904.

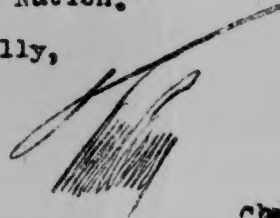
Lizzie Padier,

Thackerville, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 10, 1904, dismissing the application for the enrollment of Ipa Padier as a citizen by blood of the Choctaw Nation.

Respectfully,



Chairman.

Registered.

Incl. 7-5148.

193

James Goins and others.

James Goins says:

I came from Texas to the Territory May 6th 1898.

I have been living here ever since.

James Goins
Randolph Goins
Lizzie Goins

Armored Sept. 23 1898.

enrolled.

END
OF
ROLL

